

2026 EDITION • FULLY UPDATED

NEW YORK STATE

CANNABIS IN

NEW YORK

The ultimate guide to legal cultivation and personal use — everything you need to know to stay legal, grow smart, and understand your rights.



- ✓ Your possession & consumption rights
- ✓ Every cultivator license, tier & fee
- ✓ Penalties — and how to avoid them
- ✓ Home growing, plant by plant
- ✓ The medical program's perks
- ✓ How NY stacks up against other states

internetofpot.com PLAIN-ENGLISH ANSWERS • TIPS • WARNINGS • CHEAT SHEET INSIDE

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Introduction

Cannabis has been legal for New York adults since March 31, 2021 — but "legal" comes with limits, licenses, and a few traps for the unwary. This book turns the Marihuana Regulation & Taxation Act (MRTA), Penal Law Article 222, and the Office of Cannabis Management's regulations into plain English. It's current as of **July 16, 2026**, and it covers the whole picture: what you can carry, where you can light up, how many plants you can grow, how the medical program works, and — if you want to go pro — exactly how cultivation and dispensary licensing works.

One thing this book is *not*: legal advice. Laws change and facts matter — for anything involving courts, custody, employment disputes, immigration, or a license application, talk to a New York cannabis attorney.



MEET SID — YOUR GUIDE

Sid is the internetofpot.com mascot: slow, deliberate, and never in trouble with the law. When Sid pops up in the margins, he's sharing the street-level wisdom the statutes don't spell out. Take it slow, read the rules, and you'll be fine.

ICONS USED IN THIS BOOK



Pro tip: a shortcut, a money-saver, or a smarter way to do it.



Bookmark this: a rule worth pinning — it comes up again and again.



Warning: the line between legal and illegal. Cross it and there are real consequences.

PART I

Getting Started with Legal Cannabis

In this part... you get the ground rules: who regulates cannabis in New York, what the federal government still forbids, exactly what you may buy, carry, and consume — and the penalties waiting on the other side of the line.

The Lay of the Land

IN THIS CHAPTER

- Meeting the MRTA, the OCM, and the Cannabis Control Board
- Understanding what your town can — and can't — prohibit
- Keeping the federal government out of your life

On March 31, 2021, the **Marihuana Regulation & Taxation Act** made New York's cannabis rules among the most consumer-friendly in the country. It rewrote the criminal code (possession offenses now live in **Penal Law Article 222**), automatically expunged old convictions for conduct that's now legal, and created two bodies you'll hear about constantly: the **Office of Cannabis Management (OCM)**, which writes the regulations and issues every license, and the **Cannabis Control Board (CCB)**, which approves them. The first licensed sale happened December 29, 2022, and the market has grown explosively since.

Towns and villages had a one-time window to opt out of hosting *dispensaries and consumption lounges*. That's the full extent of local veto power: **no municipality can ban possession, use, or home cultivation**. Localities may "reasonably regulate" home growing (think nuisance rules), but they can't prohibit it.



WARNING

Federal law hasn't caught up. Adult-use cannabis is still federally illegal. Never carry it across a state line (even into another legal state), onto federal property, past airport security, or onto tribal land with its own rules. In spring 2026 the DEA rescheduled *state-licensed medical cannabis* to Schedule III — a huge deal for patients (federal-law protection for their medicine) and for medical businesses (no more §280E tax pain) — but adult-use products remain Schedule I for now: DEA hearings on rescheduling *all* cannabis ran June 29 – July 15, 2026, the judge's recommendation is still pending, and the medical-only order faces D.C. Circuit challenges.



BOOKMARK THIS

Everything in this book describes **New York State law for adults 21 and over**. Under 21, cannabis is illegal to buy, hold, or use — full stop — except for registered medical patients.

Your Rights as a Consumer

IN THIS CHAPTER

- Knowing your possession limits cold
- Buying from the right stores (and spotting the wrong ones)
- Figuring out where you can actually consume
- Gifting legally

The magic numbers: 3 ounces, 24 grams, 5 pounds

Outside your home you may carry up to **3 ounces of flower** and **24 grams of concentrate** — and edibles, vapes, oils, and tinctures all count against that 24-gram limit by THC content. At home, you may store up to **5 pounds**, kept secure and out of reach of anyone under 21. These limits apply equally to residents and visitors with valid ID.

