

1 H.634
2 Introduced by Representative Waszazak of Barre City
3 Referred to Committee on
4 Date:
5 Subject: Cannabis; general provisions; consumption of cannabis in a
6 prohibited place
7 Statement of purpose of bill as introduced: This bill proposes to amend
8 various statutes relating to where an individual may consume cannabis to
9 prohibit the consumption of cannabis solely in places where an individual is
10 prohibited from consuming tobacco products.

11 An act relating to consumption of cannabis in a prohibited place
12 It is hereby enacted by the General Assembly of the State of Vermont:
13 Sec. 1. 7 V.S.A. § 831 is amended to read:
14 § 831. DEFINITIONS
15 As used in this chapter:

16 * * *
17 (6) “Public Prohibited place” means ~~any street, alley, park, sidewalk,~~
18 ~~public building other than individual dwellings, any place of public~~
19 ~~accommodation as defined in 9 V.S.A. § 4501, and any place where the use or~~

1 possession of a lighted tobacco product, tobacco product, or tobacco substitute
2 is prohibited by law pursuant to 18 V.S.A. chapter 37.

3 Sec. 2. 7 V.S.A. § 833 is amended to read:

4 § 833. CONSUMPTION OF CANNABIS IN A ~~PUBLIC PROHIBITED~~

5 PLACE

6 No person shall possess lighted cannabis or cannabis products, or consume
7 cannabis by inhalation of vapor, in a public prohibited place unless specifically
8 authorized by law. Violations shall be punished in accordance with 18 V.S.A.
9 § 4230a.

10 Sec. 3. 18 V.S.A. § 4230a is amended to read:

11 § 4230a. CANNABIS POSSESSION BY A PERSON 21 YEARS OF AGE

12 OR OLDER

13 (a)(1) Except as otherwise provided in this section, a person 21 years of age
14 or older who possesses one ounce or less of cannabis or five grams or less of
15 hashish and two mature cannabis plants or fewer or four immature cannabis
16 plants or fewer or who possesses paraphernalia for cannabis use shall not be
17 penalized or sanctioned in any manner by the State or any of its political
18 subdivisions or denied any right or privilege under State law. The one-ounce
19 limit of cannabis or five grams of hashish that may be possessed by a person
20 21 years of age or older shall not include cannabis cultivated, harvested, and
21 stored in accordance with section 4230e of this title.

5 * * *

(b)(1) Cannabis possessed or consumed in violation of State law is contraband pursuant to subsection 4242(d) of this title and subject to seizure and forfeiture.

9 (2) This section does not:

10 (A)(1) exempt a person from arrest, citation, or prosecution for being
11 under the influence of cannabis while operating a vehicle of any kind or for
12 consuming cannabis while operating a motor vehicle;

13 **(B)(2)** repeal or modify existing laws or policies concerning the
14 operation of vehicles of any kind while under the influence of cannabis or for
15 consuming cannabis while operating a motor vehicle;

16 ~~(C)(3)~~ limit the authority of primary and secondary schools to impose
17 administrative penalties for the possession of cannabis on school property;

18 (D)(4) prohibit a municipality from adopting a civil ordinance to
19 provide additional penalties for consumption of cannabis in a public place;

20 **(E)(5)** prohibit a landlord from banning possession or use of cannabis
21 in a lease agreement; or

1 (F)(6) allow an inmate of a correctional facility to possess or use
2 cannabis or to limit the authority of law enforcement, the courts, the
3 Department of Corrections, or the Parole Board to impose penalties on
4 offenders who use cannabis in violation of a court order, conditions of
5 furlough, parole, or rules of a correctional facility.

6 * * *

7 Sec. 4. 24 V.S.A. § 2291 is amended to read:

8 § 2291. ENUMERATION OF POWERS

9 For the purpose of promoting the public health, safety, welfare, and
10 convenience, a town, city, or incorporated village shall have the following
11 powers:

12 * * *

13 (17) To regulate or prohibit possession of:

14 (A) open or unsealed containers of alcoholic beverages; or

15 (B) lighted cannabis or cannabis products in public places.

16 (18) To regulate or prohibit consumption of alcoholic beverages,

17 cannabis, or cannabis products in public places.

18 * * *

19 Sec. 5. EFFECTIVE DATE

20 This act shall take effect on July 1, 2026.