1	H.270
2 3	An act relating to miscellaneous amendments to the adult-use and medical cannabis programs
4	It is hereby enacted by the General Assembly of the State of Vermont:
5	Sec. 1. 7 V.S.A. § 843 is amended to read:
6	§ 843. CANNABIS CONTROL BOARD; DUTIES; MEMBERS
7	* * *
8	(h) Advisory committee.
9	(1) There is an advisory committee established within the Board that
10	shall be composed of members with expertise and knowledge relevant to the
11	Board's mission. The Board shall collaborate with the advisory committee or
12	recommendations to the General Assembly. The advisory committee shall be
13	composed of the following 14 members:
14	(A) one member with an expertise in public health, appointed by the
15	Governor;
16	(B) the Secretary of Agriculture, Food and Markets or designee;
17	(C) one member with an expertise in laboratory science or
18	toxicology, appointed by the Governor;
19	(D) one member with an expertise in systemic social justice and
20	equity issues, appointed by the Speaker of the House;
21	(E) one member with an expertise in women- and minority-owned
22	business ownership, appointed by the Speaker of the House;

1	(F) the Chair of the Substance Misuse Prevention Oversight and
2	Advisory Council or designee;
3	(G) one member with an expertise in the cannabis industry, appointed
4	by the Senate Committee on Committees;
5	(H) one member with an expertise in business management or
6	regulatory compliance, appointed by the Treasurer;
7	(I) one member with an expertise in municipal issues, appointed by
8	the Senate Committee on Committees;
9	(J) one member with an expertise in public safety, appointed by the
10	Attorney General;
11	(K) one member with an expertise in criminal justice reform,
12	appointed by the Attorney General;
13	(L) the Secretary of Natural Resources or designee;
14	(M) the Chair of the Cannabis for Symptom Relief Oversight
15	Committee or designee; and
16	(N) one member appointed by the Vermont Cannabis Trade
17	Association.
18	(2) Initial appointments to the advisory committee as provided in
19	subdivision (1) of this subsection (h) shall be made on or before July 1, 2021.
20	(3) The Board may establish subcommittees within the advisory
21	committee to accomplish its work.

1	(4) Members of the advisory committee who are not otherwise
2	compensated by the member's employer for attendance at meetings shall be
3	entitled to per diem compensation and reimbursement of expenses as permitted
4	under 32 V.S.A. § 1010 for not more than six meetings annually. These
5	payments shall be made from the Cannabis Regulation Fund. [Repealed.]
6	Sec. 2. REPEAL; SUNSET OF CANNABIS CONTROL BOARD
7	2020 Acts and Resolves No. 164, Sec. 6e is repealed.
8	Sec. 3. 7 V.S.A. § 845 is amended to read:
9	§ 845. CANNABIS REGULATION FUND
10	* * *
11	(c) Monies from the Fund shall only be appropriated for the purposes of
12	implementation, administration, and enforcement of this chapter and chapter
13	33 chapters 33, 35, and 37 of this title.
14	* * *
15	Sec. 4. 7 V.S.A. § 861 is amended to read:
16	§ 861. DEFINITIONS
17	As used in this chapter:
18	* * *
19	(2) "Advertisement" means any written or verbal statement, illustration,
20	or depiction that is calculated to induce would reasonably have the effect of
21	inducing sales of cannabis or cannabis products, including any written, printed,

1	graphic, or other material; billboard, sign, or other outdoor display; other
2	periodical literature, publication, or in a radio or television broadcast; the
3	Internet; or in any other media. The term does not include:
4	(A) any label affixed to any cannabis or cannabis product or any
5	individual covering, carton, or other wrapper of that container that constitutes a
6	part of the labeling under provisions of these standards;
7	(B) any editorial or other reading material, such as a news release, in
8	any periodical or publication or newspaper for the publication of which no
9	money or valuable consideration is paid or promised, directly or indirectly, by
10	any cannabis establishment, and that is not written by or at the direction of the
11	licensee;
12	(C) any educational, instructional, or otherwise noncommercial
13	material that is not intended to induce sales and that does not propose an
14	economic transaction, but that merely provides information to the public in an
15	unbiased manner; or
16	(D) a sign attached to the premises of a cannabis establishment that
17	merely identifies the location of the cannabis establishment.
18	* * *
19	(8) "Cannabis establishment" means a cannabis cultivator, <u>propagation</u>