Buying: licensed or nothing

Only OCM-licensed dispensaries may sell cannabis. Look for the official **New York State Licensed Cannabis Dispensary decal** and scannable verification QR code near the entrance — the state's dispensary locator at cannabis.ny.gov lists every legal shop. Licensed delivery to your door is legal statewide. The hundreds of neon "smoke shops" that remain are unlicensed: their products are untested (independent studies have found contaminants and wildly inaccurate labels), and the state has already padlocked 550+ of them.



PRO TIP

Legal products carry a full lab label and tamper-evident packaging. With delivery, the courier checks your ID at the door and hands over a sealed bag — often the easiest way to stay compliant if you don't drive.

Where you can (and can't) consume

New York's rule of thumb is rare and generous: **you may generally smoke or vape cannabis wherever tobacco smoking is allowed** — many sidewalks and open outdoor spaces qualify. Off-limits: indoor public places, schools and school grounds, workplaces, public transit, inside any vehicle (driver or passenger), federal land, and New York City parks and beaches. Consumption-lounge licenses exist on paper, but none had opened as of mid-2026. Hotels and landlords may ban smoking on their premises — check before you light.

Gifting: legal, with one giant asterisk

You may **gift up to 3 oz / 24 g to another adult 21+**, as long as absolutely nothing of value changes hands. The moment money, goods, services, or a "donation" enters the picture, it's an illegal sale — the "free gift with purchase" schemes some shops tried are illegal too.



SID SAYS

Tourists ask me all the time: yes, you can buy with any government ID from anywhere. But whatever you buy in New York *stays* in New York — the state line is where your rights end.

CHAPTER 3

Staying Out of Trouble

IN THIS CHAPTER

- Knowing where "legal" ends and penalties begin
- Transporting cannabis in a car the right way
- Protecting your job and your lease

The penalty ladder

CONDUCT	STATUS UNDER PENAL LAW ART. 222
3–8 oz outside the home	Violation — civil fine
Over 8 oz	Misdemeanor
Over 16 oz (1 lb)	Felony exposure
Selling any amount without a license	Illegal — criminal penalties scale with quantity; OCM padlocks illicit shops and seizes product
Selling or giving to anyone under 21	Criminal offense
Growing beyond home-grow plant limits	Class A misdemeanor — up to 1 year and \$1,000
Prior convictions for now-legal conduct	Automatically expunged / sealed under the MRTA

Cars and driving: the biggest trap

Transport cannabis in a **sealed, unopened package in the trunk or a locked compartment** — an open bag on the passenger seat is the single most common way legal possession turns into a police investigation. Driving while impaired is a **DWAI-drugs** offense, and unlike alcohol's 0.08 BAC, New York has **no numeric THC limit**: any observable impairment supports a charge, with fines, license suspension, and possible jail. Cannabis odor plus signs of impairment gives an officer probable cause.



WARNING

Edibles are the sneaky one. They can take up to four hours to hit. "I feel fine" an hour after a gummy is not a driving plan. If you feel different, you drive different — take a rideshare.

Your job and your lease

Work: Labor Law §201-d bars employers from punishing lawful, off-duty cannabis use. But employers can act on workplace impairment, and federal employees, DOT-regulated drivers, and safety-sensitive roles get no state protection — those jobs can still test and fire. **Housing:** landlords may ban smoking and restrict cultivation by lease; per OCM guidance a landlord can refuse home growing outright only where allowing it would risk a federal benefit (federally subsidized housing is the classic case).



BOOKMARK THIS

Legal at the state level never means legal everywhere: federal property, state lines, your employer's policy, and your lease are four separate rulebooks. Check all four before you assume you're covered.

PART II

Growing Your Own

In this part... you learn the plant math (3 + 3 per adult, 12 per household), where you're allowed to grow, what to do with your harvest, and how to set up a safe, legal, landlord-proof grow.



