



NEW JERSEY CANNABIS REGULATORY COMMISSION
CODE OF ETHICS

Adopted on December 2, 2022

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Article I. Scope and purpose

A. All Commission members and employees, regardless of whether temporary or permanent, are governed by the provisions and ethical standards set forth in the Jake Honig Compassionate Use Medical Cannabis Act; New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act; rules promulgated by the New Jersey Cannabis Regulatory Commission; and this Code of Ethics. As employees of the State, Commission members and employees are also governed by ethical standards set forth in the New Jersey Conflicts of Interest Law, Uniform Ethics Code, and the rules and opinions of the State Ethics Commission. Some standards in this Code of Ethics may be stricter than what is prescribed in the aforementioned laws or any other State law. It is the responsibility of each Commission member and employee to comply with all applicable statutory and regulatory provisions and any amendments thereto, regardless of whether such provisions and amendments are included in this Code of Ethics.

B. The Commission promulgates this Code of Ethics to promote and preserve the public trust and confidence in the duties performed by members and employees of the Commission; address the needs and problems of the Commission; and to protect the Commission's members and employees from private, commercial, economic, or political interference. This Code of Ethics is modeled upon the Code of Judicial Conduct of the American Bar Association, as amended and adopted by the Supreme Court of New Jersey and is intended to protect the integrity of the Commission as quasi-judicial entity.

C. It is the continuing duty of each Commission member and employee to review and assess their conduct considering this Code of Ethics. A Commission member or employee has an affirmative obligation to request advice from the Commission's Ethics Liaison Officer when the member or employee has any doubt about their past, present, or future conduct or the conduct of any other Commission member or employee, or if they have any question about the meaning of any provision of this Code of Ethics or any other restriction. After review by the Ethics Liaison Officer, a response should be prepared and delivered to the Commission member or employee who has sought advice. In appropriate matters, a request for a formal ruling can be made by the Ethics Liaison Officer to the State Ethics Commission. It is the duty of each Commission member and employee to cooperate with the Ethics Liaison Officer and the State Ethics Commission in all matters.

Article II. Definitions

As used in this Code of Ethics, and unless a different meaning clearly appears from the context, the following terms shall have the following meanings:

- A. "Commission" means the New Jersey Cannabis Regulatory Commission.
- B. "Entity regulated by the Commission" means a medical cannabis alternative treatment center, a medical cannabis cultivator, a medical cannabis dispensary, a medical cannabis manufacturer, a clinical registrant, a cannabis cultivator, a cannabis manufacturer, a cannabis retailer, a cannabis delivery service, a cannabis distributor, a cannabis wholesaler, or cannabis testing laboratory issued a permit or license from the Commission, or any applicant for a medical cannabis permit or personal-use cannabis license issued by the Commission.
- C. "Immediate family member" means an individual's spouse, domestic partner, civil union partner, child, parent, or sibling residing in the same household.
- D. "Interest," for the purposes of Article III (Pre-employment restrictions), Article V (General responsibilities during appointment or employment), and Article XI (Representation) means the ownership or control of *any* of the profits, no matter how few, of a firm, association, or partnership, or *any* stock in an entity or corporation, which is an entity regulated by the Commission, or any holding, intermediary, or subsidiary company with respect thereto. For the purposes of all other Articles, "interest" means the ownership or control of *more than one percent* of the profits of a firm, association, or partnership, or *more than one percent* of the stock

in an entity or corporation, which is an entity regulated by the Commission, or any holding, intermediary, or subsidiary company with respect thereto.

E. "Medical cannabis permit" means the permit issued by the Commission authorizing the permit holder to conduct activities in accordance with the Jake Honig Compassionate Use Medical Cannabis Act and the Commission's medical cannabis regulations.

F. "Personal-use cannabis license" means the license issued by the Commission authorizing the license holder to conduct activities in accordance with the Cannabis Enforcement Assistance, and Marketplace Modernization Act and the Commission's personal-use cannabis regulations.