cultivator, wholesaler, product manufacturer, retailer, testing laboratory, or

1	integrated licensee licensed by the Board to engage in commercial cannabis
2	activity in accordance with this chapter.
3	* * *
4	(31) "Cannabis propagation cultivator" or "propagation cultivator"
5	means a person licensed by the Board to cultivate cannabis clones, immature
6	plants, and mature plants in accordance with this chapter.
7	Sec. 5. 7 V.S.A. § 863 is amended to read:
8	§ 863. REGULATION BY LOCAL GOVERNMENT
9	* * *
10	(b) A municipality that hosts any cannabis establishment may establish a
11	cannabis control commission composed of commissioners who may be
12	members of the municipal legislative body. The local cannabis control
13	commission may issue and administer local control licenses under this
14	subsection for cannabis establishments within the municipality but shall not
15	assess a fee for a local control license issued to a cannabis establishment. The
16	commissioners may condition the issuance of a local control license upon
17	compliance with any bylaw adopted pursuant to 24 V.S.A. § 4414 or upon
18	ordinances regulating signs or public nuisances adopted pursuant to 24 V.S.A.
19	§ 2291, except that ordinances may not regulate public nuisances as applied to

outdoor cultivators that are regulated in the same manner as the Required

Agricultural Practices under subdivision 869(f)(2) of this title. The

20

21

establishment.

1	commission may suspend or revoke a local control license for a violation of
2	any condition placed upon the license. The Board shall adopt rules relating to
3	a municipality's issuance of a local control license in accordance with this
4	subsection and the local commissioners shall administer the rules furnished to
5	them by the Board as necessary to carry out the purposes of this section.
6	(c) Prior to issuing a license to a cannabis establishment under this chapter
7	the Board shall ensure that the applicant has obtained a local control license
8	from the municipality, if required, unless the Board finds that the municipality
9	has exceeded its authority under this section.
10	(d) A municipality shall not:
11	(1) prohibit the operation of a cannabis establishment within the
12	municipality through an ordinance adopted pursuant to 24 V.S.A. § 2291 or a
13	bylaw adopted pursuant to 24 V.S.A. § 4414, or regulate a cannabis
14	establishment in a manner that has the effect of prohibiting the operation of a
15	cannabis establishment;
16	(2) condition the operation of a cannabis establishment, or the issuance
17	or renewal of a municipal permit to operate a cannabis establishment, on any
18	basis other than the conditions in subsection (b) of this section; and \underline{or}
19	(3) exceed the authority granted to it by law to regulate a cannabis

1	Sec. 6. 7 V.S.A. § 869 is amended to read:
2	§ 869. CULTIVATION OF CANNABIS; ENVIRONMENTAL AND LAND
3	USE STANDARDS; REGULATION OF SMALL CULTIVATORS
4	CULTIVATION
5	(a) A cannabis establishment shall not be regulated as "farming" under the
6	Required Agricultural Practices, 6 V.S.A. chapter 215, or other State law, and
7	cannabis produced from cultivation shall not be considered an agricultural
8	product, farm crop, or agricultural crop for the purposes of 32 V.S.A. chapter
9	124, 32 V.S.A. § 9741, or other relevant State law.
10	(b) The cultivation, processing, and manufacturing of cannabis regulated
11	under this chapter shall comply with all applicable State, federal, and local
12	environmental, energy, or public health law, unless otherwise provided under
13	this chapter.
14	(c) A cannabis establishment regulated under this chapter shall be subject
15	to regulation under 24 V.S.A. chapter 117 as authorized by this chapter, unless
16	otherwise provided under this chapter.
17	(d)(1) The cultivation, processing, and manufacturing of cannabis by all
18	cultivators regulated under this chapter shall comply with the following
19	sections of the Required Agricultural Practices as administered and enforced
20	by the Board:

