



General Assembly

Amendment

February Session, 2022

LCO No. 5358



Offered by:

REP. D'AGOSTINO, 91st Dist.

SEN. MARONEY, 14th Dist.

To: Subst. House Bill No. **5329**

File No. 202

Cal. No. 183

"AN ACT CONCERNING CANNABIS."

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- 1 Change the effective date of section 1 to "Effective from passage"
 - 2 In line 18, before "21a-408h" insert "as amended by this act,"
 - 3 In line 71, after "21a-408," insert "as amended by this act,"
 - 4 In line 181, after "21a-246" insert ", as amended by this act"
 - 5 In line 219, after "21a-408" insert ", as amended by this act"
 - 6 In line 221, after "21a-408" insert ", as amended by this act"
 - 7 Strike section 2 in its entirety and substitute the following in lieu

8 thereof:

9 "Sec. 2. (NEW) (*Effective from passage*) (a) Notwithstanding any
10 provision of the general statutes, no person shall gift, sell or transfer
11 cannabis to another person: (1) To induce, or in exchange for, any
12 donation for any purpose, including, but not limited to, any charitable
13 donation or any donation made to gain admission to any event; (2) at
14 any location, other than a dispensary facility, retailer or hybrid-retailer,
15 (A) where a consumer may purchase any item other than cannabis, a
16 cannabis product or services related to cannabis, or (B) that requires
17 consideration, including, but not limited to, membership in any club, in
18 order to gain admission to such location; or (3) as part of any giveaway
19 associated with attendance at any event, including, but not limited to,
20 any giveaway made by way of a door prize, goodie bag or swag bag.
21 The provisions of this subsection shall not be construed to prohibit any
22 gift of cannabis between individuals with a bona fide social relationship,
23 provided such gift is made without consideration and is not associated
24 with any commercial transaction.

25 (b) Any person who violates the provisions of subsection (a) of this
26 section shall, in addition to any other penalty provided by law: (1) Be
27 subject to a fine imposed by a municipality under section 3 of this act;
28 (2) be fined one thousand dollars per offense, in accordance with the
29 provisions of section 51-164n of the general statutes, as amended by this
30 act, by the Commissioner of Emergency Services and Public Protection;
31 and (3) be subject to an administrative hearing held by the
32 Commissioner of Revenue Services pursuant to chapter 54 of the general
33 statutes for failure to pay taxes, which may result in a civil penalty of
34 not more than one thousand dollars per violation. For the purposes of
35 this subsection, "per offense" and "per violation" mean either per
36 transaction or per day the violation continues, as determined by the
37 Commissioner of Emergency Services and Public Protection for the
38 purposes of subdivision (2) of this subsection or the Commissioner of
39 Revenue Services for the purposes of subdivision (3) of this subsection."

40 Strike section 3 in its entirety and substitute the following in lieu

41 thereof:

42 "Sec. 3. (NEW) (*Effective from passage*) Any municipality may
43 establish, by ordinance, a fine for violations of section 2 of this act,
44 provided the amount of any such fine shall not be greater than one
45 thousand dollars per violation. Any police officer or other person
46 authorized by the chief executive officer of the municipality may issue
47 a citation to any person who commits such a violation. Any municipality
48 that adopts an ordinance pursuant to this section shall also adopt a
49 citation hearing procedure pursuant to section 7-152c of the general
50 statutes. Any fine collected by a municipality pursuant to this section
51 shall be deposited into the general fund of the municipality or in any
52 special fund designated by the municipality."

53 Change the effective date of section 4 to "Effective from passage"

54 Strike section 8 in its entirety and renumber the remaining sections
55 and internal references accordingly

56 Strike section 9 in its entirety and substitute the following in lieu
57 thereof:

58 "Sec. 9. Section 21a-421bb of the 2022 supplement to the general
59 statutes is repealed and the following is substituted in lieu thereof
60 (*Effective from passage*):

61 (a) No person other than the holder of a cannabis establishment
62 license issued by this state shall advertise any cannabis or services
63 related to cannabis in this state.

64 [(a) Cannabis] (b) Except as provided in subsection (d) of this section,
65 cannabis establishments [and any person advertising any cannabis or
66 services related to cannabis] shall not:

67 (1) Advertise, including, but not limited to, through a business name
68 or logo, cannabis, cannabis paraphernalia or goods or services related to
69 cannabis: [in]

70 (A) In ways that target or are designed to appeal to individuals under
71 twenty-one years of age, including, but not limited to, spokespersons or
72 celebrities who appeal to individuals under the legal age to purchase
73 cannabis or cannabis products, depictions of a person under twenty-five
74 years of age consuming cannabis, or, the inclusion of objects, such as
75 toys, characters or cartoon characters, suggesting the presence of a
76 person under twenty-one years of age, or any other depiction designed
77 in any manner to be appealing to a person under twenty-one years of
78 age; or

79 (B) By using any image, or any other visual representation, of the
80 cannabis plant or any part of the cannabis plant, including, but not
81 limited to, the leaf of the cannabis plant;

82 (2) Engage in any advertising by means of an electronic or
83 illuminated billboard between the hours of six o'clock a.m. and eleven
84 o'clock p.m.;

85 [(2)] (3) Engage in advertising by means of any television, radio,
86 Internet, mobile [applications] application, social media [,] or other
87 electronic communication, billboard or other outdoor signage, or print
88 publication unless the [advertiser] cannabis establishment has reliable
89 evidence that at least ninety per cent of the audience for the
90 advertisement is reasonably expected to be twenty-one years of age or
91 older;

92 [(3)] (4) Engage in advertising or marketing directed toward location-
93 based devices, including, but not limited to, cellular phones, unless the
94 marketing is a mobile device application installed on the device by the
95 owner of the device who is twenty-one years of age or older and
96 includes a permanent and easy opt-out feature and warnings that the
97 use of cannabis is restricted to persons twenty-one years of age or older;

98 [(4)] (5) Advertise cannabis or cannabis products in a manner
99 claiming or implying, or permit any employee of the cannabis
100 establishment to claim or imply, that such products have curative or
101 therapeutic effects, or that any other medical claim is true, or allow any

102 employee to promote cannabis for a wellness purpose unless such
103 claims are substantiated as set forth in regulations adopted under
104 chapter 420f or verbally conveyed by a licensed pharmacist or other
105 licensed medical practitioner in the course of business in, or while
106 representing, a hybrid retail or dispensary facility;

107 [(5)] (6) Sponsor charitable, sports, musical, artistic, cultural, social or
108 other similar events or advertising at, or in connection with, such an
109 event unless the [sponsor or advertiser] cannabis establishment has
110 reliable evidence that (A) not more than ten per cent of the in-person
111 audience at the event is reasonably expected to be under the legal age to
112 purchase cannabis or cannabis products, and (B) not more than ten per
113 cent of the audience that will watch, listen or participate in the event is
114 expected to be under the legal age to purchase cannabis products;

115 [(6)] (7) Advertise cannabis, cannabis products or cannabis
116 paraphernalia in any physical form visible to the public within one
117 thousand five hundred feet of an elementary or secondary school
118 ground or a house of worship, recreation center or facility, child care
119 center, playground, public park or library;