G. "Policy-making management position" means the Commission staff positions of Executive Director, Deputy Executive Director, Chief of Staff, Chief Counsel, any position under the direct or indirect supervision of the Chief Counsel, the Director of any Office within the Commission as identified in the Commission's plan of organization, and any other position designated by the Executive Director to serve on the Commission's management team.

H. "Relative" means an individual's spouse, domestic partner, civil union partner, parent, child, sibling, aunt, uncle, niece, nephew, cousin, grandparent, grandchild, or child-in-law, whether the relative is related to the individual or the individual's spouse, domestic partner, or civil union partner by blood, marriage, or adoption.

I. "Special State officer or employee" means: (1) any person holding an office or employment in a State agency, excluding an interstate agency, for which office or employment no compensation is authorized or provided by law, or no compensation other than a sum in reimbursement of expenses, whether payable per diem or per annum, is authorized or provided by law; (2) any person, not a member of the Legislature, holding a part-time elective or appointive office or employment in a State agency, excluding an interstate agency; or (3) any person appointed as a New Jersey member to an interstate agency the duties of which membership are not full-time.

Article III. Pre-employment restrictions

A. No person shall be appointed to or employed by the Commission if, at any time during the three years prior to appointment or employment, the person held any direct or indirect interest in, or was employed by, any entity regulated by the Commission. The following exceptions apply:

(1) A person may be appointed as a Commission member if, in accordance with Article XIII (Commission approval of employment), the Commission determines that the person's prior *non-controlling* interest would not interfere with the objective discharge of the person's obligations to the Commission. There is no exception for individuals who, at any time

during the three years prior to appointment, had a controlling interest in or were employed by an entity regulated by the Commission; and

(2) A person may be employed by the Commission if, in accordance with Article XIII (Commission approval of employment), the Commission determines that the person's prior employment or prior interest would not interfere with the objective discharge of the person's obligations to the Commission.

B. Prior to appointment or employment with the Commission, a person shall swear or affirm that they have no interest in any entity regulated by the Commission, or any holding, intermediary, or subsidiary company with respect thereto. Any person who became an employee or member of the Commission before the adoption of this Code of Ethics shall, as soon as practicable, swear or affirm that the individual has no interest in any entity regulated by the Commission, or any holding, intermediary, or subsidiary company with respect thereto.

Article IV. Disclosures required

A. Each member of the Commission shall, as soon as practicable after appointment but no later than 120 days after appointment, file with the State Ethics Commission a financial disclosure statement listing all assets and liabilities, property and business interests, and sources of income for each of the following individuals:

(1) The member;

(2) The member's spouse, domestic partner, or partner in a civil union couple;

(3) Each dependent child or stepchild, recognized by blood or by law, of the member and of the spouse, domestic partner, or partner in a civil union couple who reside in the same household as the member, including biological, foster, and adoptive children;

(4) The parents of the member and of the member's spouse, domestic partner, or partner in a civil union couple who reside in the same household as the member, including biological, foster, and adoptive parents; and

(5) Each sibling of the member and of the member's spouse, domestic partner, or partner in a civil union couple who reside in the same household as the member, including biological, foster, and adoptive siblings.

Each statement shall be under oath and shall be filed at the time of appointment and annually thereafter.

B. Each employee of the Commission, except for secretarial and clerical personnel, shall, as soon as practicable after hire but no later than 120 days after hire, file with the State

Ethics Commission a financial disclosure statement listing all assets and liabilities, property and business interests, and sources of income for each of the following individuals:

- (1) The employee;
- (2) The employee's spouse, domestic partner, or partner in a civil union couple;
- (3) Each dependent child or stepchild, recognized by blood or by law, of the employee and of the spouse, domestic partner, or partner in a civil union couple who reside in the same household as the employee, including biological, foster, and adoptive children;
- (4) The parents of the employee and of the employee's spouse, domestic partner, or partner in a civil union couple who reside in the same household as the employee, including biological, foster, and adoptive parents; and
- (5) Each sibling of the employee and of the employee's spouse, domestic partner, or partner in a civil union couple who reside in the same household as the employee, including biological, foster, and adoptive siblings.

