



Marijuana – Personal Non-Medical Use: 2016 Legislative Session Bill Status Update

Research current through March 23, 2016.

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<u>State and Bill Number</u>	<u>Description</u> ¹	<u>Status and Date of Last Action</u>
U.S. 2015 HR 1014	“Marijuana Tax Revenue Act of 2015.” Imposes a federal excise tax on the sale of marijuana for non-medical purposes as well as apply an occupational tax for marijuana businesses. The bill also requires the IRS to produce periodic studies of the marijuana industry and to issue recommendations to Congress. It phases in an excise tax on the sale by a producer (generally the grower) to the next stage of production (generally the processor creating the useable product). This tax is initially set at 10% and rises over time to 25% as the legal market displaces the black market. Medical marijuana is exempt from this tax.	2/20/2015 – referred to House Committee on Ways & Means.
U.S. 2015 HR 2076	“Marijuana Businesses Access to Banking Act of 2015.” Creates protections for depository institutions that provide financial services to marijuana-related businesses in states that have legalized.	4/28/2015 – introduced and referred to Committees on Judiciary and Financial Services.
U.S. 2015 HR 2331	“No Welfare for Weed Act of 2015.” Amends the Food and Nutrition Act of 2008 to prohibit the use of benefits to purchase marijuana products, to amend part A of title IV of the Social Security Act to prohibit assistance provided under the program of block grants to States for temporary assistance for needy families from being accessed through the use of an electronic benefit transfer card at any store that offers marijuana for sale and for other purposes.	5/14/2015 – introduced and referred to Committees on Ways and Means and Agriculture.
U.S. 2015 HR 2598	“Lucid Act of 2015.” Amends title 23, United States Code, to establish requirements relating to marijuana-impaired driving, to direct the Administrator of the National Highway Traffic Safety Administration to issue comprehensive guidance on the best practices to prevent marijuana-impaired driving and for other purposes.	6/1/2015 – introduced and referred to Committee on Transportation and Infrastructure.

¹ The word “marijuana” (or “marihuana”) is spelled as it is in the respective bill.

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U.S. 2015 HR 3010	Prohibits assistance provided under the program of block grants to States for temporary assistance for needy families from being accessed through the use of an electronic benefit transfer card at any store that offers marijuana for sale.	7/9/2015 – introduced in House.
U.S. 2015 HR 3561	Amends Section 484(r) of the Higher Education Act of 1965 to exclude certain marijuana-related offenses from the drug-related offenses that result in students being barred from receiving Federal educational loans, grants, and work assistance, and for other purposes.	9/18/2015 – introduced and referred to Committee on Education and the Workforce.
U.S. 2015 HR 3763	“Surface Transportation Reauthorization and Reform Act of 2015.” Among many other provisions, the bill provides that the Secretary of Transportation is to conduct a study on marijuana impaired driving and prepare a report to Congress within one year.	10/29/2015 – reported as amended to the House by committee.
U.S. 2015 S 1726	Creates protections for depository institutions that provide financial services to marijuana-related businesses, and for other purposes.	7/9/2015 – introduced in Senate.
U.S. 2015 S 1910	An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2016, and for other purposes. Provides that none of the funds may be used, with respect to a State where marijuana is legal for recreational or medicinal purposes, to prohibit or penalize a financial institution solely because the institution provides financial services to an entity that is a manufacturer, producer, or a person that participates in any business or organized activity that—(1) involves handling marijuana or marijuana products; and (2) engages in such activity pursuant to a law established by a State or a unit of local government.	7/30/2015 – introduced in Senate.

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Alabama 2016 SB 255	Provides that a person may be charged with driving under the influence if he or she has a measurable amount of specified substances in his or her body unless the person has a valid prescription for the use of the substance or is otherwise authorized to use the substance. It includes there being greater than five nanograms of delta-9-tetrahydrocannabinol (“THC”) 5 per milliliter of blood.	3/22/2016 – third reading carried over.
Alaska 2015 HB 323	Creates the Alaska marijuana education, prevention, and cessation grant program to provide funding, training, and technical assistance for community-based and statewide education projects designed to reduce initiation of marijuana use by minors, promote cessation of marijuana use among minors, and reduce exposure of minors to secondhand smoke and impaired driving dangers from marijuana use.	2/22/2016 – read first time and referred to Committee on Health & Social Services.
Arizona 2016 HB 2006	Allows people aged 21 and older to: (1) possess, consume, use, display, purchase or transport marijuana accessories or one ounce or less of marijuana; and/or (2) possess, grow, process or transport not more than five marijuana plants and the marijuana produced by the plants on the premises where the plants were grown. Authorizes and regulates marijuana cultivation facilities, marijuana testing facilities, marijuana product manufacturing facilities and retail marijuana stores. Provides for a tax at the rate of \$50 per ounce, or proportionate part thereof, on the sale or transfer of marijuana from a marijuana cultivation facility to a retail marijuana store or marijuana product manufacturing facility.	1/25/2016 – House second read.
Arizona 2016 HB 2406	Comprehensive legislation to allow persons aged 21 and older to possess, consume, use, display, purchase or transport cannabis accessories or one ounce or less of cannabis.	1/14/2016 – filed.
Connecticut 2016 HB 5209	Purpose of bill is to make the possession, sale, transport, growth and use of set amounts of marijuana legal for persons 21 years of age or older, subject to certain restrictions. No other contents to bill, as introduced.	2/11/2016 – referred to Joint Committee on Judiciary.