120 [(7)] (8) Cultivate cannabis or manufacture cannabis products for
121 distribution outside of this state in violation of federal law, advertise in
122 any way that encourages the transportation of cannabis across state lines
123 or otherwise encourages illegal activity;

124 [(8)] (9) Except for dispensary facilities and hybrid retailers, exhibit
125 within or upon the outside of the facility used in the operation of a
126 cannabis establishment, or include in any advertisement, the word
127 "dispensary" or any variation of such term or any other words, displays
128 or symbols indicating that such store, shop or place of business is a
129 dispensary;

130 [(9)] (10) Exhibit within or upon the outside of the premises subject to
131 the cannabis establishment license, or include in any advertisement the
132 words "drug store", "pharmacy", "apothecary", "drug", "drugs" or
133 "medicine shop" or any combination of such terms or any other words,

134 displays or symbols indicating that such store, shop or place of business
135 is a pharmacy;

136 [(10)] (11) Advertise on or in public or private vehicles or at bus stops,
137 taxi stands, transportation waiting areas, train stations, airports or other
138 similar transportation venues including, but not limited to, vinyl-
139 wrapped vehicles or signs or logos on transportation vehicles not
140 owned by a cannabis establishment;

141 [(11)] (12) Display cannabis, [or] cannabis products or any image, or
142 any other visual representation, of the cannabis plant or any part of the
143 cannabis plant, including, but not limited to, the leaf of the cannabis
144 plant, so as to be clearly visible to a person from the exterior of the
145 facility used in the operation of a cannabis establishment, or display
146 signs or other printed material advertising any brand or any kind of
147 cannabis or cannabis product, or including any image, or any other
148 visual representation, of the cannabis plant or any part of the cannabis
149 plant, including, but not limited to, the leaf of the cannabis plant, on the
150 exterior of any facility used in the operation of a cannabis establishment;

151 [(12)] (13) Utilize radio or loudspeaker, in a vehicle or in or outside of
152 a facility used in the operation of a cannabis establishment, for the
153 purposes of advertising the sale of cannabis or cannabis products; or

154 [(13)] (14) Operate any web site advertising or depicting cannabis,
155 cannabis products or cannabis paraphernalia unless such web site
156 verifies that the entrants or users are twenty-one years of age or older.

157 [(b) Any] (c) Except as provided in subsection (d) of this section, any
158 advertisements from a cannabis establishment shall contain the
159 following warning: "Do not use cannabis if you are under twenty-one
160 years of age. Keep cannabis out of the reach of children." In a print or
161 visual medium, such warning shall be conspicuous, easily legible and
162 shall take up not less than ten per cent of the advertisement space. In an
163 audio medium, such warning shall be at the same speed as the rest of
164 the advertisement and be easily intelligible.

165 (d) Any outdoor signage, including, but not limited to, any
166 monument sign, pylon sign or wayfinding sign, shall be deemed to
167 satisfy the audience requirement established in subdivision (3) of
168 subsection (b) of this section, and shall not be required to contain the
169 warning required under subsection (c) of this section, if such outdoor
170 signage:

171 (1) Contains only the name and logo of the cannabis establishment;

172 (2) Does not include any image, or any other visual representation, of
173 the cannabis plant or any part of the cannabis plant, including, but not
174 limited to, the leaf of the cannabis plant;

175 (3) Is comprised of not more than three colors; and

176 (4) Is located:

177 (A) On the cannabis establishment's premises, regardless of whether
178 such cannabis establishment leases or owns such premises; or

179 (B) On any commercial property occupied by multiple tenants
180 including such cannabis establishment.

181 [(c)] (e) The department shall not register, and may require revision
182 of, any submitted or registered cannabis brand name that:

183 (1) Is identical to, or confusingly similar to, the name of an existing
184 non-cannabis product;

185 (2) Is identical to, or confusingly similar to, the name of an unlawful
186 product or substance;

187 (3) Is confusingly similar to the name of a previously approved
188 cannabis brand name;

189 (4) Is obscene or indecent; and

190 (5) Is customarily associated with persons under the age of twenty-
191 one.

192 [(d)] (f) A violation of the provisions of [subsection (a) or (b)]
193 subsections (a) to (c), inclusive, of this section shall be deemed to be an
194 unfair or deceptive trade practice under subsection (a) of section 42-
195 110b."

196 Strike section 11 in its entirety and substitute the following in lieu
197 thereof:

198 "Sec. 11. (*Effective from passage*) (a) The chairpersons of the joint
199 standing committee of the General Assembly having cognizance of
200 matters pertaining to general law shall convene a working group to
201 study hemp, hemp products and hemp producers. Such study shall
202 include, but need not be limited to, an examination of (1) the regulation
203 of hemp, hemp products and hemp producers licensed in this state and
204 neighboring states, (2) the manner in which neighboring states have
205 integrated hemp, hemp products and hemp producers into their
206 recreational cannabis programs, statutes and regulations, and (3)
207 possible legislation that would integrate hemp, hemp products and
208 hemp producers licensed in this state into this state's recreational
209 cannabis statutes by, among other things, allowing (A) such licensees to
210 convert their licenses to licenses issued under this state's recreational
211 cannabis statutes, and (B) hemp products, including, but not limited to,
212 cannabidiol, produced by such licensees to be sold in cannabis
213 dispensaries licensed in this state.

214 (b) The working group shall consist of the following members:

215 (1) One appointed by the speaker of the House of Representatives,
216 who shall be a representative of the Connecticut Farm Bureau;

217 (2) One appointed by the president pro tempore of the Senate, who
218 shall be a person who grows hemp in the state;

219 (3) One appointed by the majority leader of the House of
220 Representatives, who shall be a representative of the state's cannabis
221 industry;

222 (4) One appointed by the majority leader of the Senate, who shall be
223 a representative of the state's cannabis industry;

224 (5) One appointed by the minority leader of the House of
225 Representatives, who shall be a member of the General Assembly
226 representing a rural district in the state;

227 (6) One appointed by the minority leader of the Senate, who shall be
228 a member of the General Assembly representing a rural district in the
229 state;

230 (7) The chairpersons of the joint standing committee of the General
231 Assembly having cognizance of matters relating to general law;

232 (8) The Commissioner of Consumer Protection, or the commissioner's
233 designee; and

234 (9) The Commissioner of Agriculture, or the commissioner's
235 designee.

236 (c) All initial appointments to the working group shall be made not
237 later than thirty days after the effective date of this section. Any vacancy
238 shall be filled by the appointing authority.

239 (d) The chairpersons of the joint standing committee of the General
240 Assembly having cognizance of matters relating to general law shall
241 serve as the chairpersons of the working group. Such chairpersons shall
242 schedule the first meeting of the working group, which shall be held not
243 later than sixty days after the effective date of this section.

244 (e) The administrative staff of the joint standing committee of the
245 General Assembly having cognizance of matters relating to general law
246 shall serve as administrative staff of the working group.

247 (f) Not later than January 1, 2023, the working group shall submit a
248 report on its findings and recommendations to the joint standing
249 committee of the General Assembly having cognizance of matters
250 relating to general law, in accordance with the provisions of section 11-

251 4a of the general statutes. The working group shall terminate on the date
252 that it submits such report or January 1, 2023, whichever is later."