Each statement shall be under oath and shall be filed at the time of employment and annually thereafter no later than on May 15 of each year. Notwithstanding the provisions of N.J.S. 52:13D-21, only financial disclosure statements filed by a Commission employee who is in a policy-making management position shall be posted on the internet website of the State Ethics Commission.

C. Each employee and member of the Commission shall disclose, in writing, the following information to the Commission's Ethics Liaison Officer prior to commencement of membership or employment, or within five days of the employee or member becoming aware of any information not previously reported:

- (1) Any cohabitant residing in the same household as the employee or member, or any relative of the employee or member, who holds or has applied for any permit or license issued by the Commission;
- (2) Any cohabitant residing in the same household as the employee or member, or any relative of the employee or member, who becomes employed by any entity regulated by the Commission, or any holding company, intermediary company, or subsidiary company thereof; and
- (3) Any cohabitant residing in the same household as the employee or member, or any relative of the employee or member, who holds a direct or indirect financial interest in any entity regulated by the Commission, or any holding company, intermediary company, or subsidiary company thereof.

Article V. General responsibilities during appointment or employment

A. Each Commission member and employee shall uphold the integrity and independence of the Commission and shall perform the duties of their office or employment impartially and diligently. Each Commission member and employee shall avoid impropriety and the appearance of impropriety.

B. Each Commission member and employee shall act in accordance with the law and their responsibilities, without regard to whether the particular laws or parties to a matter are popular or unpopular with the public, the media, government officials, or the member's or employee's friends or family. Commission members and employees shall act without being swayed by partisan interest, public clamor, or fear of criticism.

C. For the duration of appointment or employment, no Commission member or employee shall:

(1) Have any interest, whether direct or indirect, in any entity regulated by the Commission, or any holding, intermediary, or subsidiary company with respect thereto;

(2) Solicit or accept employment from any entity regulated by the Commission, or any holding, intermediary, or subsidiary company with respect thereto, even if the prospective employment would commence after the member's or employee's termination of service with the Commission, except as otherwise provided in N.J.S. 24:6I-28(b);

(3) Participate, in the employee's or member's official capacity, in any matter wherein the member, employee, or the member's or employee's relative has a direct or indirect financial interest that might reasonably be expected to impair the member's or employee's objectivity or independence of judgment. This includes matters concerning any entity regulated by the Commission that employs the relative of the Commission member or employee;

(4) Meet with any person who is not a member or employee of the Commission, or discuss any issues involving any pending or proposed application or any matter whatsoever which may reasonably be expected to come before the Commission for consideration, unless the meeting or discussion takes place on the business premises of the Commission. Such meetings or discussions subject to this paragraph shall be noted in a log maintained for this purpose and available for inspection pursuant to the provisions of N.J.S. 47:1A-1 et seq. Commission members and employees may meet to consider matters requiring the physical inspection of equipment or premises at the location of the equipment or premises;

(5) Knowingly act in any way that might reasonably be expected to create an impression among the public that the member or employee may be engaged in conduct that would impair the objectivity or impartiality of the Commission member or employee;

(6) Use or attempt to use their official position to obtain unwarranted privileges or advantages for any person or entity;

(7) Willfully disclose, directly or indirectly, without the prior authorization of the Commission, any confidential information concerning the affairs of the Commission not generally known or legally available to the public;

(8) Agree to provide information or services to any person, entity, or party other than the State in connection with any cause, proceeding, application, or other matter for which the member or employee has made any investigation, rendered any ruling, given any agency opinion, or been otherwise substantially and directly involved in at any time during the course of the member's or employee's appointment or employment;

(9) Use or permit the use of any confidential information which they receive or to which they have access by virtue of their official duties, to advance their own personal or financial interests or those of any other person or entity;

(10) Communicate, convey, or suggest to any person not employed by or appointed to the Commission any promise or intention to take a particular Board action or make a particular recommendation to the Board regarding any matters; or

(11) Testify as a character witness in any matter before the Commission.