1	(A) section 6, regarding conditions, restriction, and operating
2	standards;
3	(B) section 8, regarding groundwater quality and groundwater quality
4	investigations; and
5	(C) section 12, regarding subsurface tile drainage.
6	(2) Application of or compliance with the Required Agricultural
7	Practices under subdivision (1) of this subsection shall not be construed to
8	provide a presumption of compliance with or exemption to any applicable
9	State, federal, and local environmental, energy, public health, or land use law
10	required under subsections (b) and (c) of this section.
11	(e) Persons cultivating cannabis or handling pesticides for the purposes of
12	the manufacture of cannabis products shall comply with the worker protection
13	standard of 40 C.F.R. Part 170.
14	(f) Notwithstanding subsection (a) of this section, a small cultivator
15	licensed under this chapter who initiates cultivation of cannabis outdoors on a
16	parcel of land that was subject to the Required Agricultural Practices prior to
17	licensed cultivation of cannabis shall:
18	(1) be regulated in the same manner as "farming" and not as
19	"development" on the tract of land where cultivation occurs for the purposes of
20	permitting under 10 V.S.A. chapter 151;

1	(2) not be regulated by a municipal bylaw adopted under 24 V.S.A.
2	chapter 117 in the same manner that Required Agricultural Practices are not
3	regulated by a municipal bylaw under 24 V.S.A. § 4413(d)(1)(A);
4	(3) be eligible to enroll in the Use Value Appraisal Program under 32
5	V.S.A. chapter 124 for the cultivation of cannabis, provided that the
6	agricultural land or farm building on the parcel where cannabis cultivation
7	occurs was enrolled in the Use Value Appraisal Program prior to
8	commencement of licensed cannabis cultivation and the parcel continues to
9	qualify for enrollment; and
10	(4) be exempt under 32 V.S.A. § 9741(3), (25), and (50) from the tax or
11	retail sales imposed under 32 V.S.A. § 9771; and
12	(5) be entitled to the rebuttable presumption that cultivation does not
13	constitute a nuisance under 12 V.S.A. chapter 195 in the same manner as
14	"agricultural activities" are entitled to the rebuttable presumption, provided
15	that, notwithstanding 12 V.S.A. § 5753(a)(1)(A), the cultivation is complying
16	with subsections (b) and (d) of this section.
17	Sec. 7. 7 V.S.A. § 881 is amended to read:
18	§ 881. RULEMAKING; CANNABIS ESTABLISHMENTS
19	(a) The Board shall adopt rules to implement and administer this chapter in
20	accordance with subdivisions (1) $\overline{(7)}(8)$ of this subsection.

* * *

1	(3) Rules concerning product manufacturers shall include:
2	(A) requirements that a single package of a cannabis product shall
3	not contain more than 50 100 milligrams of THC, except in the case of:
4	(i) cannabis products that are not consumable, including topical
5	preparations;
6	(ii) solid concentrates, oils, and tinctures; and
7	(iii) cannabis products sold to a dispensary pursuant to 18 V.S.A
8	chapter 86 and rules adopted pursuant to that chapter;
9	* * *
10	(5) Rules concerning retailers shall include:
11	* * *
12	(E) facility inspection requirements and procedures for facility
13	inspection to occur at least annually.
14	* * *
15	(8) Rules concerning propagators shall include:
16	(A) requirements for proper verification of age of customers;
17	(B) pesticides or classes of pesticides that may be used by
18	propagators, provided that any rules adopted under this subdivision (8) shall
19	comply with and shall be at least as stringent as the Agency of Agriculture,
20	Food and Markets' Vermont Pesticide Control Regulations;
21	(C) standards for indoor cultivation of cannabis;

1	(D) procedures and standards for testing cannabis for contaminants,
2	potency, and quality assurance and control;
3	(E) labeling requirements for cannabis sold to retailers and integrated
4	licensees;
5	(F) regulation of visits to the establishments, including the number of
6	visitors allowed at any one time and record keeping concerning visitors; and
7	(G) facility inspection requirements and procedures.
8	* * *
9	Sec. 8. 7 V.S.A. § 901 is amended to read:
10	§ 901. GENERAL PROVISIONS
11	(a) Except as otherwise permitted by law, a person shall not engage in the
12	cultivation, preparation, processing, packaging, transportation, testing, or sale
13	of cannabis or cannabis products without obtaining a license from the Board.
14	* * *
15	(d)(1) There shall be six seven types of licenses available:
16	(A) a cultivator license;
17	(B) <u>a propagator license;</u>
18	(C) a wholesaler license;
19	(C)(D) a product manufacturer license;
20	(D)(E) a retailer license;
21	(E)(F) a testing laboratory license; and