253 After the last section, add the following and renumber sections and
254 internal references accordingly:

255 "Sec. 501. Section 21a-408 of the 2022 supplement to the general
256 statutes is repealed and the following is substituted in lieu thereof
257 (*Effective July 1, 2022*):

258 As used in this section, sections 21a-408a to 21a-408o, inclusive, as
259 amended by this act, and sections 21a-408r to 21a-408v, inclusive, unless
260 the context otherwise requires:

261 (1) "Advanced practice registered nurse" means an advanced practice
262 registered nurse licensed pursuant to chapter 378;

263 (2) "Cannabis establishment" has the same meaning as provided in
264 section 21a-420, as amended by this act;

265 (3) "Cultivation" includes planting, propagating, cultivating, growing
266 and harvesting;

267 (4) "Debilitating medical condition" means (A) cancer, glaucoma,
268 positive status for human immunodeficiency virus or acquired immune
269 deficiency syndrome, Parkinson's disease, multiple sclerosis, damage to
270 the nervous tissue of the spinal cord with objective neurological
271 indication of intractable spasticity, epilepsy or uncontrolled intractable
272 seizure disorder, cachexia, wasting syndrome, Crohn's disease,
273 posttraumatic stress disorder, irreversible spinal cord injury with
274 objective neurological indication of intractable spasticity, cerebral palsy,
275 cystic fibrosis or terminal illness requiring end-of-life care, except, if the
276 qualifying patient is under eighteen years of age, "debilitating medical
277 condition" means terminal illness requiring end-of-life care, irreversible
278 spinal cord injury with objective neurological indication of intractable
279 spasticity, cerebral palsy, cystic fibrosis, severe epilepsy or uncontrolled
280 intractable seizure disorder, or (B) any medical condition, medical

281 treatment or disease approved for qualifying patients by the
282 Department of Consumer Protection and posted online pursuant to
283 section 21a-408l;

284 (5) "Dispensary facility" means a place of business where marijuana
285 may be dispensed, sold or distributed in accordance with this chapter
286 and any regulations adopted thereunder to qualifying patients and
287 caregivers and for which the department has issued a dispensary facility
288 license pursuant to this chapter;

289 (6) "Employee" has the same meaning as provided in section 21a-420,
290 as amended by this act;

291 (7) "Institutional animal care and use committee" means a committee
292 that oversees an organization's animal program, facilities and
293 procedures to ensure compliance with federal policies, guidelines and
294 principles related to the care and use of animals in research;

295 (8) "Institutional review board" means a specifically constituted
296 review body established or designated by an organization to protect the
297 rights and welfare of persons recruited to participate in biomedical,
298 behavioral or social science research;

299 (9) "Laboratory" means a laboratory located in the state that is
300 licensed by the department to provide analysis of marijuana and that
301 meets the licensure requirements set forth in section 21a-246, as
302 amended by this act;

303 (10) "Laboratory employee" means a person who is registered as a
304 laboratory employee pursuant to section 21a-408r;

305 (11) "Licensed dispensary" or "dispensary" means an individual who
306 is a licensed pharmacist employed by a dispensary facility or hybrid
307 retailer;

308 (12) "Producer" means a person who is licensed as a producer
309 pursuant to section 21a-408i;

- 310 (13) "Marijuana" means marijuana, as defined in section 21a-240;
- 311 (14) "Nurse" means a person who is licensed as a nurse under chapter
312 378;
- 313 (15) "Palliative use" means the acquisition, distribution, transfer,
314 possession, use or transportation of marijuana or paraphernalia relating
315 to marijuana, including the transfer of marijuana and paraphernalia
316 relating to marijuana from the patient's caregiver to the qualifying
317 patient, to alleviate a qualifying patient's symptoms of a debilitating
318 medical condition or the effects of such symptoms, but does not include
319 any such use of marijuana by any person other than the qualifying
320 patient;
- 321 (16) "Paraphernalia" means drug paraphernalia, as defined in section
322 21a-240;
- 323 (17) "Physician" means a person who is licensed as a physician under
324 chapter 370; [but does not include a physician assistant, as defined in
325 section 20-12a;]
- 326 (18) "Physician assistant" means a person who is licensed as a
327 physician assistant under chapter 370;
- 328 ~~[(18)]~~ (19) "Caregiver" means a person, other than the qualifying
329 patient and the qualifying patient's physician, physician assistant or
330 advanced practice registered nurse, who is eighteen years of age or older
331 and has agreed to undertake responsibility for managing the well-being
332 of the qualifying patient with respect to the palliative use of marijuana,
333 provided (A) in the case of a qualifying patient (i) under eighteen years
334 of age and not an emancipated minor, or (ii) otherwise lacking legal
335 capacity, such person shall be a parent, guardian or person having legal
336 custody of such qualifying patient, and (B) in the case of a qualifying
337 patient eighteen years of age or older or an emancipated minor, the need
338 for such person shall be evaluated by the qualifying patient's physician,
339 physician assistant or advanced practice registered nurse and such need
340 shall be documented in the written certification;

341 [(19)] (20) "Qualifying patient" means a person who: (A) Is a resident
342 of Connecticut, (B) has been diagnosed by a physician, physician
343 assistant or [an] advanced practice registered nurse as having a
344 debilitating medical condition, and (C) (i) is eighteen years of age or
345 older, (ii) is an emancipated minor, or (iii) has written consent from a
346 custodial parent, guardian or other person having legal custody of such
347 person that indicates that such person has permission from such parent,
348 guardian or other person for the palliative use of marijuana for a
349 debilitating medical condition and that such parent, guardian or other
350 person will (I) serve as a caregiver for the qualifying patient, and (II)
351 control the acquisition and possession of marijuana and any related
352 paraphernalia for palliative use on behalf of such person. "Qualifying
353 patient" does not include an inmate confined in a correctional institution
354 or facility under the supervision of the Department of Correction;

355 [(20)] (21) "Research program" means a study approved by the
356 Department of Consumer Protection in accordance with this chapter
357 and undertaken to increase information or knowledge regarding the
358 growth or processing of marijuana, or the medical attributes, dosage
359 forms, administration or use of marijuana to treat or alleviate symptoms
360 of any medical conditions or the effects of such symptoms;

361 [(21)] (22) "Research program employee" means a person who (A) is
362 registered as a research program employee under section 21a-408t, or
363 (B) holds a temporary certificate of registration issued pursuant to
364 section 21a-408t;

365 [(22)] (23) "Research program subject" means a person registered as a
366 research program subject pursuant to section 21a-408v;

367 [(23)] (24) "Usable marijuana" means the dried leaves and flowers of
368 the marijuana plant, and any mixtures or preparations of such leaves
369 and flowers, that are appropriate for the palliative use of marijuana, but
370 does not include the seeds, stalks and roots of the marijuana plant; and

371 [(24)] (25) "Written certification" means a written certification issued
372 by a physician, physician assistant or [an] advanced practice registered

373 nurse pursuant to section 21a-408c, as amended by this act.