D. Each Commission member and employee shall conduct State work using only State-issued equipment, unless an emergency or exigent circumstances make it impractical to use State-issued equipment.

E. To avoid the appearance of bias, prejudice, or improper influence, Commission members shall not initiate or consider ex parte communications with any entity regulated by the Commission concerning a pending or impending proceeding. The proscription against communications concerning a proceeding shall not preclude a Commission member from consulting with Commission employees whose function is to aid the member in carrying out their responsibilities.

Article VI. Outside activities and employment

A. No Commission member or employee shall engage in any outside activity which might reasonably be expected to impair or call into question the individual's objectivity and independence of judgment in the exercise of official duties.

B. Each Commission member and employee shall devote the member's or employee's entire time and attention to the member's or employee's duties. Commission members shall not pursue any other business, occupation, or employment. Commission

employees, however, may pursue other employment as provided in Article XIII (Commission approval of employment), unless otherwise directed by the Commission.

C. No Commission member or employee shall engage in any activities of any entity regulated by the Commission, or any holding, intermediary, or subsidiary company with respect thereto, except in the course of the member's or employee's official duties.

D. A Commission member or employee may speak, write, lecture, or participate in other activities concerning the cannabis industry as part of their official State duties, if:

(1) The individual receives approval from their supervisor to participate in the activity;

(2) In so doing, the individual does not comment publicly on any matter that may come before the Commission or otherwise cast doubt on their ability to decide impartially any matter which may come before the Commission; and

(3) The individual does not accept compensation or honoraria for any such activity conducted as part of their official duties.

E. A Commission member or employee shall not accept compensation for published works created as part of their official duties on State time using State resources. However, a Commission member or employee may accept compensation for published works not created as part of his or her official duties provided that the member complies with N.J.A.C. 19:61-6.7.

F. A Commission member or employee may participate in or attend an event, family or similar social gathering, or a civic, charitable, or professional association function, in their personal capacity provided that:

(1) The individual is not attending in their official State capacity or because of their official State position;

(2) If the event, function, or gathering concerns the development, regulation, or enforcement of, or concerns any application for, medicinal cannabis or personal-use cannabis activities, the individual receives prior written approval from their supervisor to participate in the activity;

(3) The individual's participation or attendance does not violate any provisions of this Code of Ethics, create a conflict of interest, or create the appearance of a conflict of interest; and

(4) The individual shall not permit the use of their official title for the purpose of fundraising for a private organization or entity.

G. Nothing in this Article shall be construed:

(1) To prohibit a member or employee who is a registered qualifying patient, or a designated caregiver or institutional caregiver for a registered qualifying patient, from being dispensed medical cannabis consistent with the requirements of N.J.S. 24:6I-1 et seq.; or

(2) To prohibit a member or employee from being sold cannabis items by a cannabis retailer as a consumer as authorized by P.L.2021, c.16.

Article VII. Political activity

A. Members of the Commission, the Executive Director, and any other employee of the Commission holding a supervisory or policy-making management position shall not make *any* contribution as that term is defined in “The New Jersey Campaign Contributions and Expenditures Reporting Act,” N.J.S. 19:44A-1 et seq. This includes the purchase of tickets or admission for fundraising dinners or other functions hosted or organized by any candidate for public office, candidate committee, joint candidates committee, political committee, continuing political committee, independent expenditure committee, political party committee, or legislative leadership committee.

B. A Commission member or employee shall not:

(1) Use their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;

(2) Directly or indirectly coerce, attempt to coerce, command, request, or advise any person to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes;

(3) Take any active part in political campaigns or the management thereof. Nothing herein shall prohibit a member or employee from voting as the member or employee chooses or from expressing personal opinions on political subjects and candidates.

(4) Become a candidate either in a party primary or a general, special, or municipal election for an elective public office during their appointment or employment;

(5) Act as a leader or holding an office in a political organization; or

(6) Make speeches for a political organization or candidate or publicly endorse a candidate for political office.

