



1 (1) be regulated in the same manner as “farming” and not as  
2 “development” on the tract of land where cultivation occurs for the purposes of  
3 permitting under 10 V.S.A. chapter 151;

4 (2) not be regulated by a municipal bylaw adopted under 24 V.S.A.  
5 chapter 117 in the same manner that Required Agricultural Practices are not  
6 regulated by a municipal bylaw under 24 V.S.A. § 4413(d)(1)(A);

7 (3) be eligible to enroll in the Use Value Appraisal Program under  
8 32 V.S.A. chapter 124 for the cultivation of cannabis; and

9 (4) be exempt under 32 V.S.A. § 9741(3), (25), and (50) from the tax on  
10 retail sales imposed under 32 V.S.A. § 9771; ~~and~~

11 ~~(5) be entitled to the rebuttable presumption that cultivation does not~~  
12 ~~constitute a nuisance under 12 V.S.A. chapter 195 in the same manner as~~  
13 ~~“agricultural activities” are entitled to the rebuttable presumption, provided~~  
14 ~~that, notwithstanding 12 V.S.A. § 5753(a)(1)(A), the cultivation is complying~~  
15 ~~with subsections (b) and (d) of this section.~~

16 (g) The cannabis plant canopy of an outdoor cultivator of cannabis licensed  
17 under this chapter shall be set back at least 50 feet from a property boundary or  
18 edge of a highway.

1       Sec. 17. APPLICATION OF OUTDOOR CANNABIS CULTIVATION

2                       SETBACK; REPEAL

3           (a) The setback requirement established under 7 V.S.A. § 869(g) shall  
4       apply only to new outdoor cannabis cultivation licenses issued after July 1,  
5       2024.

6           (b) 7 V.S.A. § 869(g) shall be repealed on July 1, 2025.

7       Sec. 18. CANNABIS CONTROL BOARD REPORT; SITING OF

8                       OUTDOOR CANNABIS CULTIVATION

9           (a) On or before December 15, 2024, the Cannabis Control Board shall  
10       submit to the Senate Committees on Government Operations and on Economic  
11       Development, Housing and General Affairs and the House Committees on  
12       Government Operations and Military Affairs and on Commerce and Economic  
13       Development a report regarding the siting and licensing of outdoor cannabis  
14       cultivation. The report shall:

15           (1) summarize the current impact of outdoor cultivation on local  
16       municipalities;

17           (2) summarize the impact of establishing various siting requirements to  
18       existing licensed outdoor cultivators;

19           (3) address whether and how to authorize municipalities to establish  
20       local cultivation districts; and

1           (4) recommend whether local cannabis control commissions established  
2           pursuant to 7 V.S.A. chapter 33 should be granted additional authority to  
3           regulate outdoor cannabis cultivators.

4           (b) The Cannabis Control Board shall consult with the Vermont League of  
5           Cities and Towns, cannabis cultivators, and other interested stakeholders in  
6           developing the report required under subsection (a) of this section.

7           (c) As part of the report required under subsection (a) of this section, the  
8           Cannabis Control Board shall address the impact of modifying the law  
9           governing cannabis advertising.

10

11           (Committee vote: \_\_\_\_\_)

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\_\_\_\_\_

13

Representative \_\_\_\_\_

14

FOR THE COMMITTEE