374 Sec. 502. Section 21a-408a of the 2022 supplement to the general
375 statutes is repealed and the following is substituted in lieu thereof
376 (*Effective July 1, 2022*):

377 (a) A qualifying patient shall register with the Department of
378 Consumer Protection pursuant to section 21a-408d, as amended by this
379 act, prior to engaging in the palliative use of marijuana. A qualifying
380 patient who has a valid registration certificate from the Department of
381 Consumer Protection pursuant to subsection (a) of section 21a-408d, as
382 amended by this act, and complies with the requirements of sections
383 21a-408 to 21a-408m, as amended by this act, inclusive, shall not be
384 subject to arrest or prosecution, penalized in any manner, including, but
385 not limited to, being subject to any civil penalty, or denied any right or
386 privilege, including, but not limited to, being subject to any disciplinary
387 action by a professional licensing board, for the palliative use of
388 marijuana if:

389 (1) The qualifying patient's physician, physician assistant or
390 advanced practice registered nurse has issued a written certification to
391 the qualifying patient for the palliative use of marijuana after the
392 physician, physician assistant or advanced practice registered nurse has
393 prescribed, or determined it is not in the best interest of the patient to
394 prescribe, prescription drugs to address the symptoms or effects for
395 which the certification is being issued;

396 (2) The combined amount of marijuana possessed by the qualifying
397 patient and the caregiver for palliative use does not exceed five ounces;

398 (3) The qualifying patient has not more than one caregiver at any
399 time; and

400 (4) Any cannabis plants grown by the qualifying patient in his or
401 home is in compliance with subsection (b) of section 21a-408d, as
402 amended by this act, and any applicable regulations.

403 (b) The provisions of subsection (a) of this section do not apply to:

404 (1) Any palliative use of marijuana that endangers the health or well-
405 being of a person other than the qualifying patient or the caregiver; or

406 (2) The ingestion of marijuana (A) in a motor bus or a school bus or
407 in any other moving vehicle, (B) in the workplace, (C) on any school
408 grounds or any public or private school, dormitory, college or university
409 property, unless such college or university is participating in a research
410 program and such use is pursuant to the terms of the research program,
411 (D) in any public place, or (E) in the presence of a person under the age
412 of eighteen, unless such person is a qualifying patient or research
413 program subject. For the purposes of this subdivision, (i) "presence"
414 means within the direct line of sight of the palliative use of marijuana or
415 exposure to second-hand marijuana smoke, or both; (ii) "public place"
416 means any area that is used or held out for use by the public whether
417 owned or operated by public or private interests; (iii) "vehicle" means a
418 vehicle, as defined in section 14-1; (iv) "motor bus" means a motor bus,
419 as defined in section 14-1; and (v) "school bus" means a school bus, as
420 defined in section 14-1.

421 Sec. 503. Section 21a-408c of the 2022 supplement to the general
422 statutes is repealed and the following is substituted in lieu thereof
423 (*Effective July 1, 2022*):

424 (a) A physician, physician assistant or [an] advanced practice
425 registered nurse may issue a written certification to a qualifying patient
426 that authorizes the palliative use of marijuana by the qualifying patient.
427 Such written certification shall be in the form prescribed by the
428 Department of Consumer Protection and shall include a statement
429 signed and dated by the qualifying patient's physician, physician
430 assistant or advanced practice registered nurse stating that, in such
431 physician's, physician assistant's or advanced practice registered nurse's
432 professional opinion, the qualifying patient has a debilitating medical
433 condition and the potential benefits of the palliative use of marijuana
434 would likely outweigh the health risks of such use to the qualifying

435 patient.

436 (b) Any written certification for the palliative use of marijuana issued
437 by a physician, physician assistant or [an] advanced practice registered
438 nurse under subsection (a) of this section shall be valid for a period not
439 to exceed one year from the date such written certification is signed and
440 dated by the physician, physician assistant or advanced practice
441 registered nurse. Not later than ten calendar days after the expiration of
442 such period, or at any time before the expiration of such period should
443 the qualifying patient no longer wish to possess marijuana for palliative
444 use, the qualifying patient or the caregiver shall destroy all usable
445 marijuana possessed by the qualifying patient and the caregiver for
446 palliative use.

447 (c) A physician, physician assistant or [an] advanced practice
448 registered nurse shall not be subject to arrest or prosecution, penalized
449 in any manner, including, but not limited to, being subject to any civil
450 penalty, or denied any right or privilege, including, but not limited to,
451 being subject to any disciplinary action by the Connecticut Medical
452 Examining Board, the Connecticut State Board of Examiners for Nursing
453 or other professional licensing board, for providing a written
454 certification for the palliative use of marijuana under subdivision (1) of
455 subsection (a) of section 21a-408a, as amended by this act, if:

456 (1) The physician, physician assistant or advanced practice registered
457 nurse has diagnosed the qualifying patient as having a debilitating
458 medical condition;

459 (2) The physician, physician assistant or advanced practice registered
460 nurse has explained the potential risks and benefits of the palliative use
461 of marijuana to the qualifying patient and, if the qualifying patient lacks
462 legal capacity, to a parent, guardian or person having legal custody of
463 the qualifying patient;

464 (3) The written certification issued by the physician, physician
465 assistant or advanced practice registered nurse is based upon the
466 physician's, physician assistant's or advanced practice registered nurse's

467 professional opinion after having completed a medically reasonable
468 assessment of the qualifying patient's medical history and current
469 medical condition made in the course of a bona fide health care
470 professional-patient relationship; and

471 (4) The physician, physician assistant or advanced practice registered
472 nurse has no financial interest in a cannabis establishment, except for
473 retailers and delivery services, as such terms are defined in section 21a-
474 420, as amended by this act.

475 (d) A physician assistant or nurse shall not be subject to arrest or
476 prosecution, penalized in any manner, including, but not limited to,
477 being subject to any civil penalty, or denied any right or privilege,
478 including, but not limited to, being subject to any disciplinary action by
479 the Connecticut Medical Examining Board, Board of Examiners for
480 Nursing [,] or other professional licensing board, for administering
481 marijuana to a qualifying patient or research program subject in a
482 hospital or health care facility licensed by the Department of Public
483 Health.

484 (e) Notwithstanding the provisions of this section, sections 21a-408 to
485 21a-408b, inclusive, as amended by this act, and sections 21a-408d to
486 21a-408o, inclusive, as amended by this act, a physician assistant or an
487 advanced practice registered nurse shall not issue a written certification
488 to a qualifying patient when the qualifying patient's debilitating medical
489 condition is glaucoma.

