



**State of New Jersey**  
**CANNABIS REGULATORY COMMISSION**

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SAMUEL DELGADO, *Vice Chair*  
KRISTA NASH, *Commissioner*  
MARIA DEL CID-KOSSO, *Commissioner*  
CHARLES BARKER, *Commissioner*  
JEFF BROWN, *Executive Director*

**RESOLUTION 2022-48**  
**IMPOSITION OF SOCIAL EQUITY EXCISE FEES ON CLASS 1 CANNABIS**  
**CULTIVATORS FOR THE 2023 CALENDAR YEAR**

**WHEREAS**, pursuant to N.J.S.A. 54:47F-1(a), there may be a Social Equity Excise Fee imposed by the Commission on the cultivation of cannabis by any cannabis cultivator licensed pursuant to the provisions P.L.2021, c.16 (C.24:6I-31 et al.), or on the cultivation of cannabis for the personal-use cannabis marketplace and not for the medical cannabis marketplace by any alternative treatment center deemed to be licensed to engage in personal-use cannabis activities pursuant to section 7 of P.L.2009, c.307 (C.24:6I-7) and issued a Class 1 Cannabis Cultivator license by the Commission pursuant to subparagraph (a) of paragraph (3) of subsection a. of section 33 of P.L.2021, c.16 (C.24:6I-46); and

**WHEREAS**, the excise fee, if imposed by the Commission, shall be imposed on the receipts from the sale, or equivalent value of the transfer, of usable cannabis by a cannabis cultivator to any other cannabis establishment, other than another cannabis cultivator; and

**WHEREAS**, any sale by a cannabis cultivator for which the excise fee is imposed shall be exempt from the tax imposed under the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.); and

**WHEREAS**, pursuant to N.J.S.A. 54:47F-1(a)(1), immediately following the adoption of the Commission's initial rules and regulations pursuant to subparagraph (a) of paragraph (1) of subsection d. of section 6 of P.L.2021, c.16 (C.24:6I-34), there may be an excise fee imposed on a cannabis cultivator's sale or transfer in the amount of 1/3 of one percent of the statewide average retail price of an ounce of usable cannabis for consumer purchase, and any fractional portion of an ounce sold or transferred shall be subject to the fee on a proportional basis, during the calendar year the fee may be imposed; and

**WHEREAS**, on August 19, 2021, by adopting the initial rules at N.J.A.C. 17:30-3.4(c), the Commission imposed an initial Social Equity Excise Fee at the rate of 1/3 of one percent of the statewide average retail price of an ounce of usable cannabis for consumer purchase; and

**WHEREAS**, pursuant to N.J.A.C. 17:30-3.4(c), the initial imposed Social Equity Excise Fee was published in the New Jersey Register and was determined to be \$1.10 per ounce for the 2022 calendar year, which was based on a statewide average retail price per ounce of usable cannabis of \$329.17; and

**WHEREAS**, pursuant to N.J.S.A. 54:47F-1(a)(2), beginning nine months following the first sale or transfer of usable cannabis subject to the excise fee that is made by a cannabis cultivator that is not also an alternative treatment center issued a Class 1 Cannabis Cultivator license, the excise fee may be adjusted annually based upon the statewide average retail price of usable cannabis for consumer purchase; and

**WHEREAS**, as of August 1, 2022, the statewide average retail price of an ounce of usable cannabis was \$455.56. One-third of one percent of this amount is \$1.52 per ounce;

**NOW, THEREFORE, BE IT RESOLVED**, by the New Jersey Cannabis Regulatory Commission pursuant to N.J.S.A. 54:47F-1 and N.J.A.C. 17:30-3.4, that the Social Equity Excise Fee is adjusted to \$1.52 per ounce for the 2023 calendar year.

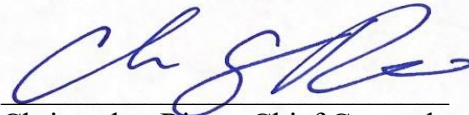
Submitted by:



\_\_\_\_\_  
Dianna Houenou, Chair

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Cannabis Regulatory Commission at its meeting held on the 27th day of October 2022.



\_\_\_\_\_  
Christopher Riggs, Chief Counsel

<b>Vote on the Approval of This Resolution</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Commissioner Barker		X	X			
Commissioner Del Cid-Kosso	X		X			
Commissioner Delgado			X			
Chairwoman Houenou			X			
Commissioner Nash			X			