"If you can grow a good tomato, you can grow a good plant. The law just wants you to count to six." — Sid

CHAPTER 4

Home Cultivation, Plant by Plant

IN THIS CHAPTER

- Counting plants the way the law counts them
- Knowing where you're allowed to grow
- Handling your harvest without breaking the 5-pound rule
- Understanding the hard lines you must never cross

Adult-use home growing has been fully legal since the Cannabis Control Board adopted final regulations in **June 2024** (medical patients had the right earlier, from October 2022). It's one of the strongest home-grow rights in the country — as long as you respect the numbers.

The plant math

3 + 3

MATURE + IMMATURE PLANTS
PER ADULT 21+

6 + 6

HOUSEHOLD MAXIMUM, NO
MATTER HOW MANY ADULTS

5 lb

TRIMMED FLOWER YOU MAY KEEP
AT THE RESIDENCE

"Mature" means flowering or ready to harvest; "immature" covers seedlings and plants in veg. Each adult 21+ may keep **3 mature and 3 immature plants**, but the residence itself is capped at **6 mature and 6 immature (12 total)** — two roommates hit the cap together; a third adds nothing.

#

BOOKMARK THIS

The cap is per *residence*, not per person-times-people. Going over is a Class A misdemeanor — up to a year and \$1,000. Count before you germinate.

Where you can grow

Your **primary residence** — owned or rented — including apartments, co-ops, and mobile homes, indoors or on the grounds. Plants must be in a secure spot, out of reach and out of sight of anyone under 21, and not visible from public view. Growing at a second home, a friend's place, or a rented garage across town doesn't qualify.

Your harvest

You may keep up to **5 pounds of trimmed flower** at the residence where it was grown — generous, but easy to exceed after a couple of good outdoor harvests. And the moment you leave the house, the public 3-ounce limit applies *even to your own homegrown*.



SID SAYS

Stagger your plantings a few weeks apart. You'll harvest smaller batches year-round, stay comfortably under 5 pounds, and never cure more than you can store properly. Slow and steady — it's kind of my whole thing.

The hard lines

- **Never sell, trade, or barter** homegrown cannabis — any exchange of value is an unlicensed sale. Gifting up to 3 oz to another adult 21+ is fine.
- **No volatile-solvent extraction at home** (butane and the like) — it's criminally dangerous and simply criminal.
- **Keep it invisible and locked** — visible-from-the-street plants invite complaints, and unsecured plants around minors invite worse.

Medical growers get extra room: since a November 2025 law, certified patients as young as **18** may grow, and designated caregivers may grow for minors and homebound patients. Municipalities may "reasonably regulate" home cultivation — but they cannot ban it.

Growing Smart and Safe

IN THIS CHAPTER

- Sourcing seeds and clones legally
- Setting up a safe grow space
- Renting? Getting your landlord squared away
- Dodging the classic rookie mistakes

Seeds and clones: buy them legally

Licensed **dispensaries, microbusinesses, and nurseries** may sell seeds and immature plants to home growers — the OCM authorized retail plant sales when home grow went live. A legal clone comes with known genetics and no pest hitchhikers; a baggie of mystery seeds comes with neither.

A safe setup, per state guidance

- **Electrical:** grow lights and dehumidifiers pull real wattage — consult an electrician before loading a bedroom circuit.
- **Moisture and mold:** ventilate, run a dehumidifier and humidity monitor, and keep the area clean. Moldy cannabis is unusable and unsafe.
- **Pesticides:** only products cleared for use — check the NYS Pesticide Administration Database (NYSPAD) before spraying anything.
- **Storage:** dried flower goes in a locked container, out of sight and reach of children and pets. Child-resistant packaging is a first layer, not a substitute for a lock.

Renters: read the lease first

You may grow in a rental, but a lease can restrict indoor cultivation and smoking. Under OCM guidance, a landlord may flatly refuse cultivation only where allowing it risks a federal benefit — otherwise it's a negotiation, not a veto.



