

Ballot Measure No. 2

An Act to Tax and Regulate the Production, Sale, and Use of Marijuana

LEGISLATIVE AFFAIRS AGENCY SUMMARY

The Act regulates the production, sale, and use of marijuana. The Act enacts a marijuana tax.

The Act allows personal use of marijuana by a person 21 years of age or older, with restrictions. The Act lets a person have, show, use, buy, transport, or give away up to one ounce of marijuana to another person 21 years of age or older. The Act makes it a crime for a person under 21 to use a false ID to buy marijuana. The Act also makes it a crime to use marijuana in public. The Act sets the number and types of marijuana plants a person may keep and give away. The plants may not be in public view. The Act allows a person 21 years of age or older to buy, make, have, show, sell, and give away items used to grow, use, produce, package, or store marijuana, or produce, use, package, test, or store marijuana products.

The Act regulates marijuana establishments. The Act defines an establishment as a retail store, a grower, a tester, or a product manufacturing facility. To operate legally, an establishment must register. Registered establishments may possess, transport, deliver, display, or receive marijuana. Registered marijuana stores, growers, or manufacturers may buy and sell marijuana. Growers or testers may grow or process it.

The Alcoholic Beverage Control Board administers the registration system. The board must make rules to carry out the Act. Those rules may not make it impractical to operate a marijuana establishment. The board must give a copy of each application and half the application fee to the local marijuana authority, if there is one; the Act provides for local control if the board does not act. Cities or boroughs may ban establishments. They may limit the number of them within their boundaries. They may regulate the time, place, and manner of operation. They may name local authorities to regulate them.

The Act taxes the sale of marijuana by registered growers. The tax is \$50 per ounce. The Department of Revenue administers the tax. Growers who pay late may be subject to fines. Growers who do not pay the tax may lose their registrations.

Under the Act, employers do not have to allow marijuana in the work place. Employers may also restrict marijuana use by employees. The Act does not allow a person to drive under the influence of marijuana. The Act allows private property owners or tenants to ban the use of marijuana on the property.