



## Legislation Text

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**File #:** Res 0745-2019, **Version:** \*

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### Res. No. 745

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation related to the reclassifying of THC and all other marijuana based products from a controlled substance to the equivalent of flower marijuana.

By Council Members Moya, Kallos, Rivera and Ayala

Whereas, Tetrahydrocannabinol (THC) is the active chemical in marijuana most responsible for marijuana's psychological effects; and

Whereas, According to the National Institute on Drug Abuse, THC attaches to molecules called cannabinoid receptors in areas of the brain that influence pleasure, memory, thinking, concentration, movement, coordination, sensory, and the perception of time; and

Whereas, THC can be extracted from marijuana flower plants or leaves to make other concentrates, such as oils; and

Whereas, THC oil, an approved form of medical marijuana in New York, provides an alternate method to smoking marijuana, by rubbing it into the skin, cooking with it, or inhaling through a vaporizer; and

Whereas, New York State law classifies THC as a controlled substance, the possession of which constitutes a class A misdemeanor which carries a sentence of up to one year in jail; and

Whereas, Comparatively, persons arrested for possession of less than two ounces of marijuana would be charged with a class B misdemeanor, carrying a penalty of up to 3 months in jail; and

Whereas, As a result, the enforcement of marijuana in New York City differs based on its form; and

Whereas, In September 2018, the New York City Police Department committed to issuing criminal summons in lieu of arrests for majority of persons found smoking marijuana in public; and

Whereas, However, the Department has arrested, instead of issuing summonses, persons smoking THC oil via a vaporizer; and

Whereas, Enforcement practices and penalties related to marijuana use and possession should be applied consistently to ensure fairness;

Whereas, Given historical disparities in enforcement of marijuana, maintaining the distinction between THC-based products could perpetuate those disparities; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation related to the reclassifying of THC and all other marijuana based products from a controlled substance to the equivalent of flower marijuana

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