PRO TIP

Get your landlord's blessing *in writing* before you buy equipment. A one-paragraph lease addendum beats an eviction argument every time.

The five classic mistakes

1. Losing count — six seedlings "because some might not make it" is already over your immature limit if three are established.
2. Plants visible from the sidewalk or a neighbor's yard.
3. Selling the surplus "just to friends" — that's an unlicensed sale, full stop.

4. Driving a fresh harvest to a buddy's place — over 3 oz in transit is a violation or worse.
5. Blowing past 5 lb in storage after a big outdoor season instead of gifting it down (3 oz at a time, nothing in return).

PART III

The Medical Program

In this part... why a medical certification still beats walking into a dispensary as a recreational customer — on tax, possession limits, home grow, and even federal law.



"The card costs a telehealth visit. It pays you back every single trip to the counter." — Sid

Why a Medical Card Still Pays Off

New York's medical program has run since 2014 and has been expanded repeatedly. Any registered practitioner may certify you for **any condition they judge clinically appropriate** — chronic pain, PTSD, cancer, epilepsy, MS, IBD, and opioid-use disorder are common examples, but the list is open-ended. There's no physical card anymore: dispensaries verify your certification electronically against your government ID.

BENEFIT	MEDICAL PATIENT	ADULT-USE CUSTOMER
Tax	3.15% excise	~20–22% combined effective
Possession	60-day supply (can exceed 3 oz)	3 oz / 24 g in public
Home grow	From age 18; caregiver grows allowed	21+ only
Federal status	Schedule III since 2026 — lawful federal possession of your medicine	Still Schedule I federally
Extras	Out-of-state reciprocity; whole-flower access; pharmacist guidance	Walk-in convenience



PRO TIP If you buy regularly, the tax difference alone (3.15% vs. ~22%) typically covers the cost of a telehealth certification within a couple of months.

PART IV

Going Pro: The Business of Cannabis

In this part... every license New York issues, the cultivator license in full detail — types, tiers, fees, ownership rules, pros and cons — plus the market numbers, the taxes, and what's coming next.



"New York grows fast. The paperwork doesn't. Budget patience." — Sid

CHAPTER 7

The License Universe

Every commercial cannabis activity in New York needs its own OCM license, applied for through New York Business Express. Here's the whole map:

LICENSE	WHAT IT AUTHORIZES
Cultivator	Grow, clone, harvest, dry, cure, grade, trim; sell to processors, microbusinesses, co-ops, ROs, and researchers. Four cultivation types × five canopy tiers — full detail in Chapter 8.
Nursery	Produce and sell clones, immature plants, and seeds to licensed growers and, via retail, to home growers. Fees ~\$750–\$2,100.
Processor (Types 1–3)	Type 1: extraction + infusion + packaging. Type 2: infusion/blending + packaging. Type 3: packaging, labeling & branding only — the license that lets a cultivator sell flower under its own brand. Fees ~\$2,000–\$7,000; GMP standards mandatory.
Distributor	Wholesale tested product from producers to dispensaries and lounges. ~\$7,000 per premises. Cultivators/processors may add one to move <i>their own</i> product.
Microbusiness	The vertical-integration exception: grow (indoor ≤3,500 sq ft, mixed-light ≤5,000, outdoor ≤10,000, or combo), buy up to 500 lb biomass/yr, process up to 1,700 lb/yr (unlimited for own-grown), and sell direct to consumers. Fee \$4,500.
Retail dispensary	Sell and deliver to consumers 21+. ~\$7,000 fee; maximum 3 retail licenses per person; barred from any supply-side interest.
Delivery	Courier adult-use products to consumers; cannot hold any other adult-use license.
On-site consumption	Cannabis lounges — sales for use on the premises, no alcohol. Framework approved; rollout still pending statewide.
Cooperative / collective	NY-resident member co-ops that jointly cultivate, process, and sell wholesale (no direct-to-consumer sales).
Registered Organizations (ROD / ROND)	Legacy medical operators; vertically integrated, and currently the only licensees growing indoors at large scale. Paid roughly \$10–20M to enter the adult-use market.
CAURD (conditional retail)	Justice-involved conditional dispensaries that opened the market in 2022. All provisional CAURD and adult-use licenses were extended through December 31, 2026 .
Permits & other	Testing-laboratory permits, cannabis research licenses, event-organizer and Cannabis Showcase Event (CSE) permits that let dispensaries sell alongside cultivators and processors at off-site events.



