

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred House Bill
3 No. 170 entitled “An act relating to possession and cultivation of marijuana by
4 a person 21 years of age or older” respectfully reports that it has considered the
5 same and recommends that the bill be amended as follows:

6 First: In Sec. 7, 18 V.S.A. § 4230e, in subsection (b), after “section 1421”
7 by striking out the words “of this title” and after “chapter 37 of this title” by
8 inserting before the period “or 16 V.S.A. § 140”

9 Second: In Sec. 8, 18 V.S.A. § 4230f, in subdivision (b)(1)(B), by striking
10 out “reasonable precautions are taken to prevent unauthorized access to the
11 marijuana” and inserting in lieu thereof is secure so that access is limited to the
12 cultivator and persons 21 years of age or older who have permission from the
13 cultivator

14 Third: By adding a new section to be Sec. 12a to read as follows:

15 Sec. 12a. 23 V.S.A. § 1134b is amended to read:

16 § 1134b. ~~SMOKING~~ USING MARIJUANA OR TOBACCO IN A MOTOR
17 VEHICLE WITH CHILD PRESENT

18 (a) A person shall not use marijuana as defined in 18 V.S.A. § 4201 or a
19 tobacco substitute as defined in 7 V.S.A. § 1001 or possess a lighted tobacco
20 product ~~or use a tobacco substitute as defined in 7 V.S.A. § 1001~~ in a motor
21 vehicle that is occupied by a child required to be properly restrained in a

1 federally approved child passenger restraining system pursuant to subdivision
2 1258(a)(1) or (2) of this title.

3 (b) A person who violates subsection (a) of this section shall be subject to a
4 ~~fine~~ civil penalty of not more than \$100.00. No points shall be assessed for a
5 violation of this section.

6 Fourth: By adding a new section to be Sec. 12b to read as follows:

7 Sec. 12b. 33 V.S.A. § 3504 is amended to read:

8 § 3504. MARIJUANA AND TOBACCO USE PROHIBITED AT CHILD
9 CARE FACILITIES

10 (a) No person shall be permitted to use marijuana as defined in 18 V.S.A.
11 § 4201 or to cultivate marijuana, or use tobacco products or tobacco substitutes
12 as defined in 7 V.S.A. § on the premises, both indoor and outdoor, of any
13 licensed child care center or afterschool program at any time.

14 (b) No person shall be permitted to use marijuana as defined in 18 V.S.A.
15 § 4201, tobacco products, or tobacco substitutes as defined in 7 V.S.A. § 1001
16 on the premises, both ~~indoor~~ indoors and in any outdoor area designated for
17 child care, of a licensed or registered family child care home while children are
18 present and in care. If use of marijuana or smoking of tobacco products or
19 tobacco substitutes occurs on the premises during other times, the family child
20 care home shall notify prospective families prior to enrolling a child in the
21 family child care home that their child will be exposed to an environment in

1 which marijuana, tobacco products, or tobacco substitutes, ~~or both~~, are used.

2 Cultivation of marijuana in a licensed or registered family child care home is

3 not permitted.

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6 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE