



Legislation Text

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Res. No. 744

Resolution calling on the Legislature to pass and the Governor to sign a bill that remedies disparate burdens placed on people of color in the enforcement of marijuana prohibition by reinvesting tax revenue generated from legal marijuana in their communities and encouraging their participation in the legal marijuana industry.

By Council Members Miller, Richards, Levin, Adams, Moya, Cumbo, Lander, Ampry-Samuel, Kallos, Rivera and Ayala

Whereas, Marijuana prohibition enforcement disproportionately impacts communities of color nationwide;

Whereas, In New York State, which has some of the harshest enforcement practices in the country, more than 80 people arrested for marijuana possession were Black or Latinx; and

Whereas, Persons arrested or convicted on marijuana possession may face consequences such as deportation, and loss of housing, employment or professional licenses; and

Whereas, Eight states, including California and Massachusetts, have legalized recreational marijuana use, creating a statutory framework to regulate the marijuana market, to mitigate the collateral consequences that result from marijuana prohibition enforcement; and

Whereas, In states where marijuana was legalized, people who have not been traditionally targeted for heightened marijuana enforcement started marijuana businesses and are benefiting financially from legalization, in part because of their access to capital; and

Whereas, Communities disproportionately targeted for marijuana enforcement often have less access to capital, legal and technical expertise, and affordable rental space to launch marijuana businesses; and

Whereas, Oakland and Massachusetts created social equity programs after the legalization of recreational marijuana in those states to provide people from communities of color that have been disparately

harmed by marijuana enforcement with equal opportunity to participate in and benefit from the legal marijuana industry; and

Whereas, Most social equity programs give priority licensing to people who come from or live in communities disproportionately harmed by marijuana enforcement; and

Whereas, Oakland's social equity program also offers legal and technical advice, and zero-interest subsidized loans, funded through marijuana tax revenue, to individuals who meet the eligibility requirements; and

Whereas, In January 2018, Governor Cuomo launched a multi-agency taskforce, headed by the New York Department of Health, to study the legalization of recreational marijuana; and

Whereas, In July 2018, the taskforce reported its findings to the public and recommended legalizing marijuana for recreational purposes, concluding that the positive impacts of a regulated marijuana market in the state outweigh the potential negatives; and

Whereas, Governor Cuomo established a working group to draft legislation to legalize the use of marijuana for recreational purposes following the release of the taskforce's findings; and

Whereas, Any such legislation should include the creation of social equity programs to ensure people from communities disproportionately burdened by marijuana enforcement have equal opportunity to participate in and benefit from a legal marijuana industry; and

Whereas, In addition, any such legislation should reinvest tax revenue generated from legalization into communities long targeted by enforcement for social programs, such as job training, community centers, reentry, mental health and education; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Legislature to pass and the Governor to sign a bill that remedies disparate burdens placed on people of color in the enforcement of marijuana prohibition by reinvesting tax revenue generated from legal marijuana in their communities and encouraging their participation in the legal marijuana industry.

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