1	(F)(G) an integrated license.
2	(2)(A) The Board shall develop tiers for:
3	(i) cultivator licenses based on the plant canopy size of the
4	cultivation operation or plant count for breeding stock; and
5	(ii) retailer licenses.
6	(B) The Board may develop tiers for other types of licenses.
7	(3)(A) Except as provided in subdivisions (B) and (C) of this
8	subdivision (3), an applicant and its affiliates may obtain a maximum of one
9	type of each type of license as provided in subdivisions $\frac{(1)(A)}{(E)}\frac{(1)(A)-(F)}{(E)}$
10	of this subsection (d). Each license shall permit only one location of the
11	establishment.
12	(B) An applicant and its affiliates that control a dispensary registered
13	on April 1, 2022 may obtain one integrated license provided in subdivision
14	(1)(F)(1)(G) of this subsection (d) or a maximum of one of each type of
15	license provided in subdivisions $\frac{(1)(A)-(E)}{(1)(A)-(F)}$ of this subsection (d).
16	An integrated licensee may not hold a separate cultivator, propagator,
17	wholesaler, product manufacturer, retailer, or testing laboratory license, and no
18	applicant or its affiliates that control a dispensary shall hold more than one
19	integrated license. An integrated license shall permit only one location for
20	each of the types of activities permitted by the license: cultivation, propagator,
21	wholesale operations, product manufacturing, retail sales, and testing.

1	(C) An applicant and its affiliates may obtain multiple testing
2	laboratory licenses.
3	* * *
4	(h)(1) The following records shall be exempt from public inspection and
5	copying under the Public Records Act and shall be confidential:
6	(A) any record in an application for a license relating to security,
7	public safety, transportation, or trade secrets, including information provided
8	in an operating plan pursuant to subdivision 881(a)(1)(B) of this title; and
9	(B) any licensee record relating to security, public safety,
10	transportation, trade secrets, or employees.
11	(2) Notwithstanding 1 V.S.A. § 317(e), the Public Records Act
12	exemption created in this subsection shall continue in effect and shall not be
13	repealed through operation of 1 V.S.A. § 317(e). [Repealed.]
14	Sec. 9. 7 V.S.A. § 901a is added to read:
15	§ 901a. ACCESSIBILITY AND CONFIDENTIALITY OF LICENSING
16	AND DISCIPLINARY MATTERS
17	(a) It is the purpose of this section to protect the reputation, security
18	practices, and trade secrets of licensees from undue public disclosure while
19	securing the public's right to know of government licensing actions relevant to
20	the public health, safety, and welfare.

1	(b) All meetings and hearings of the Board shall be subject to the Vermont
2	Open Meeting Law.
3	(c) The following shall be exempt from public inspection and copying
4	under the Public Records Act and shall be kept confidential:
5	(1) records related to licensee security, safety, transportation, or trade
6	secrets, including information provided in an operating plan pursuant to
7	subdivision 881(a)(1)(B) of this title; and
8	(2) records related to complaints, investigations, or proceedings, except
9	as provided in subsection (d) of this section.
10	(d)(1) If a complaint or investigation results in formal action to revoke,
11	suspend, condition, reprimand, warn, fine, or otherwise to penalize a licensee
12	based on noncompliance with law or regulation, the case record, as defined by
13	3 V.S.A. § 809(e), shall be available for public inspection and copying under
14	Vermont's Public Records Act.
15	(2) The Board shall prepare and maintain an aggregated list of all closed
16	investigations into misconduct or noncompliance from whatever source
17	derived. The information contained in the list shall be available for public
18	inspection and copying under Vermont's Public Records Act. The list shall
19	contain the date, nature, and outcome of each complaint. The list shall not
20	contain the identity of the subject licensee unless formal action resulted, as
21	described in subdivision (1) of this subsection.