Article VIII. Gifts

A. Commission members and employees shall not directly or indirectly accept any gift, favor, service, employment, offer of employment or other thing of value under

circumstances from which it might be reasonably inferred that such gift, service, employment, or other thing of value was given or offered for the purpose of influencing the member or employee in the discharge of their official duties or otherwise violates the State Ethics Commission's guidelines governing the receipt of gifts and favors.

B. Commission members and employees shall not solicit or accept, directly or indirectly, any complimentary service or discount from any entity regulated by the Commission, or any holding, intermediary, or subsidiary company with respect thereto, which the member or employee has reason to know is not offered to the general public.

Article IX. Attendance at events

A. In order to avoid the appearance of endorsement or favor for a particular interested party, a Commission member or employee shall not attend any convention, meeting, show, exhibition, or other event taking place on the premises of an entity regulated by the Commission, except when in the course of performing their official duties and having filed a Request for Approval for Attendance at Events form with the Commission's designated Ethics Liaison Officer and obtained prior written approval from the Ethics Liaison Officer.

Article X. Recusals and disqualifications

A. A Commission member or employee shall recuse or disqualify themselves in any matter or proceeding in which their impartiality may reasonably be questioned, including but not limited to instances where the member has a personal bias or prejudice concerning a party to the proceeding or personal knowledge of disputed evidentiary facts concerning the matter or proceeding, or in other circumstances that would interfere with the objective discharge of their duties.

B. To protect the integrity of Commission decisions and processes, Commission members and employees shall abstain from public comment about a pending proceeding, except when required by the member's official duties or in explaining for public information the procedures of the Commission.

C. A Commission member or employee must seek the advice of the Commission's counsel or Ethics Liaison Officer, or the State Ethics Commission, as to the propriety of participation in a matter if any person requests that the Commission member or employee be recused from that matter. Oral advice, followed up by a writing, may be provided by the Commission's counsel or Ethics Liaison Officer or the State Ethics Commission to avoid delay, provided that the oral advice be subsequently memorialized by a writing to the Commission member or employee.

D. If a Commission member or employee must be recused from a matter, the recusal must be absolute. That is, the individual must have no involvement with the matter from which they are recused. All recusals must be memorialized in writing. The writing must:

- (1) Specify the reason for and the date of the recusal;
- (2) Specify the duration of the recusal (which may be expressed in terms related to the pendency of the matter with the Commission where appropriate);
- (3) Specify the effect of the recusal on the Commission member (for example, that the Commission member is not to be contacted about or involved or participate in any manner concerning the matter from which they have been recused);
- (4) Name the person who is to assume responsibility and authority for the matter from which the Commission member or employee has been recused, if applicable; and
- (5) Be contemporaneously filed with the State Ethics Commission and disseminated to all persons who might be affected by the individual's recusal and to the Commission's Ethics Liaison Officer, who shall maintain the writing for as long as the Commission member or employee serves in their position.

E. In addition, in the case of a Commission member who is recused from a matter, to the extent feasible, public Board meeting materials involving the matter should not be distributed to the Commission member. At the subject public Board meeting, the Commission member must place their recusal and the reason for such recusal on the record prior to any discussion of the matter. The Commission member must leave the room for the portion of the meeting while the matter in question is under discussion.

Article XI. Representation

Except as provided in Article XIV (Restrictions applicable to relatives and cohabitants), Commission members and employees, and relatives of Commission members and employees, shall not, for the duration of the member's or employee's appointment or employment and for two years after the termination of office or employment with the Commission:

A. Represent any person or party other than the State before or against the Commission;

B. Directly or indirectly hold more than a one percent interest in, hold employment with, represent, appear for, or negotiate on behalf of any holder of or applicant for a casino license, or internet gaming license or permit, or any holding, intermediary, or subsidiary company with respect thereto; or

C. Directly or indirectly hold any interest in, hold employment with, represent, appear for, or negotiate on behalf of an entity regulated by the Commission, or any holding, intermediary, or subsidiary company with respect thereto.