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Georgia 2015 HB 375	Provides that it is illegal to drive if the “concentration of delta 9-tetrahydrocannabinol is two nanograms per milliliter or more as shown by analysis of the person’s blood, without regard to whether or not any alcohol is present in the person’s breath or blood, at any time within three hours after such driving or being in actual physical control from delta 9-tetrahydrocannabinol ingested before such driving or being in actual physical control ended.”	3/15/2016 – favorably reported from Senate committee by substitute.
Hawaii 2015 HB 717	Legalizes under state law the growing, processing, possession, transfer, and personal use of one ounce or less (or five plants) of marijuana for persons at least 21 years of age. Requires licensing to operate marijuana establishments. Subjects marijuana establishments to excise taxes and income taxes.	12/17/2015 – carried over to 2016 session.
Hawaii 2015 HB 841	Repeals criminal and civil penalties related to marijuana. Prohibits the furnishing of marijuana to a minor. Allows the cultivation of up to 10 marijuana plants on private property. Prohibits counties from prohibiting the cultivation of marijuana on private property.	12/17/2015 – carried over to 2016 session.
Hawaii 2015 HB 889	Repeals criminal and civil penalties related to marijuana. Prohibits the furnishing of marijuana to a minor. Allows the cultivation of up to 10 marijuana plants on private property. Prohibits counties from prohibiting the cultivation of marijuana on private property.	12/17/2015 – carried over to 2016 session.
Hawaii 2015 HB 1203	Authorizes the counties to adopt ordinances to legalize marijuana possession, sale, and use, for persons over the age of twenty-one. Clarifies that penal code provisions pertaining to drug and intoxicating compounds offenses do not apply to counties that have adopted ordinances legalizing marijuana and adopted administrative rules to regulate marijuana.	12/17/2015 – carried over to 2016 session.

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Hawaii 2015 HCR 47-16	Joint resolution requesting the Hawaii Commissioner of Financial Institutions to study the feasibility of a state-operated financial institution that would operate solely for the purpose of providing financial services to marijuana-related businesses in the state and submit a report of the findings and recommendations, including any proposed legislation, to the Legislature at least 20 days prior to the convening of the Regular Session of 2017.	3/17/2016 – House committee recommends measure be passed, unamended.
Hawaii 2015 HCR 97-16	Joint resolution that the Hawaii Department of Health conduct a study to establish a reliable scientific threshold and testing protocol for determining whether a person cannot safely operate a motor vehicle due to being under the influence of marijuana and submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than 20 days prior to the convening of the Regular Session of 2017.	3/14/2016 – referred to Committees on Health and Transportation.
Hawaii 2015 SB 383	Repeals criminal and civil penalties related to marijuana. Prohibits the furnishing of marijuana to a minor. Allows the cultivation of up to 10 marijuana plants on private property. Prohibits counties from prohibiting the cultivation of marijuana on private property.	1/21/2016 – re-referred to House Public Safety and Military Affairs Committee, Senate Judiciary and Labor and Ways and Means Committees.
Hawaii 2015 SB 873	Legalizes under state law the growing, processing, possession, transfer, and personal use of one ounce or less (or six plants) of marijuana for persons at least twenty-one years of age. Requires licensing to operate marijuana establishments. Subjects marijuana establishments to excise taxes and income taxes.	1/21/2016 – re-referred to House Public Safety and Military Affairs Committee; referred to Senate Judiciary and Labor and Ways and Means Committees.

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Hawaii 2015 SB 1259	Authorizes the counties to adopt ordinances to legalize marijuana possession, sale, and use, for persons over the age of twenty-one. Clarifies that penal code provisions pertaining to drug and intoxicating compounds offenses do not apply to counties that have adopted ordinances legalizing marijuana and adopted administrative rules to regulate marijuana.	12/17/2015 – carried over to 2016 session.
Hawaii 2015 SB 2581	Legalizes the personal use of up to one ounce of marijuana by persons aged 21 and older. Requires licensing to operate marijuana establishments. Subjects marijuana establishments to excise taxes and income taxes.	1/27/2016 – referred to Committees on Judiciary & Labor and Ways & Means.
Illinois 2015 HB 4276	Creates the Cannabis Regulation and Taxation Act. Provides that the following acts are lawful and shall not be a criminal or civil offense or be a basis for seizure or forfeiture of assets under State law for persons 21 years of age or older: (1) possessing, consuming, using, displaying, purchasing, or transporting cannabis accessories; (2) possessing, growing, processing, or transporting no more than eight cannabis plants and possession of the cannabis produced by the plants on the premises where the plants were grown; (3) transferring 30 grams or less of cannabis or up to six immature cannabis plants to a person who is 21 years of age or older without remuneration; and (4) assisting another person who is 21 years of age or older in any of these acts. Provides that an excise tax is imposed at the rate of 10% of the sale price of the sale or transfer of cannabis from a cannabis cultivation facility to a retail cannabis store or cannabis product manufacturing facility. Creates a new regulatory offense classification of offense, which is not to be considered a criminal offense and is fine only for the amount specified in the offense or for which community service may be imposed. Changes various penalties for the possession of more than 30 grams of cannabis and for producing or possessing more than eight cannabis sativa plants.	8/25/2015 – introduced and referred to Rules Committee.

