

---

This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

---

**Act No. 158 (S.188). Cannabis**

**An act relating to regulating licensed small cannabis cultivation as farming**

This act makes numerous changes to the regulatory system for the adult-use cannabis market, as follows:

- Licensed small cultivators who grow cannabis outdoors on land already subject to Required Agricultural Practices will be afforded farming exemptions regarding land use requirements and permitting under Act 250 and local zoning and will be able to keep the parcel enrolled in the Use Value Appraisal Program, provided the parcel was already enrolled prior to cultivation of cannabis.
- Requires the Cannabis Control Board to submit to the House Committees on Agriculture and Forestry and on Ways and Means and the Senate Committees on Agriculture and on Finance written recommendations on how the Cannabis Control Board would regulate hemp products, as that term is defined in 7 V.S.A. § 861; hemp processors; and hemp product manufacturers.
- Establishes Cannabis Control Quality Program within the Cannabis Control Board and repeals the Agency of Agriculture, Food and Markets Cannabis Control Program.
- Establishes the same statutory standard for cultivation of cannabis for both “home grow” and commercial use: on property lawfully in possession of the cultivator or with the written consent of the person in lawful possession of the property and in an area that is screened from public view and access is limited to the cultivator and persons 21 years of age or older who have permission from the cultivator.
- Grants the Cannabis Control Board the authority to regulate synthetic cannabinoids and hemp-derived cannabinoids, including delta-8 and delta-10 tetrahydrocannabinol.
- Allows solid and liquid concentrates to be manufactured and sold to other licensees but not to the public.
- Requires the Cannabis Control Board to report to the General Assembly with a summary of the regulated market share for solid concentrates above 60 percent THC and the status of the illicit market for those products in other states with a regulated adult-use cannabis market.

- Allows the Board to accept third-party criminal background checks submitted by an applicant for a cannabis establishment license or renewal in lieu of obtaining from the Vermont Crime Information Center a copy of the person's Vermont fingerprint-based criminal history records, out-of-state criminal history records, and criminal history records from the Federal Bureau of Investigation.
- Permits a person who has obtained a cannabis employee ID card from the Board to work for any cannabis establishment.
- Allows an applicant to obtain multiple cannabis laboratory testing licenses.
- Clarifies that no applicant or its affiliates that control a dispensary shall hold more than one integrated license.
- Requires that all cannabis establishments licensed by the Board be assessed an annual product licensing fee of \$50.00 for every type of cannabis and cannabis product that is sold.

Effective Date: May 31, 2022