Article XII. Post-employment restrictions

In addition to any restrictions found in the New Jersey Conflicts of Interest Law, Section VII of the Uniform Ethics Code, or any other applicable law, the following post-employment restrictions shall apply to employees and members of the Commission after their office or employment with the Commission terminates:

A. No member of the Commission shall hold any direct or indirect interest in, or be employed by, any entity regulated by the Commission, or any holding, intermediary, or subsidiary company with respect thereto, for a period of two years commencing on the date that the individual's membership with the Commission terminates.

B. No Commission employee may acquire an interest in or accept employment by an entity regulated by the Commission, or any holding, intermediary, or subsidiary company with respect thereto, for a period of two years commencing on the date that the individual's employment with the Commission terminates, except as follows:

(1) A secretarial or clerical employee of the Commission may accept employment with an entity regulated by the Commission at any time after the termination of employment with the Commission; and

(2) A former Commission employee who did not hold a policy-making management position at any time during the five years prior to termination of employment and is terminated as a result of a reduction in the workforce at the Commission may, at any time after termination, accept employment with any entity regulated by the Commission if, in accordance with Article XIII (Commission approval of employment), the Commission determines that the employment will not create a conflict of interest or the appearance of a conflict of interest. The Commission shall take action on an employee's application for such determination within 30 days of receiving the application.

C. A former Commission employee who held a policy-making management position at any time during the five years prior to termination of employment may acquire an interest in, or accept employment with, any entity regulated by the Commission, or any holding, intermediary, or subsidiary company with respect thereto, beginning two years after termination and for a period of two years thereafter if, in accordance with Article XIII (Commission approval of employment), the Commission determines that the employment will not create a conflict of interest or the appearance of a conflict of interest. The Commission shall

take action on a former employee's application for such determination within 30 days of receiving the application.

Article XIII. Commission approval of employment

A. The following determinations shall be made by the Commission in accordance with this Article:

(1) whether a person under consideration for appointment to or employment by the Commission had prior employment by or interest in an entity regulated by the Commission that would interfere with the discharge of the person's obligations;

(2) whether a Commission employee's concurrent outside employment would interfere with the discharge of the person's obligations to the Commission; and

(3) whether prospective employment or interest in an entity regulated by the Commission would interfere with the discharge of the person's obligations to the Commission.

B. (1) The Board of Commissioners shall make determinations concerning any member of the Board and any employee in a policy-making management position, but not for the Director of the Office of Patient & Customer Services. In making such determinations, the Board shall consult with the Commission's designated Ethics Liaison Officer and may consult with the State Ethics Commission as needed.

(2) The Executive Director shall make determinations on concerning any other employees of the Commission, including the Director of the Office of Patient & Customer Services. In making such determinations, the Executive Director shall consult with the Commission's designated Ethics Liaison Officer and may consult with the State Ethics Commission as needed.

C. Commission employees shall, in advance of accepting any concurrent outside employment or business responsibilities, advise the Board of Commissioners or Executive Director, as appropriate, of the prospective activity by completing an Outside Employment Questionnaire. The Commission shall deny any prospective outside employment if it determines the employment would interfere or be in conflict with the employee's duties to the Commission. The Commission may request from the employee additional information reasonably necessary for making its determination.

D. Commission employees approved for concurrent outside employment shall, as soon as practicable, notify the Commission of any changes to the individual's responsibilities related to the concurrent outside employment by completing another Outside Employment Questionnaire reflective of the changes to the individual's responsibilities. The Commission shall review the new Outside Employment Questionnaire and shall deny the employment if it

determines the new responsibilities would interfere or be in conflict with the employee's duties to the Commission.

E. The Commission shall consider, at a minimum, the following when making its determination:

- (1) The nature and scope of the person's duties with Commission;
- (2) Whether the person was ever employed by an entity regulated by the Commission and the person's employment responsibilities with the entity;
- (3) Whether the person has or had an interest in an entity regulated by the Commission and whether the interest was a controlling interest; and
- (4) The date(s) of the person's employment with the Commission (where relevant).

Article XIV. Violations and penalties

A. Any member or employee of the Commission who violates any provision of this Code of Ethics may be subject to disciplinary action by the individual's supervisor.