The two-tier rule kills more applications than anything else. New York strictly separates supply from retail: a cultivator, processor, distributor, or nursery — or any of its True Parties of Interest (owners, spouses, financiers, controlling service providers) — may hold *no interest* in a dispensary, delivery, or consumption license, and vice versa. The only vertical paths are the microbusiness license and the Registered Organizations. Map every TPI before you file.

CHAPTER 8

Cultivator Licenses in Depth

One cultivator license per person or entity, locked to **one cultivation type and one canopy tier**: indoor, outdoor, mixed-light (greenhouse or hoop-house with supplemental lighting meeting photon-efficacy standards), or combination (outdoor + mixed-light). A cultivator may additionally hold a processor license, one distributor license (own product only), and a nursery license — but never anything on the retail side.

TIER	CANOPY (INDOOR / OUTDOOR / MIXED-LIGHT)	COMBINATION (OUTDOOR + MIXED-LIGHT)
1	Up to 5,000 sq ft	≤5,000 outdoor + ≤2,500 mixed-light
2	5,001 – 12,500 sq ft	Scaled pairings between Tiers 1 and 3
3	12,501 – 25,000 sq ft	12,501–25,000 outdoor + 6,250–12,500 mixed-light
4	25,001 – 50,000 sq ft	25,001–50,000 outdoor + 12,500–15,000 mixed-light
5	50,001 – 100,000 sq ft	50,001–100,000 outdoor + 15,001–30,000 mixed-light

Fees: a \$1,000 non-refundable application fee, then a tiered license fee — from roughly **\$1,000 + \$150 per 500 sq ft** (Outdoor Tier 1) up to **\$100,000 + \$2,000 per 500 sq ft above 50,000** (Indoor Tier 5); Indoor Tier 1 starts around \$1,750 + \$450 per 500 sq ft. Licenses run two years.



SID SAYS

Qualify as a Social & Economic Equity applicant and **every fee is cut in half**. The state also waived licensing fees for two years for conditional cultivators who transitioned to full licenses. Check your eligibility before you write any checks.

What you sign up for

Seed-to-sale tracking with per-plant tagging (Metrc integration underway); mandatory energy, water, and waste reporting through **PowerScore**; OCM-approved pesticides only; documented sustainability and biodiversity practices; annual dry-weight yield reports; OCM-approved secure storage. Your canopy is locked to your tier — expansion needs prior written approval, and at renewal the Board can *shrink* your canopy if you sold less than 50% of what you harvested in the prior six months.

Choosing your cultivation type

TYPE	PROS	CONS
Outdoor	Lowest fees and operating costs; tiny energy footprint (easy PowerScore compliance); natural fit for existing farms and biomass/extract supply.	One harvest a year; weather and crop-failure risk; lowest wholesale prices — roughly 45% of NY cultivators grow outdoors and it's the most squeezed segment.
Mixed-light	Multiple harvests a year; better quality control than outdoor at a fraction of indoor energy cost; moderate fees.	Greenhouse capital costs; lighting must meet state photon-efficacy standards; mid-market pricing.
Indoor	Premium flower and top wholesale prices; year-round harvest cycles; what NY consumers demonstrably prefer — and a big supply gap today (ROs are the only large-scale indoor growers).	Highest fees (six figures at Tier 5) and build-out costs; heavy energy bills under state efficiency standards and reporting scrutiny.
Combination	A hedge across methods: outdoor scale plus greenhouse consistency; flexible product mix.	Operationally complex; limited expansion path (a Tier 1 combo may only expand into Tier 3 mixed-light).