490 Sec. 504. Section 21a-408d of the 2022 supplement to the general
491 statutes is repealed and the following is substituted in lieu thereof
492 (*Effective July 1, 2022*):

493 (a) Each qualifying patient who is issued a written certification for the
494 palliative use of marijuana under subdivision (1) of subsection (a) of
495 section 21a-408a, as amended by this act, and the caregiver of such
496 qualifying patient, shall register with the Department of Consumer
497 Protection. Such registration shall be effective from the date the
498 Department of Consumer Protection issues a certificate of registration

499 until the expiration of the written certification issued by the physician,
500 physician assistant or advanced practice registered nurse. The
501 qualifying patient and the caregiver shall provide sufficient identifying
502 information, as determined by the department, to establish the personal
503 identity of the qualifying patient and the caregiver. If the qualifying
504 patient is under eighteen years of age and not an emancipated minor,
505 the custodial parent, guardian or other person having legal custody of
506 the qualifying patient shall also provide a letter from both the qualifying
507 patient's care provider and a physician who is board certified in an area
508 of medicine involved in the treatment of the debilitating condition for
509 which the qualifying patient was certified that confirms that the
510 palliative use of marijuana is in the best interest of the qualifying
511 patient. A physician may issue a written certification for the palliative
512 use of marijuana by a qualifying patient who is under eighteen years of
513 age, provided such written certification shall not be for marijuana in a
514 dosage form that requires that the marijuana be smoked, inhaled or
515 vaporized. The qualifying patient or the caregiver shall report any
516 change in the identifying information to the department not later than
517 five business days after such change. The department shall issue a
518 registration certificate to the qualifying patient and to the caregiver and
519 may charge a reasonable fee, not to exceed twenty-five dollars, for each
520 registration certificate issued under this subsection. Any registration
521 fees collected by the department under this subsection shall be paid to
522 the State Treasurer and credited to the General Fund.

523 (b) Any qualifying patient who is eighteen years of age or older may
524 cultivate up to three mature cannabis plants and three immature
525 cannabis plants in the patient's primary residence at any given time,
526 provided such plants are secure from access by any individual other
527 than the patient or patient's caregiver and no more than twelve cannabis
528 plants may be grown per household.

529 (c) A dispensary shall not dispense any marijuana products in a
530 smokable, inhalable or vaporizable form to a qualifying patient who is
531 under eighteen years of age or such qualifying patient's caregiver.

532 (d) Information obtained under this section shall be confidential and
533 shall not be subject to disclosure under the Freedom of Information Act,
534 as defined in section 1-200, except that reasonable access to registry
535 information obtained under this section shall be provided to: (1) State
536 agencies, federal agencies and local law enforcement agencies for the
537 purpose of investigating or prosecuting a violation of law; (2)
538 physicians, physician assistants, advanced practice registered nurses
539 and pharmacists for the purpose of providing patient care and drug
540 therapy management and monitoring controlled substances obtained by
541 the qualifying patient; (3) public or private entities for research or
542 educational purposes, provided no individually identifiable health
543 information may be disclosed; (4) a licensed dispensary for the purpose
544 of complying with sections 21a-408 to 21a-408m, inclusive, as amended
545 by this act; (5) a qualifying patient, but only with respect to information
546 related to such qualifying patient or such qualifying patient's caregiver;
547 or (6) a caregiver, but only with respect to information related to such
548 caregiver's qualifying patient.

549 Sec. 505. Subsection (a) of section 21a-408d of the 2022 supplement to
550 the general statutes, as amended by section 504 of this act, is repealed
551 and the following is substituted in lieu thereof (*Effective July 1, 2023*):

552 (a) Each qualifying patient who is issued a written certification for the
553 palliative use of marijuana under subdivision (1) of subsection (a) of
554 section 21a-408a, as amended by this act, and the caregiver of such
555 qualifying patient, shall register with the Department of Consumer
556 Protection. Such registration shall be effective from the date the
557 Department of Consumer Protection issues a certificate of registration
558 until the expiration of the written certification issued by the physician,
559 physician assistant or advanced practice registered nurse. The
560 qualifying patient and the caregiver shall provide sufficient identifying
561 information, as determined by the department, to establish the personal
562 identity of the qualifying patient and the caregiver. If the qualifying
563 patient is under eighteen years of age and not an emancipated minor,
564 the custodial parent, guardian or other person having legal custody of
565 the qualifying patient shall also provide a letter from both the qualifying

566 patient's care provider and a physician who is board certified in an area
567 of medicine involved in the treatment of the debilitating condition for
568 which the qualifying patient was certified that confirms that the
569 palliative use of marijuana is in the best interest of the qualifying
570 patient. A physician may issue a written certification for the palliative
571 use of marijuana by a qualifying patient who is under eighteen years of
572 age, provided such written certification shall not be for marijuana in a
573 dosage form that requires that the marijuana be smoked, inhaled or
574 vaporized. The qualifying patient or the caregiver shall report any
575 change in the identifying information to the department not later than
576 five business days after such change. The department shall issue a
577 registration certificate to the qualifying patient and to the caregiver,
578 [and may charge a reasonable fee, not to exceed twenty-five dollars, for
579 each registration certificate issued under this subsection. Any
580 registration fees collected by the department under this subsection shall
581 be paid to the State Treasurer and credited to the General Fund.]

582 Sec. 506. Section 21a-408m of the 2022 supplement to the general
583 statutes is repealed and the following is substituted in lieu thereof
584 (*Effective July 1, 2022*):

585 (a) The Commissioner of Consumer Protection may adopt
586 regulations, in accordance with chapter 54, to establish (1) a standard
587 form for written certifications for the palliative use of marijuana issued
588 by physicians, physician assistants and advanced practice registered
589 nurses under subdivision (1) of subsection (a) of section 21a-408a, as
590 amended by this act, and (2) procedures for registrations under section
591 21a-408d, as amended by this act. Such regulations, if any, shall be
592 adopted after consultation with the Board of Physicians established in
593 section 21a-408l.

594 (b) The Commissioner of Consumer Protection shall adopt
595 regulations, in accordance with chapter 54, to establish a reasonable fee
596 to be collected from each qualifying patient to whom a written
597 certification for the palliative use of marijuana is issued under
598 subdivision (1) of subsection (a) of section 21a-408a, as amended by this

599 act, for the purpose of offsetting the direct and indirect costs of
600 administering the provisions of sections 21a-408 to 21a-408m, inclusive,
601 as amended by this act. The commissioner shall collect such fee at the
602 time the qualifying patient registers with the Department of Consumer
603 Protection under subsection (a) of section 21a-408d, as amended by this
604 act. Such fee shall be in addition to any registration fee that may be
605 charged under said subsection. The fees required to be collected by the
606 commissioner from qualifying patients under this subsection shall be
607 paid to the State Treasurer and credited to the General Fund.