1	(e) Notwithstanding 1 V.S.A. § 317(e), the Public Records Act exemption
2	created in this section shall continue in effect and shall not be repealed through
3	operation of 1 V.S.A. § 317(e).
4	Sec. 10. 7 V.S.A. § 904 is amended to read:
5	§ 904. CULTIVATOR LICENSE
6	(a) A cultivator licensed under this chapter may:
7	(1) cultivate, process, package, label, transport, test, and sell cannabis to
8	a licensed wholesaler, product manufacturer, retailer, integrated licensee, and
9	dispensary and may:
10	(2) purchase and sell cannabis seeds and immature cannabis plants to
11	another licensed cultivator and propagation cultivator; and
12	(3) possess and sell cannabis products to a licensed wholesaler, product
13	manufacturer, retailer, integrated licensee, and dispensary.
14	* * *
15	Sec. 11. 7 V.S.A. § 904b is added to read:
16	§ 904b. PROPAGATION CULTIVATOR LICENSE
17	(a) A propagation cultivator licensed under this section may:
18	(1) cultivate not more than 3,500 square feet of cannabis clones,
19	immature cannabis plants, or mature cannabis plants;
20	(2) test, transport, and sell cannabis clones and immature cannabis
21	plants to licensed cultivators; and

1	(3) test, transport, and sell cannabis seeds that meet the federal
2	definition of hemp to a licensed cultivator or retailer or to the public.
3	(b) A licensed propagation cultivator shall not cultivate mature cannabis
4	plants for the purpose of producing, harvesting, transferring, or selling
5	cannabis flower for or to any person.
6	Sec. 12. PROPAGATION CULTIVATOR LICENSE IMPLEMENTATION
7	The Cannabis Control Board shall begin issuing propagation cultivator
8	licenses on or before July 1, 2024.
9	Sec. 13. 7 V.S.A. § 905 is amended to read:
10	§ 905. WHOLESALER LICENSE
11	A wholesaler licensed under this chapter may:
12	(1) purchase cannabis from a licensed cultivator and integrated licensee,
13	and cannabis products from a licensed product manufacturer, integrated
14	licensee, and dispensary cannabis establishment;
15	(2) transport, process, package, and sell cannabis and cannabis products
16	to a licensed product manufacturer, retailer, integrated licensee, and dispensary
17	cannabis establishment; and
18	(3) sell cannabis seeds or immature cannabis plants to a licensed
19	cultivator.

1	Sec. 14. 7 V.S.A. § 906 is amended to read:
2	§ 906. PRODUCT MANUFACTURER LICENSE
3	A product manufacturer licensed under this chapter may:
4	(1) purchase cannabis from a licensed cultivator, wholesalers, or
5	integrated licensee, and cannabis products from a licensed wholesaler, product
6	manufacturer, integrated licensee, and dispensary cannabis establishment;
7	(2) use cannabis and cannabis products to produce cannabis products;
8	and
9	(3) transport, process, package, and sell cannabis products to a licensed
10	wholesaler, product manufacturer, retailer, integrated licensee, and dispensary
11	cannabis establishment.
12	Sec. 15. 7 V.S.A. § 907 is amended to read:
13	§ 907. RETAILER LICENSE
14	(a) A retailer licensed under this chapter may:
15	(1) purchase cannabis from a licensed cultivator, wholesaler, or
16	integrated licensee, and cannabis products from a licensed wholesaler, product
17	manufacturer, integrated licensee, and dispensary cannabis establishment; and
18	(2) transport, possess, package, and sell cannabis and cannabis products
19	to the public for consumption off the registered premises or for cultivation.
20	* * *

1	Sec. 16. 7 V.S.A. § 910 is amended to read:
2	§ 910. CANNABIS ESTABLISHMENT FEE SCHEDULE
3	The following fees shall apply to each person or product licensed by the
4	Board:
5	* * *
6	(3) Manufacturers.
7	(A) Manufacturer tier 1. Manufacturers that process and manufacture
8	cannabis in order to produce cannabis products without using solvent-based
9	extraction and not more than \$10,000.00 \$50,000.00 per year in cannabis
10	products based on the manufacturer's total annual sales in cannabis products
11	shall be assessed an annual licensing fee of \$750.00.
12	* * *
13	(7) <u>Propagation cultivators</u> . <u>Propagation cultivators shall be assessed an</u>
14	annual licensing fee of \$500.00.
15	(8) Employees. Cannabis establishments licensed by the Board shall be
16	assessed an annual licensing fee of \$50.00 for each employee.
17	(8)(9) Products. Cannabis establishments licensed by the Board shall be
18	assessed an annual product licensing fee of \$50.00 for every type of cannabis
19	and cannabis product that is sold in accordance with this chapter.
20	(9)(10) Local licensing fees. Cannabis establishments licensed by the
21	Board shall be assessed an annual local licensing fee of \$100.00 in addition to

