

HB 1978 -- LEGALIZATION OF MARIJUANA

SPONSOR: Merideth

This bill legalizes the possession and use of marijuana by an individual 21 years of age or older who purchases the marijuana from a licensed retail marijuana store. Possession, unlawful distribution, and manufacture of marijuana by persons under 21 years of age remains classified as criminal offenses based on the amount of marijuana involved as specified in current law.

Growing, manufacturing, selling, displaying, transferring, delivering, packaging, processing, cultivating, or harvesting marijuana or marijuana products will be legal only in political subdivisions that affirmatively vote to allow such activities.

This bill does not require an employer to permit or accommodate the use of marijuana in the workplace or allow driving under the influence of marijuana. The bill does not prevent a school, hospital, detention facility or any other entity from prohibiting or regulating the possession and use of marijuana on its property.

The bill creates a licensure system for the cultivation, testing, and sale of marijuana and marijuana products. It sets out the requirements for licensure, including a fingerprint-based criminal history record check by the FBI. The Division of Alcohol and Tobacco Control, within the Department of Public Safety, is given the authority to develop rules and regulations for the issuance, renewal, suspension, and revocation of licenses; licensure application and renewal fees; qualifications for licensure, including fingerprint-based criminal history checks; security requirements for retail marijuana establishments; labeling requirements; health and safety standards; advertising restrictions; and independent testing requirements.

This bill creates a tax, similar to the current cigarette tax, to be levied upon the sale or transfer of marijuana. The money from such tax shall be deposited in the General Revenue Fund.

This bill is similar to HB 551 (2019).