608 (c) The Commissioner of Consumer Protection shall adopt or amend
609 regulations, as applicable, in accordance with chapter 54, to implement
610 the provisions of sections 21a-408 to 21a-408g, inclusive, as amended by
611 this act, and section 21a-408l. Notwithstanding the requirements of
612 sections 4-168 to 4-172, inclusive, in order to effectuate the purposes of
613 sections 21a-408 to 21a-408g, inclusive, as amended by this act, and
614 section 21a-408l, and protect public health and safety, prior to adopting
615 or amending such regulations the commissioner shall adopt policies and
616 procedures to implement the provisions of sections 21a-408 to 21a-408g,
617 inclusive, as amended by this act, and section 21a-408, as amended by
618 this act, that shall have the force and effect of law. The commissioner
619 shall post all policies and procedures on the department's Internet web
620 site, and submit such policies and procedures to the Secretary of the
621 State for posting on the eRegulations System, at least fifteen days prior
622 to the effective date of any policy or procedure. Any such policy or
623 procedure shall no longer be effective upon the earlier of either adoption
624 of such policies or procedures as a final regulation pursuant to section
625 4-172 or forty-eight months from October 1, 2021, if such policies or
626 procedures have not been submitted to the legislative regulation review
627 committee for consideration under section 4-170. Such policies and
628 procedures and regulations shall include, but not be limited to, how the
629 department shall:

630 (1) Accept applications for the issuance and renewal of registration
631 certificates for qualifying patients and caregivers;

632 (2) Establish criteria for adding medical conditions, medical
633 treatments or diseases to the list of debilitating medical conditions that
634 qualify for the palliative use of marijuana;

635 (3) Establish a petition process under which members of the public
636 may submit petitions, regarding the addition of medical conditions,
637 medical treatments or diseases to the list of debilitating medical
638 conditions;

639 (4) Establish requirements for the growing of cannabis plants by a
640 qualifying patient in his or her primary residence as authorized under
641 section 21a-408d, as amended by this act, including requirements for
642 securing such plants to prevent access by any individual other than the
643 patient or the patient's caregiver, the location of such plants and any
644 other requirements necessary to protect public health or safety;

645 (5) Develop a distribution system for marijuana for palliative use that
646 provides for:

647 (A) Marijuana production facilities within this state that are housed
648 on secured grounds and operated by producers;

649 (B) The transfer of marijuana between dispensary facilities; and

650 (C) Distribution of marijuana for palliative use to qualifying patients
651 or their caregivers by dispensary facilities, hybrid retailers and delivery
652 services, as such terms are defined in section 21a-420, as amended by
653 this act; and

654 (6) Ensure an adequate supply and variety of marijuana to dispensary
655 facilities and hybrid retailers to ensure uninterrupted availability for
656 qualifying patients, based on historical marijuana purchase patterns by
657 qualifying patients.

658 Sec. 507. Section 21a-408m of the 2022 supplement to the general
659 statutes, as amended by section 506 of this act, is repealed and the
660 following is substituted in lieu thereof (*Effective July 1, 2023*):

661 (a) The Commissioner of Consumer Protection may adopt
662 regulations, in accordance with chapter 54, to establish (1) a standard
663 form for written certifications for the palliative use of marijuana issued
664 by physicians, physician assistants and advanced practice registered
665 nurses under subdivision (1) of subsection (a) of section 21a-408a, as
666 amended by this act, and (2) procedures for registrations under section
667 21a-408d, as amended by this act. Such regulations, if any, shall be
668 adopted after consultation with the Board of Physicians established in
669 section 21a-408l.

670 [(b) The Commissioner of Consumer Protection shall adopt
671 regulations, in accordance with chapter 54, to establish a reasonable fee
672 to be collected from each qualifying patient to whom a written
673 certification for the palliative use of marijuana is issued under
674 subdivision (1) of subsection (a) of section 21a-408a, for the purpose of
675 offsetting the direct and indirect costs of administering the provisions
676 of sections 21a-408 to 21a-408m, inclusive. The commissioner shall
677 collect such fee at the time the qualifying patient registers with the
678 Department of Consumer Protection under subsection (a) of section 21a-
679 408d. Such fee shall be in addition to any registration fee that may be
680 charged under said subsection. The fees required to be collected by the
681 commissioner from qualifying patients under this subsection shall be
682 paid to the State Treasurer and credited to the General Fund.]

683 [(c)] (b) The Commissioner of Consumer Protection shall adopt or
684 amend regulations, as applicable, in accordance with chapter 54, to
685 implement the provisions of sections 21a-408 to 21a-408g, inclusive, as
686 amended by this act, and section 21a-408l. Notwithstanding the
687 requirements of sections 4-168 to 4-172, inclusive, in order to effectuate
688 the purposes of sections 21a-408 to 21a-408g, inclusive, as amended by
689 this act, and section 21a-408l, and protect public health and safety, prior
690 to adopting or amending such regulations the commissioner shall adopt
691 policies and procedures to implement the provisions of sections 21a-408
692 to 21a-408g, inclusive, as amended by this act, and section 21a-408, as
693 amended by this act, that shall have the force and effect of law. The
694 commissioner shall post all policies and procedures on the department's

695 Internet web site, and submit such policies and procedures to the
696 Secretary of the State for posting on the eRegulations System, at least
697 fifteen days prior to the effective date of any policy or procedure. Any
698 such policy or procedure shall no longer be effective upon the earlier of
699 either adoption of such policies or procedures as a final regulation
700 pursuant to section 4-172 or forty-eight months from October 1, 2021, if
701 such policies or procedures have not been submitted to the legislative
702 regulation review committee for consideration under section 4-170.
703 Such policies and procedures and regulations shall include, but not be
704 limited to, how the department shall:

705 (1) Accept applications for the issuance and renewal of registration
706 certificates for qualifying patients and caregivers;

707 (2) Establish criteria for adding medical conditions, medical
708 treatments or diseases to the list of debilitating medical conditions that
709 qualify for the palliative use of marijuana;

710 (3) Establish a petition process under which members of the public
711 may submit petitions, regarding the addition of medical conditions,
712 medical treatments or diseases to the list of debilitating medical
713 conditions;

714 (4) Establish requirements for the growing of cannabis plants by a
715 qualifying patient in his or her primary residence as authorized under
716 section 21a-408d, as amended by this act, including requirements for
717 securing such plants to prevent access by any individual other than the
718 patient or the patient's caregiver, the location of such plants and any
719 other requirements necessary to protect public health or safety;

720 (5) Develop a distribution system for marijuana for palliative use that
721 provides for:

722 (A) Marijuana production facilities within this state that are housed
723 on secured grounds and operated by producers;

724 (B) The transfer of marijuana between dispensary facilities; and

725 (C) Distribution of marijuana for palliative use to qualifying patients
726 or their caregivers by dispensary facilities, hybrid retailers and delivery
727 services, as such terms are defined in section 21a-420, as amended by
728 this act; and

729 (6) Ensure an adequate supply and variety of marijuana to dispensary
730 facilities and hybrid retailers to ensure uninterrupted availability for
731 qualifying patients, based on historical marijuana purchase patterns by
732 qualifying patients.