B. The State Ethics Commission shall enforce the provisions of N.J.S. 24:6I-26 and 24:6I-28, and upon a finding of a violation thereof, impose a civil penalty of not less than \$500 nor more than \$10,000, which penalty may be collected in a summary proceeding pursuant to the "Penalty Enforcement Law of 1999," (N.J.S. 2A:58-10 et seq.). If a violation also represents a crime or disorderly persons offense as set forth in law, the State Ethics Commission shall also refer the matter to the Attorney General or appropriate county prosecutor for further investigation and prosecution. A member or employee of the Commission who willfully violates any provisions of N.J.S. 24:6I-26 or 24:6I-28 is guilty of a disorderly persons offense.

C. A member or employee of the Commission who makes or causes to be made a political contribution prohibited under N.J.S. 24:6I-27 is guilty of a crime of the fourth degree and a fine not to exceed \$200,000 may be imposed.

Article XV. Restrictions applicable to relatives and cohabitants

A. No relative of a Commission member or employee shall be employed in any capacity by any entity regulated by the Commission, or any holding company, intermediary company, or subsidiary thereof; provided, however, that the relative of a Commission employee may be so employed where it is determined by the State Ethics Commission that such

employment will not interfere with the responsibilities of the Commission member or employee and will not create a conflict of interest or the appearance of such conflict.

B. No Commission member or employee shall cohabit with any person who is an employee of any entity regulated by the Commission, or any holding company, intermediary company, or subsidiary thereof. A Commission employee may cohabit with such person upon obtaining a prior waiver of this prohibition from the State Ethics Commission. If such cohabitant is or later becomes a member of the immediate family of a Commission employee, the New Jersey Conflicts of Interest Law requires that the employee obtain a second waiver from the State Ethics Commission. Further, if the second waiver is approved, said cohabitant must comply with the standards applicable to immediate family members. Violation of this provision is grounds for termination of employment with the Cannabis Regulatory Commission. A Commission employee may request a waiver from the State Ethics Commission by submitting a written request to the Commission's Ethics Liaison Officer, setting forth all the relevant facts, including:

- (1) The relationship between the employee and the prospective cohabitant;
- (2) The employer, employment location, and job title and responsibilities of the prospective cohabitant;
- (3) The anticipated duration of the cohabitation; and
- (4) If applicable, the Commission employee must also certify that the prospective cohabitant is not a member of his or her immediate family.

C. The State Ethics Commission may grant, with or without special conditions, or deny the application after considering the following, without limitation:

- (1) The impact of the cohabitation on the effective discharge of the Cannabis Regulatory Commission employee's duties, including the ability of the Commission to insulate the Commission employee from any functions related to the regulation of the cohabitant's employer; and
- (2) The impact of the cohabitation on the reasonable public expectation of the Commission employee's independence and lack of personal interest.

D. Any determination made by the State Ethics Commission shall be forwarded to the Cannabis Regulatory Commission's Ethics Liaison Officer.

Article XVI. Restrictions applicable to partnerships, firms, and corporations

No partnership, firm, or corporation in which a former Commission member or employee has an interest, nor any partner, officer, or employee of any such partnership, firm, or corporation shall make any appearance or representation which is prohibited to the former member or employee.

Article XVII. Consultants

A. For the purpose of applying the provisions of the “New Jersey Conflicts of Interest Law,” any consultant or other person under contract for services to the Commission shall be deemed to be a special State employee, except that the restrictions of section 4 of P.L.1981, c.142 (C.52:13D-17.2) shall not apply to such person. Such person and any corporation, firm, or partnership in which the person has an interest or by which the person is employed shall not represent any person or party other than the Commission before the Commission.

B. No consultant, nor any member of the consultant’s immediate family, nor any partnership, firm or corporation with which the consultant is associated or with which the consultant has an interest, shall acquire any direct or indirect interest in an entity regulated by the Commission, or any holding, intermediary, or subsidiary company thereof, during the course of the consultant’s contract for services with the Commission.