1	each fee assessed under subdivisions (1) $\frac{(6)(7)}{(6)(7)}$ of this section. Local licensing
2	fees shall be distributed to the municipality in which the cannabis
3	establishment is located pursuant to section 846(c) of this title.
4	(10)(11) One-time fees.
5	(A) All applicants for a cannabis establishment license shall be
6	assessed an initial one-time application fee of \$1,000.00.
7	(B) An applicant may choose to be assessed an initial one-time
8	intent-to-apply fee of \$500.00. If the applicant subsequently seeks a license
9	within one year after paying the intent-to-apply fee, the initial one-time
10	application fee of \$1,000.00 shall be reduced by \$500.00.
11	Sec. 17. 7 V.S.A. chapter 35 is amended to read:
12	CHAPTER 35. MEDICAL CANNABIS REGISTRY
13	§ 951. DEFINITIONS
14	As used in this chapter:
15	* * *
16	(8) "Qualifying medical condition" means:
17	(A) cancer, multiple sclerosis, positive status for human
18	immunodeficiency virus, acquired immune deficiency syndrome, glaucoma,
19	Crohn's disease, Parkinson's disease, post-traumatic stress disorder, or the
20	treatment of these conditions, if the disease or the treatment results in severe,
21	persistent, and intractable symptoms; or

1	(B) post-traumatic stress disorder, provided the Department confirms
2	the applicant is undergoing psychotherapy or counseling with a licensed
3	mental health care provider; or
4	(C) a disease or medical condition or its treatment that is chronic,
5	debilitating, and produces one or more of the following intractable symptoms:
6	cachexia or wasting syndrome, chronic pain, severe nausea, or seizures.
7	* * *
8	§ 952. REGISTRY
9	* * *
10	(b) A person who is a registered patient or a registered caregiver on behalf
11	of a patient may:
12	(1) Cultivate not more than two six mature and seven 12 immature
13	cannabis plants. Any cannabis harvested from the plants shall not count
14	toward the two-ounce possession limit in subdivision (2) of this subsection,
15	provided it is stored in an indoor facility on the property where the cannabis
16	was cultivated and reasonable precautions are taken to prevent unauthorized
17	access to the cannabis.
18	(2) Possess not more than two ounces of cannabis.
19	(3) Purchase cannabis and cannabis products at a licensed medical
20	cannabis dispensary. Pursuant to chapter 37 of this title, a dispensary may

1	offer goods and services that are not permitted at a cannabis establishment
2	licensed pursuant to chapter 33 of this title.
3	* * *
4	§ 954. CAREGIVERS
5	(a) Pursuant to rules adopted by the Board, a person may register with the
6	Board as a caregiver of a registered patient to obtain the benefits of the
7	Registry as provided in section 952 of this title.
8	(b)(1) The Board shall adopt rules that set forth standards for determining
9	whether an applicant should be denied a caregiver card because of his or her
10	criminal history record. An applicant shall not be denied solely on the basis of
11	a criminal conviction that is not listed in 13 V.S.A. chapter 25 or 28 conduct a
12	name and date of birth Vermont criminal conviction record background check
13	and obtain information from the Child Protection Registry maintained by the
14	Department for Children and Families and from the Vulnerable Adult Abuse,
15	Neglect, and Exploitation Registry maintained by the Department of
16	Disabilities, Aging, and Independent Living (collectively, the Registries) for
17	any person who applies to be a caregiver.
18	(2) The Board shall obtain from the Vermont Crime Information Center
19	a copy of the caregiver applicant's fingerprint-based Vermont criminal history
20	records, out-of-state criminal history records, and criminal history records from
21	the Federal Bureau of Investigation.