733 Sec. 508. Subsection (a) of section 21a-246 of the general statutes is
734 repealed and the following is substituted in lieu thereof (*Effective July 1,*
735 *2022*):

736 (a) No person within this state shall manufacture, wholesale,
737 repackage, supply, compound, mix, cultivate or grow, or by other
738 process produce or prepare, controlled substances without first
739 obtaining a license to do so from the Commissioner of Consumer
740 Protection and no person within this state shall operate a laboratory for
741 the purpose of research or analysis using controlled substances without
742 first obtaining a license to do so from the Commissioner of Consumer
743 Protection, except that such activities by pharmacists or pharmacies in
744 the filling and dispensing of prescriptions or activities incident thereto,
745 or the dispensing or administering of controlled substances by dentists,
746 podiatrists, physicians, physician assistants, advanced practice
747 registered nurses or veterinarians, or other persons acting under their
748 supervision, in the treatment of patients shall not be subject to the
749 provisions of this section, and provided laboratories for instruction in
750 dentistry, medicine, nursing, pharmacy, pharmacology and
751 pharmacognosy in institutions duly licensed for such purposes in this
752 state shall not be subject to the provisions of this section except with
753 respect to narcotic drugs and schedule I and II controlled substances.
754 Upon application of any physician or physician assistant licensed
755 pursuant to chapter 370₂, or an advanced practice registered nurse
756 licensed pursuant to chapter 378, the Commissioner of Consumer
757 Protection shall without unnecessary delay, (1) license such physician to

758 possess and supply marijuana for the treatment of glaucoma or the side
759 effects of chemotherapy, or (2) license such physician assistant or
760 advanced practice registered nurse to possess and supply marijuana for
761 the treatment of the side effects of chemotherapy. No person outside this
762 state shall sell or supply controlled substances within this state without
763 first obtaining a license to do so from the Commissioner of Consumer
764 Protection, provided no such license shall be required of a manufacturer
765 whose principal place of business is located outside this state and who
766 is registered with the federal Drug Enforcement Administration or other
767 federal agency, and who files a copy of such registration with the
768 appropriate licensing authority under this chapter.

769 Sec. 509. Section 21a-253 of the general statutes is repealed and the
770 following is substituted in lieu thereof (*Effective July 1, 2022*):

771 Any person may possess or have under his control a quantity of
772 marijuana less than or equal to that quantity supplied to him pursuant
773 to a prescription made in accordance with the provisions of section 21a-
774 249 by (1) a physician licensed under the provisions of chapter 370 and
775 further authorized by subsection (a) of section 21a-246, as amended by
776 this act, by the Commissioner of Consumer Protection to possess and
777 supply marijuana for the treatment of glaucoma or the side effects of
778 chemotherapy, or (2) a physician assistant licensed under the provisions
779 of chapter 370, or an advanced practice registered nurse licensed under
780 the provisions of chapter 378, and further authorized by subsection (a)
781 of section 21a-246, as amended by this act, by said commissioner to
782 possess and supply marijuana for the treatment of the side effects of
783 chemotherapy.

784 Sec. 510. Section 7 of public act 21-9 is repealed and the following is
785 substituted in lieu thereof (*Effective July 1, 2022*):

786 (a) As used in this section:

787 (1) "Advanced practice registered nurse" means an advanced practice
788 registered nurse licensed pursuant to chapter 378 of the general statutes;

789 (2) "Physician" has the same meaning as provided in section 21a-408
790 of the general statutes, as amended by this act;

791 (3) "Physician assistant" has the same meaning as provided in section
792 21a-408 of the general statutes, as amended by this act;

793 [(3)] (4) "Qualifying patient" has the same meaning as provided in
794 section 21a-408 of the general statutes, as amended by this act; and

795 [(4)] (5) "Written certification" has the same meaning as provided in
796 section 21a-408 of the general statutes, as amended by this act.

797 (b) Notwithstanding the provisions of sections 21a-408 to 21a-408n,
798 inclusive, of the general statutes, as amended by this act, or any other
799 section, regulation, rule, policy or procedure concerning the certification
800 of medical marijuana patients, a physician, physician assistant or
801 advanced practice registered nurse may issue a written certification to a
802 qualifying patient and provide any follow-up care using telehealth
803 services during the period beginning on the effective date of this section
804 and ending on June 30, 2023, provided all other requirements for issuing
805 the written certification to the qualifying patient and all recordkeeping
806 requirements are satisfied.

807 Sec. 511. Section 21a-420d of the 2022 supplement to the general
808 statutes is repealed and the following is substituted in lieu thereof
809 (*Effective from passage*):

810 (a) There is established a Social Equity Council, which shall be within
811 the Department of Economic and Community Development for
812 administrative purposes only.

813 (b) The council shall consist of fifteen members as follows:

814 (1) One appointed by the speaker of the House of Representatives,
815 who has a professional background of not less than five years working
816 in the field of either social justice or civil rights;

817 (2) One appointed by the president pro tempore of the Senate, who

818 has a professional background of not less than five years working in the
819 field of either social justice or civil rights;

820 (3) One appointed by the majority leader of the House of
821 Representatives, who has a professional background of not less than five
822 years working in the field of economic development to help minority-
823 owned businesses;

824 (4) One appointed by the majority leader of the Senate, who has a
825 professional background of not less than five years in providing access
826 to capital to minorities, as defined in section 32-9n;

827 (5) One appointed by the minority leader of the House of
828 Representatives, who is from a community that has been
829 disproportionately harmed by cannabis prohibition and enforcement;

830 (6) One appointed by the minority leader of the Senate, who has a
831 professional background of not less than five years in providing access
832 to capital to minorities, as defined in section 32-9n;

833 (7) One appointed by the chairperson of the Black and Puerto Rican
834 Caucus of the General Assembly;

835 (8) Four appointed by the Governor, one who is from a community
836 that has been disproportionately harmed by cannabis prohibition and
837 enforcement, one who has a professional background of not less than
838 five years working in the field of economic development and one who
839 is an executive branch official focused on workforce development;

840 (9) The Commissioner of Consumer Protection, or the commissioner's
841 designee;

842 (10) The Commissioner of Economic and Community Development,
843 or the commissioner's designee;

844 (11) The State Treasurer, or the State Treasurer's designee; and

845 (12) The Secretary of the Office of Policy and Management, or the

846 secretary's designee.

847 (c) In making the appointments in subsection (b) of this section, the
848 appointing authority shall use best efforts to make appointments that
849 reflect the racial, gender and geographic diversity of the population of
850 the state. All appointments shall be made not later than [thirty days after
851 the effective date of this section] July 30, 2021, and the Governor shall
852 appoint the chairperson of the council from among the members of the
853 council. Members appointed by the Governor shall serve a term of four
854 years from the time of appointment and members appointed by any
855 other appointing authority shall serve a term of three years from the
856 time of appointment. The appointing authority shall fill any vacancy for
857 the unexpired term. The Governor shall appoint an interim executive
858 director to operationalize and support the council until,
859 notwithstanding the provisions of section 4-9a, the council appoints an
860 executive director. Subject to the provisions of chapter 67, and within
861 available appropriations, the council may thereafter appoint an
862 executive director and such other employees as may be necessary for the
863 discharge of the duties of the council.

864 (d) A majority of the members of the council shall constitute a
865 quorum for the transaction of any business. The members of the council
866 shall serve without compensation, but shall, within available
867 appropriations, be reimbursed for expenses necessarily incurred in the
868 performance of their duties. Any member who fails to attend three
869 consecutive meetings held after the effective date of this section, or who
870 fails to attend fifty per cent of all meetings held during any calendar
871 year beginning on or after January 1, 2023, shall be deemed to have
872 resigned from office. The appointing authority shall fill the vacancy for
873 the unexpired term of any member who is deemed to have resigned
874 from office under this subsection, and shall use best efforts to ensure
875 such appointment reflects the racial, gender and geographic diversity of
876 the population of the state.

