

Acts (2016)

Chapter 351

AN ACT FURTHER REGULATING THE CULTIVATION OF MARIJUANA AND MARIHUANA

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to ensure the safe implementation of marijuana legalization, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Section 3 of chapter 40A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the word "thereof", in line 39, the following words:- ; provided, however, that the terms agriculture, aquaculture, floriculture and horticulture shall not include the growing, cultivation, distribution or dispensation of marijuana as defined in section 2 of chapter 369 of the acts of 2012, marihuana as defined in section 1 of chapter 94C or marijuana or marihuana as defined in section 1 of chapter 94G.

SECTION 2. Clause (1) of subsection (c) of section 5 of chapter 94G of the General Laws, inserted by section 5 of chapter 334 of the acts of 2016, is hereby amended by striking out the word "January" and inserting in place thereof the following word:- July.

SECTION 3. Clause (2) of said subsection (c) of said section 5 of said chapter 94G, as so inserted, is hereby amended by striking out the word "January" and inserting in place thereof the following word:- July.

SECTION 4. Section 31 of chapter 52 of the acts of 2016 is hereby amended by striking out the figure "94F" and inserting in place thereof the following figure:- 94G.

SECTION 5. Said section 31 of said chapter 52 is hereby further amended by striking out, in the title, the figure "94G" and inserting in place thereof the following figure:- 94H.

SECTION 6. Section 55 of said chapter 52 is hereby amended by striking out the figure "94G" and inserting in place thereof the following figure:- 94H.

SECTION 7. Section 6 of chapter 334 of the acts of 2016 is hereby amended by striking out the word "January" and inserting in place thereof the following word:- July.

SECTION 8. Section 7 of said chapter 334 is hereby amended by striking out the word "March" and inserting in place thereof the following word:- September.

SECTION 9. The first paragraph of section 8 of said chapter 334 is hereby amended by striking out the word "February" and inserting in place thereof the following word:- August.

SECTION 10. The second paragraph of said section 8 of said chapter 334 is hereby amended by striking out the word "January" and inserting in place thereof the following word:- July.

SECTION 11. Section 9 of said chapter 334 is hereby amended by striking out the words "September 15, 2017" and inserting in place thereof the following words:- March 15, 2018.

SECTION 12. Subsection (a) of section 10 of said chapter 334 is hereby amended by striking out the words "October 1, 2017" and inserting in place thereof the following words:- April 1, 2018.

SECTION 13. Subsection (b) of said section 10 of said chapter 334 is hereby amended by striking out the words “October 1, 2017” and inserting in place thereof the following words:- April 1, 2018.

SECTION 14. Subsection (c) of said section 10 of said chapter 334 is hereby amended by striking out the words “October 1, 2017” and inserting in place thereof the following words:- April 1, 2018.

SECTION 15. Said subsection (c) of said section 10 of said chapter 334 is hereby further amended by striking out the word “January” and inserting in place thereof the following word:- July.

SECTION 16. Subsection (d) of said section 10 of said chapter 334 is hereby amended by striking out the words “October 1, 2018” and inserting in place thereof the following words:- April 1, 2019.

SECTION 17. Subsection (e) of said section 10 of said chapter 334 is hereby amended by striking out the words “October 1, 2019” and inserting in place thereof the following words:- April 1, 2020.

SECTION 18. Within 60 days from the effective date of this act, the department of public health, in consultation with the executive office of health and human services, the executive office for administration and finance and the executive office of public safety and security, shall enter into an agreement with a research entity to conduct a comprehensive baseline study of marijuana use in the commonwealth which shall include, but not be limited to, a survey of: (i) patterns of use, methods of consumption and general perceptions of marijuana; (ii) incidents of impaired driving and hospitalization related to marijuana use; and (iii) economic and fiscal impacts for state and local governments, which shall include the impact of legalization on the production and distribution of marijuana in the illicit market as well as costs and benefits to state and local revenue. The department shall submit a report of its findings to the chairs of the senate and house committees on ways and means and the senate and house chairs of the joint committee on public health not later than July 1, 2018.

Approved, December 30, 2016

