

MEMORANDUM

TO: CANNABIS REGULATORY COMMISSION BOARD
FROM: CHRISTOPHER RIGGS, ACTING EXECUTIVE DIRECTOR
SUBJECT: REGULATION WAIVER REQUESTS
DATE: MAY 14, 2026

BACKGROUND: Over the course of the prior months, members of the regulated industry have submitted requests for the Commission to waive specific regulations. This memorandum will outline those specific requests and will also provide recommendations.

AUTHORITY: Pursuant to N.J.A.C. 17:30-3.7(a), The Commission, in accordance with the general purposes and intent of the Act and this chapter, may waive a regulatory requirement regarding the operations of a cannabis business, to the extent such waiver does not conflict with any other State law, if in the Commission's determination, such a waiver: 1. Is necessary to achieve the purpose of the Act; 2. Is necessary to provide access to cannabis items to consumers; and 3. Does not create a danger to the public health, safety, or welfare.

REQUESTS:

1. Requested Waiver of N.J.A.C. 17:30-7.12 and N.J.A.C. 17:30-8.1(b)(3)

Docket number WR057: The New Jersey Cannabis Trade Association (“NJCTA”) requests a waiver of the regulatory requirement that the Commission waive criminal background check requirements applicable to individuals who are not owners or principals of a licensed cannabis businesses or alternative treatment centers. The NJCTA argues that S4847 authorizes the Commission to exempt certain classes of employees, including entry-level employees from the criminal background check requirement. The NJCTA further argues that the Commission is not statutorily limited to exempt entry-level class of employees and should waive the criminal background check requirement for all employees of licensed cannabis businesses and alternative treatment centers who do not otherwise meet the definition of an owner or principal, regardless of their title. The support its argument, the NJCTA argues that the Commission’s own data demonstrates that the criminal background check process for rank-and-file employees yields negligible returns while consuming significant administrative resources, the cannabis industry has matured and is analogous to any other legal business operating in New Jersey and such businesses do not require criminal history background checks as a condition of employment. The NJCTA asserts that as owners and principals have decision-making authority and exercise control over licensed entities, they should remain subject to the full criminal history background check process. The NJCTA states that its waiver is necessary to achieve the purpose of the CREAMM Act, is necessary to provide access to cannabis items to consumers, does not create a danger to the public