877 (e) The council may (1) request, and shall receive, from any state
878 agency such information and assistance as the council may require; (2)

879 use such funds as may be available from federal, state or other sources
880 and may enter into contracts to carry out the purposes of the council,
881 including, but not limited to, contracts or agreements with Connecticut
882 Innovations, Incorporated, constituent units of the state system of
883 higher education, regional workforce development boards and
884 community development financial institutions; (3) utilize voluntary and
885 uncompensated services of private individuals, state or federal agencies
886 and organizations as may, from time to time, be offered and needed; (4)
887 accept any gift, donation or bequest for the purpose of performing the
888 duties of the council; (5) hold public hearings; (6) establish such
889 standing committees, as necessary, to perform the duties of the council;
890 and (7) adopt regulations, in accordance with chapter 54, as it may deem
891 necessary to carry out the duties of the council.

892 (f) The council shall promote and encourage full participation in the
893 cannabis industry by persons from communities that have been
894 disproportionately harmed by cannabis prohibition and enforcement.

895 (g) Not later than forty-five days after June 22, 2021, or at a later date
896 determined by the council, the council shall establish criteria for
897 proposals to conduct a study under this section and the Secretary of the
898 Office of Policy and Management shall post on the State Contracting
899 Portal a request for proposals to conduct a study, and shall select an
900 independent third party to conduct such study and provide detailed
901 findings of fact regarding the following matters in the state or other
902 matters determined by the council:

903 (1) Historical and present-day social, economic and familial
904 consequences of cannabis prohibition, the criminalization and
905 stigmatization of cannabis use and related public policies;

906 (2) Historical and present-day structures, patterns, causes and
907 consequences of intentional and unintentional racial discrimination and
908 racial disparities in the development, application and enforcement of
909 cannabis prohibition and related public policies;

910 (3) Foreseeable long-term social, economic and familial consequences

911 of unremedied past racial discrimination and disparities arising from
912 past and continued cannabis prohibition, stigmatization and
913 criminalization;

914 (4) Existing patterns of racial discrimination and racial disparities in
915 access to entrepreneurship, employment and other economic benefits
916 arising in the lawful palliative use cannabis sector as established
917 pursuant to chapter 420f; and

918 (5) Any other matters that the council deems relevant and feasible for
919 study for the purpose of making reasonable and practical
920 recommendations for the establishment of an equitable and lawful
921 adult-use cannabis business sector in this state.

922 (h) Not later than January 1, 2022, the council shall, taking into
923 account the results of the study conducted in accordance with
924 subsection (g) of this section, make written recommendations, in
925 accordance with the provisions of section 11-4a, to the Governor and the
926 joint standing committees of the General Assembly having cognizance
927 of matters relating to finance, revenue and bonding, consumer
928 protection and the judiciary regarding legislation to implement the
929 provisions of this section. The council shall make recommendations
930 regarding:

931 (1) Creating programs to ensure that individuals from communities
932 that have been disproportionately harmed by cannabis prohibition and
933 enforcement are provided equal access to licenses for cannabis
934 establishments;

935 (2) Specifying additional qualifications for social equity applicants;

936 (3) Providing for expedited or priority license processing for each
937 license as a retailer, hybrid retailer, cultivator, micro-cultivator, product
938 manufacturer, food and beverage manufacturer, product packager,
939 transporter and delivery service license for social equity applicants;

940 (4) Establishing minimum criteria for any cannabis establishment

941 licensed on or after January 1, 2022, that is not owned by a social equity
942 applicant, to comply with an approved workforce development plan to
943 reinvest or provide employment and training opportunities for
944 individuals in disproportionately impacted areas;

945 (5) Establishing criteria for a social equity plan for any cannabis
946 establishment licensed on or after January 1, 2022, to further the
947 principles of equity, as defined in section 21a-420;

948 (6) Recruiting individuals from communities that have been
949 disproportionately harmed by cannabis prohibition and enforcement to
950 enroll in the workforce training program established pursuant to section
951 21a-421g;

952 (7) Potential uses for revenue generated under RERACA to further
953 equity;

954 (8) Encouraging participation of investors, cannabis establishments,
955 and entrepreneurs in the cannabis business accelerator program
956 established pursuant to section 21a-421f;

957 (9) Establishing a process to best ensure that social equity applicants
958 have access to the capital and training needed to own and operate a
959 cannabis establishment; and

960 (10) Developing a vendor list of women-owned and minority-owned
961 businesses that cannabis establishments may contract with for necessary
962 services, including, but not limited to, office supplies, information
963 technology infrastructure and cleaning services.

964 (i) Not later than August 1, 2021, and annually thereafter, the council
965 shall use the most recent five-year United States Census Bureau
966 American Community Survey estimates or any successor data to
967 determine one or more United States census tracts in the state that are a
968 disproportionately impacted area and shall publish a list of such tracts
969 on the council's Internet web site.

970 (j) After developing criteria for workforce development plans as

971 described in subdivision (4) of subsection (h) of this section, the council
972 shall review and approve or deny in writing any such plan submitted
973 by a producer under section 21a-420l or a hybrid-retailer under section
974 21a-420u.

975 (k) The council shall develop criteria for evaluating the ownership
976 and control of any equity joint venture created under section 21a-420m,
977 as amended by this act, [or] 21a-420u, as amended by this act, or section
978 5 of this act and shall review and approve or deny in writing such equity
979 joint venture prior to such equity joint venture being licensed under
980 section 21a-420m, as amended by this act, [or] 21a-420u, as amended by
981 this act, or section 5 of this act. After developing criteria for social equity
982 plans as described in subdivision (5) of subsection (h) of this section, the
983 council shall review and approve or deny in writing any such plan
984 submitted by a cannabis establishment as part of its final license
985 application. The council shall not approve any equity joint venture
986 applicant which shares with an equity joint venture any individual
987 owner who meets the criteria established in subparagraphs (A) and (B)
988 of subdivision (48) of section 21a-420, as amended by this act.

989 (l) The Social Equity Council shall, upon receipt of funds from
990 producers in accordance with subdivision (5) of subsection (b) of section
991 21a-420l, develop a program to assist social equity applicants to open
992 not more than two micro-cultivator establishment businesses in total.
993 Producers shall provide mentorship to such social equity applicants.
994 The Social Equity Council shall, with the department, determine a
995 system to select social equity applicants to participate in such program
996 without participating in a lottery or request for proposals."

This act shall take effect as follows and shall amend the following sections:		
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	21a-421bb
Sec. 11	<i>from passage</i>	New section
Sec. 501	<i>July 1, 2022</i>	21a-408

Sec. 502	<i>July 1, 2022</i>	21a-408a
Sec. 503	<i>July 1, 2022</i>	21a-408c
Sec. 504	<i>July 1, 2022</i>	21a-408d
Sec. 505	<i>July 1, 2023</i>	21a-408d(a)
Sec. 506	<i>July 1, 2022</i>	21a-408m
Sec. 507	<i>July 1, 2023</i>	21a-408m
Sec. 508	<i>July 1, 2022</i>	21a-246(a)
Sec. 509	<i>July 1, 2022</i>	21a-253
Sec. 510	<i>July 1, 2022</i>	PA 21-9, Sec. 7
Sec. 511	<i>from passage</i>	21a-420d