MARKET CONTEXT, MID-2026

New York is **supply-constrained** — the opposite of most mature states. About 9 million sq ft of canopy is permitted but only roughly half is operational (~588,000 lb/yr of capacity); the OCM projects demand may need up to three times that, and in early 2026 the Board committed to approving canopy expansions and clearing the December 2023 application queue. The flip side: every mature market (California, Michigan, Oregon, Washington) eventually hit wholesale price compression, and the two-tier rule means a cultivator can never own its own shelf space. Plan margins accordingly.

CHAPTER 9

The Market, Taxes, and What's Coming Next

The market in numbers

- **600+ dispensaries** open statewide — the state celebrated its 600th on the MRTA's five-year anniversary (March 31, 2026) — out of 2,100+ licensed cannabis businesses; 60+ in Manhattan alone.
- 2025 adult-use sales: ~\$1.7–1.8 billion, up roughly 74% year over year — the fastest-growing major market in the country. Cumulative sales crossed **\$3.3 billion** by March 2026; the OCM projects ~\$2.6 billion for 2026.
- Sales are concentrated: the top 10 stores take ~29% of revenue, and Long Island accounts for ~47% of annualized sales.
- **Equity results lead the nation:** 55–57% of all licenses are held by Social & Economic Equity applicants — 50% minority-owned, 47% women-owned — including ~77% of adult-use retail.
- **Enforcement:** 550+ illicit storefronts padlocked to date; in 2025 alone the OCM completed 2,017 enforcement actions and seized \$20M+ in illicit product — yet the illicit market still captures most demand (one analysis estimates legal capture near 16%). That's the market's central problem, and its opportunity.

Taxes

Adult-use: a **9% wholesale excise** on distributor-to-retail transfers (this replaced the original THC-potency tax in 2023) plus a **13% retail excise** (9% state + 4% local); adult-use purchases are exempt from ordinary sales tax. Effective combined burden $\approx$ **20–22%** — moderate nationally: well below Illinois (25–35%+), comparable to Massachusetts (~20%). Medical purchases carry only **3.15%**. Roughly \$429M in state excise had been collected through March 2026, with revenue earmarked partly for reinvestment grants in communities harmed by prohibition.

How New York stacks up

STATE	2025 TRAJECTORY	PRICES	HOME GROW
New York	~\$1.7–1.8B, +74% — now top-5 by monthly sales	Among the highest (~\$31/item; ~\$14/g)	6 per adult, 12/household
California	\$4.8B, -2.7% — largest but shrinking	Low (<\$20/item avg)	6 per residence
Michigan	\$3.18B, -2.3% — oversupplied; wholesale tax contested	Cheapest (~\$60/oz flower)	12 per resident — most generous
Massachusetts	\$1.65B; \$9B cumulative since 2018 — mature	Low (~\$4/g flower)	6 per adult, 12/household
Illinois	~\$130M/month; 2026 law doubled possession limits	High (\$27/item; taxes 25–35%+)	Medical patients only
New Jersey	Growing (+1.5%); retailers may now run 3 locations	High (~\$30/item)	None — still illegal
Ohio	+22.5% — new market; 400-dispensary statewide cap	High (~\$31/item)	6 per adult, 12/household
Washington	Mature, flat (~\$89M/month)	Very low (<\$12/item)	None (medical only)

The watchlist

- **Federal rescheduling:** DEA hearings on moving all cannabis to Schedule III concluded July 15, 2026 — the administrative law judge's recommendation and the DEA Administrator's final rule are still to come, and the April 2026 medical-only order faces consolidated D.C. Circuit challenges.
- **Hemp THC redefinition (Nov 2026):** a federal rule change could make many hemp-derived CBD/THC consumer products illegal unless Congress intervenes.
- **December 31, 2026:** provisional CAURD and adult-use licenses run out unless extended again or converted to full licensure.
- **Location rules settled:** a law effective February 11, 2026 amended Cannabis Law §72 to protect existing dispensaries' locations near schools and houses of worship — ending the "property line vs. door" fight for licensed operators.
- **Pending:** S.10113 would let microbusinesses act as cultivator + processor at showcase events; a \$6M SEE grant program (up to \$30k per licensee) opens Fall 2026; consumption lounges and continued canopy-expansion approvals; Cannabis Showcase Event applications are now open statewide.