1	(c) The Board shall adopt rules that set forth standards for determining
2	whether an applicant should be denied a eannabis establishment license
3	caregiver card because of his or her criminal history record the applicant's
4	criminal history record or status on either Registry.
5	(d)(1) Except as provided in subdivision (2) of this subsection, a caregiver
6	shall serve only one patient may serve not more than two patients at a time,
7	and a patient shall have only one registered caregiver at a time. A patient may
8	serve as a caregiver for one other patient.
9	(2) A patient who is under 18 years of age may have two caregivers.
10	Additional caregivers shall be at the discretion of the Board.
11	(e) Medicaid funds shall not be used to support a caregiver in the
12	cultivation or distribution of cannabis on behalf of a patient.
13	§ 955. REGISTRATION; FEES
14	(a) A registration card shall expire one year after the date of issuance for
15	patients with a qualifying medical condition of chronic pain and the caregivers
16	who serve those patients. For all other patients and the caregivers who serve
17	those patients, a registration card shall expire three years after the date of
18	issuance. A patient or caregiver may renew the card according to protocols
19	adopted by the Board.

1	(b) The Board shall charge and collect a \$50.00 annual registration and
2	renewal fee for patients and caregivers. Fees shall be deposited in the
3	Cannabis Regulation Fund as provided in section 845 of this title.
4	§ 956. RULEMAKING
5	The Board shall adopt rules for the administration of this chapter. No rule
6	shall be more restrictive than any rule adopted by the Department of Public
7	Safety pursuant to 18 V.S.A. chapter 86.
8	Sec. 18. 33 V.S.A. § 4919 is amended to read:
9	§ 4919. DISCLOSURE OF REGISTRY RECORDS
10	(a) The Commissioner may disclose a Registry record only as follows:
11	* * *
12	(11) To the Cannabis Control Board, in accordance with the provisions
13	of 7 V.S.A. § 954.
14	* * *
15	Sec. 19. 33 V.S.A. § 6911 is amended to read:
16	§ 6911. RECORDS OF ABUSE, NEGLECT, AND EXPLOITATION
17	* * *
18	(c) The Commissioner or designee may disclose Registry information only
19	to:
20	* * *

1	(12) The Cannabis Control Board for the purpose of evaluating an
2	individual's suitability to be a registered caregiver under 7 V.S.A. § 954.
3	* * *
4	Sec. 20. 7 V.S.A. § 974 is amended to read:
5	§ 974. RULEMAKING
6	(a)(1) The Board shall adopt rules to implement and administer this
7	chapter. In adoption of rules, the Board shall strive for consistency with rules
8	adopted for cannabis establishments pursuant to chapter 33 of this title where
9	appropriate. No rule shall be more restrictive than any rule adopted by the
10	Department of Public Safety pursuant to 18 V.S.A. chapter 86.
11	* * *
12	Sec. 21. CANNABIS CONTROL BOARD REPORTING; MEDICAL
13	CANNABIS REGISTRY
14	(a) The Cannabis Control Board shall work with the Vermont Academic
15	Detailing Program, Registry patients and caregivers, licensed medical cannabis
16	dispensaries, and medical professional stakeholders to review the Medical
17	Cannabis Registry. The review shall include:
18	(1) an assessment of the illnesses or symptoms most appropriately
19	treated by cannabis;
20	(2) the strains of cannabis recommended for such treatment;
21	(3) the doses of active chemicals recommended for treatment;

1	(4) appropriate treatment protocols for patients, including whether
2	ongoing medical oversight such as counseling or other services is needed for
3	each condition being treated;
4	(5) how the use of cannabis is communicated to patients and patients'
5	providers; and
6	(6) any other issues that will improve the Registry.
7	(b) The Board shall convene the working group not less than four times to
8	complete its work.
9	(c) The Board shall provide recommendations for improvement to the
10	Medical Cannabis Registry to the Senate Committee on Health and Welfare
11	and the House Committees on Human Services and on Health Care on or
12	before January 15, 2024.
13	Sec. 22. 7 V.S.A. § 1001(8) is amended to read:
14	(8) "Tobacco substitute" means products, including electronic cigarettes
15	or other electronic or battery-powered devices, that contain or are designed to
16	deliver nicotine or other substances into the body through the inhalation of
17	vapor and that have not been approved by the U.S. Food and Drug
18	Administration for tobacco cessation or other medical purposes. Products
19	Cannabis products as defined in section 831 of this title or products that have
20	been approved by the U.S. Food and Drug Administration for tobacco

