
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. 65 (H. 270). An act relating to miscellaneous amendments to the adult-use and medical cannabis programs

Subjects: Cannabis

This act makes changes to the adult-use cannabis program and Medical Cannabis Registry, including:

- Repealing the Cannabis Control Board Advisory Committee and repealing the sunset of the Cannabis Control Board (CCB) in 2024.
- Establishing a new propagation cultivator license that allows cultivation of immature cannabis plants and clones.
- Permitting the CCB to issue or renew a State-issued cannabis establishment license even if the applicant has not received a permit required by the municipality if the CCB finds that the municipality has exceeded its authority under statute with respect to the requirements it has placed on the applicant.
- Clarifying that the prohibition against a municipality banning cannabis establishments from operating within its borders includes regulation by the municipality that has the effect of banning such establishments.
- Extending the benefits that have been available to small cultivators to all outdoor cultivators, allowing such cultivators to enroll in the Use Value Appraisal Program regardless of whether the land was previously enrolled prior to the cultivation of cannabis, and entitling such cultivators to a rebuttable presumption that cultivation does not constitute a nuisance under law in the same manner as “agricultural activities.”
- Increasing the maximum THC content of a packaged cannabis product from 50 to 100 milligrams but not affecting the total amount of cannabis that may be purchased or possessed by a person over 21 years of age.
- Establishing procedures for public access to information regarding complaints and investigations by the CCB.
- Removing the counseling requirement for acceptance of PTSD as a qualifying medical condition for purposes of the Medical Cannabis Registry.
- Increasing the maximum amount of cannabis that may be cultivated by a registered patient or caregiver to six mature plants and 12 immature plants.
- Changing background check requirements for caregivers and allows caregivers to care for up to two people at a time.
- Allowing registered patients with qualifying conditions that are not chronic pain to renew their registration every three years instead of annually.
- Directing the CCB to work with the Vermont Academic Detailing Program, Registry patients and caregivers, licensed medical cannabis dispensaries, and medical professional stakeholders to review the Medical Cannabis Registry and to provide recommendations for improvement to the Senate Committee on

Health and Welfare and the House Committees on Human Services and on Health Care on or before January 15, 2024.

- Clarifying that cannabis and cannabis products are not included in the definitions of tobacco substitute or other tobacco product and are not subject to regulation by the Department of Liquor and Lottery.
- Transferring \$500,000.00 from the Cannabis Regulation Fund to support loans and grants to social equity applicants and requiring a report on the administration and funding of the Cannabis Business Development Fund.
- Directing the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel to collaborate with local and national stakeholders to study the administration and funding of the Cannabis Business Development Fund and gather qualitative and quantitative data informing the establishment and funding of community reinvestment for individuals and communities disproportionately impacted by the criminalization of cannabis. The Panel is required to provide recommendations on how to administer and fund the Cannabis Business Development Fund and fund and administer reinvestment in individuals and communities disproportionately harmed by cannabis criminalization to the Senate Committees on Economic Development, Housing and General Affairs and on Finance on or before January 15, 2024.

Effective Date: June 14, 2023