PART V

The Part of Tens

In this part... the classics: ten rules that keep you legal, and ten ways New York does cannabis differently from everyone else.



"Ten things. Even I can count that high if you give me a minute." — Sid

Ten Rules That Keep You Legal

1. **Buy licensed, always.** Decal on the door, QR code you can scan, lab label on the package. Everything else is untested and illegal.
2. **Know your pocket limit:** 3 oz flower, 24 g concentrate — edibles included by THC weight.
3. **Trunk it.** Sealed, unopened, in the trunk or a locked compartment. Never an open bag in the cabin.
4. **Never drive high** — no legal THC threshold means any impairment is chargeable, and edibles can take four hours to land.
5. **Count your plants:** 3 mature + 3 immature per adult; 6 + 6 per household, period.
6. **Gift, never sell.** Up to 3 oz with nothing of value in return. Any exchange makes it a crime.
7. **Keep it from anyone under 21** — locked storage, and never share; supplying minors is a criminal offense.
8. **Never cross a state line with it** — or carry it onto federal property or past airport security.
9. **Know your employer's policy.** Off-duty use is protected, but impairment at work and federally regulated jobs are not.
10. **Stay under 5 pounds at home,** stored secure and out of sight — and check your lease before you grow.

Ten Ways New York Differs from Other States

1. **The biggest carry limit in America** — 3 oz in public beats nearly every legal state.
2. **The tobacco rule:** you may generally consume wherever tobacco smoking is allowed — most states ban all public consumption.
3. **5 pounds at home**, an allowance built to accommodate home growers.
4. **Real employment protection** for lawful off-duty use — rare nationally.
5. **Renters can grow.** Home cultivation extends to apartments and rentals, not just owned homes.
6. **A strict two-tier market:** growers can't own stores and stores can't grow — unlike vertically integrated states.
7. **The nation's equity leader:** over half of all licenses held by Social & Economic Equity applicants.
8. **Moderate, flat taxes** — ~20–22% effective with no sales-tax stacking, versus 25–35%+ in Illinois.
9. **Automatic expungement** of past convictions for now-legal conduct — many states require petitions.
10. **Fastest growth, highest prices:** +74% growth while mature markets shrink, but ~\$31 per item versus \$60-per-ounce Michigan flower.

THE CHEAT SHEET

Every number you need to remember

**21+**LEGAL AGE,
EVERYTHING**3 oz**

FLOWER IN PUBLIC

24 gCONCENTRATE IN
PUBLIC**5 lb**

STORED AT HOME

3 + 3

PLANTS PER ADULT

6 + 6

HOUSEHOLD PLANT CAP

13%RETAIL EXCISE (+9%
WHOLESALE)**3.15%**

MEDICAL TAX

THE FIVE NEVERS

- Never sell, trade, or barter — gift only, ≤3 oz
- Never cross a state line with it
- Never drive high, or with an open package in the cabin
- Never let it near anyone under 21
- Never do volatile-solvent extraction at home

OVER THE LIMIT

- 3–8 oz in public: violation, civil fine
- Over 8 oz: misdemeanor · over 16 oz: felony
- Too many plants: Class A misdemeanor
- Unlicensed selling: criminal, any amount

Find legal shops & rules: cannabis.ny.gov · OCM hotline 1-888-OCM-5151 · Poison Control 1-800-222-1222

internetofpot.com

Sources: NYS Office of Cannabis Management (cannabis.ny.gov — adult-use guidance, home-cultivation rules, licensing and fee schedules), NY Penal Law Article 222, Cannabis Law (MRTA as amended through February 2026), CCB meeting records and OCM annual reports, DEA/DOJ rescheduling orders and Federal Register notices, and industry market trackers for state comparisons. Current as of July 16, 2026. Laws change; figures marked approximate vary between official and third-party sources. This guide is general information from internetofpot.com, not legal advice — consult a New York cannabis attorney for your specific situation.