20

1	cessation or other medical purposes shall not be considered to be tobacco
2	substitutes.
3	Sec. 23. 32 V.S.A. § 7702(15) is amended to read:
4	(15) "Other tobacco products" means any product manufactured from,
5	derived from, or containing tobacco that is intended for human consumption by
6	smoking, chewing, or in any other manner, including products sold as a
7	tobacco substitute, as defined in 7 V.S.A. § 1001(8), and including any liquids,
8	whether nicotine based or not, or delivery devices sold separately for use with
9	a tobacco substitute, but shall not include cigarettes, little cigars, roll-your-own
10	tobacco, snuff, or new smokeless tobacco as defined in this section, or
11	cannabis products as defined in 7 V.S.A. § 831.
12	Sec. 23a. 7 V.S.A. § 831(3) is amended to read:
13	(3) "Cannabis product" means concentrated cannabis and a product that
14	is composed of cannabis and other ingredients and is intended for use or
15	consumption, including an edible product, ointment, and tincture. Cannabis
16	product shall include a vaporizer cartridge containing cannabis oil that is
17	intended for use with a battery-powered device and any device designed to
18	deliver cannabis into the body through inhalation of vapor that is sold at a

cannabis establishment licensed pursuant to chapter 33 of this title. "Cannabis

product" does not mean a "tobacco product" as defined in 32 V.S.A. § 7702, a

1	"tobacco substitute" as defined in section 1001 of this title, or "tobacco
2	paraphernalia" as defined in section 1001 of this title.
3	Sec. 23b. 7 V.S.A. § 1002 is amended to read:
4	§ 1002. LICENSE REQUIRED; APPLICATION; FEE; ISSUANCE
5	(a)(1) No Except as provided in subsection (h) of this section, no person
6	shall engage in the retail sale of tobacco products, tobacco substitutes, or
7	tobacco paraphernalia in his or her the person's place of business without a
8	tobacco license obtained from the Division of Liquor Control.
9	* * *
10	(h) This section shall not apply to a cannabis establishment licensed
11	pursuant to chapter 33 of this title to engage in the retail sale of cannabis
12	products as defined in section 831 of this title, but not engaged in the sale of
13	tobacco products or tobacco substitutes.
14	Sec. 24. TRANSFER AND APPROPRIATION
15	Notwithstanding 7 V.S.A. § 845(c), in fiscal year 2024:
16	(1) \$500,000.00 is transferred from the Cannabis Regulation Fund
17	established pursuant to 7 V.S.A. § 845 to the Cannabis Business Development
18	Fund established pursuant to 7 V.S.A. § 987; and
19	(2) \$500,000.00 is appropriated from the Cannabis Business
20	Development Fund to the Agency of Commerce and Community Development

1	to fund technical assistance and provide loans and grants pursuant to 7 V.S.A.
2	<u>§ 987.</u>
3	Sec. 24a. RACIAL DISPARITIES IN THE CRIMINAL AND JUVENILE
4	JUSTICE SYSTTEM ADVISORY PANEL REPORTING;
5	RACIAL EQUITY AND COMMUNITY REINVESTMENT
6	(a) The Racial Disparities in the Criminal and Juvenile Justice System
7	Advisory Panel shall collaborate with local and national stakeholders to study
8	the administration and funding of the Cannabis Business Development Fund
9	and gather qualitative and quantitative data informing the establishment and
10	funding of community reinvestment for individuals and communities
11	disproportionately impacted by the criminalization of cannabis. The study
12	shall do each of the following:
13	(1) Identify in an aggregated format the demographics of individuals
14	who have been disproportionately impacted by cannabis prohibition in
15	Vermont and nationally and identify communities most heavily impacted,
16	while not disclosing the identity of any particular individual.
17	(2) Identify the ways in which such individuals and communities have
18	been disproportionately impacted by cannabis prohibition in Vermont,
19	including rates of poverty; access to employment, housing, and education; and
20	involvement with the criminal justice system.

1	(3) Any other issues related to the impacts of the criminalization of
2	cannabis in Vermont and the United States that will improve racial equity and
3	community reinvestment in Vermont.
4	(b) The Panel shall convene not less than four times to complete its work.
5	(c) The Panel shall provide recommendations on how to administer and
6	fund the Cannabis Business Development Fund and fund and administer
7	reinvestment in individuals and communities disproportionately harmed by
8	cannabis criminalization to the Senate Committee on Economic Development,
9	Housing and General Affairs and on Finance on or before January 15, 2024.
10	Sec. 25. EFFECTIVE DATE
11	This act shall take effect on passage.