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Illinois 2015 HB 4357	Provides that a person commits the offense of unlawful use of cannabis-based product manufacturing equipment when he or she knowingly engages in the possession, procurement, transportation, storage, or delivery of any equipment used in the manufacturing of any cannabis-based product using volatile or explosive gas, including, but not limited to canisters of butane gas, with the intent to manufacture, compound, covert, produce, derive, process, or prepare either directly or indirectly any cannabis-based product. Provides that a violation is a Class 2 felony. Provides that a person shall not drive or be in actual physical control of any vehicle, snowmobile, or watercraft when the person has, within two hours thereof, a tetrahydrocannabinol (THC) concentration in the person's whole blood or other bodily substance of 5 nanograms or more of delta-9-tetrahydrocannabinol per milliliter of whole blood or 10 nanograms or more of delta-9-tetrahydrocannabinol per milliliter of other bodily substance from the unlawful consumption of cannabis (rather than a cannabis THC concentration in any amount).	2/11/2016 – placed on calendar for second reading.
Illinois 2015 SB 753	Amends the Cannabis Control Act. Legalizes the possession by a person 21 years of age or older of cannabis in an amount not to exceed 30 grams. Permits the production and possession by a person 21 years of age or older of not more than 5 cannabis sativa plants.	10/10/2015 – Senate committee amendment; referred to Assignments.
Illinois 2015 SB 1639	Changes definition of “cannabis” and adds a definition of “concentrated cannabis” to the Cannabis Control Act. Provides that the knowing possession of concentrated cannabis in an amount of: (1) less than 1 gram is a Class 4 felony; (2) 1 gram or more but not more than 4 grams is a Class 3 felony; (3) more than 4 grams but not more than 400 grams is a Class 2 felony; and (4) more than 400 grams is a Class 1 felony. Provides that the penalty for the knowing manufacture, delivery, or possession with intent to deliver, or manufacture, concentrated cannabis is one class higher than the penalty for possession of concentrated cannabis.	10/10/2015 – referred to Assignments.

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Illinois 2015 SB 3075	Amends the Cannabis Control Act. Changes the offense of delivery of cannabis on school grounds. Provides that the enhanced penalties for this offense apply to delivery within 500 feet (rather than 1,000 feet) of the real property comprising a school and at the time of the violation: (1) persons under the age of 18 are present; (2) the offense is committed during school hours; or (3) the offense is committed at a time when persons under the age of 18 are reasonably expected to be present in the school, in the conveyance, or on the real property, such as when after school activities are occurring.	3/8/2016 – assigned to Committee on Criminal Law.
Kentucky 2016 SB 13	Establishes KRS Chapter 245 to regulate the cultivation, testing, processing, taxing, and sale of marijuana to persons aged twenty-one years and older. Allows such persons to possess up to one ounce of marijuana and cultivate up to five plants for personal use.	1/7/2016 – referred to Committee on Licensing, Occupations & Administrative Regulations.
Kentucky 2016 SB 44	“Cannabis Freedom Act.” Allows persons age 21 years of age or older to: (1) possess up to one (1) ounce of cannabis on his or her person; and (2) possess and cultivate up to five (5) cannabis plants for personal consumption. Authorizes cannabis cultivation facility, cannabis processing facility, cannabis testing facility, or retail cannabis facility operated by a licensee.	1/5/2016 – referred to Committee on Appropriations & Revenue.
Maine 2015 SP 661	This bill contains the recommendations of the majority of the Working Group on Marijuana and Driving. The bill establishes: (1) a permissible inference of operating under the influence of intoxicants when a person operates a motor vehicle and has a level of delta-9-tetrahydrocannabinol, or THC, of 5 nanograms or more per milliliter of blood; (2) a permissible inference of operating under the influence of intoxicants when a person operates a motor vehicle and has a level of THC of 2 nanograms or more per milliliter of blood and an alcohol level of 0.05 grams or more of alcohol per 100 milliliters of blood or 210 liters of breath; (continued below)	3/1/2016 – referred to Committee on Criminal Justice & Public Safety.

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Maine 2015 SP 661 (continued)	and (3) a 0.00 nanogram level for THC for a person under 21 years of age and provides an affirmative defense for marijuana use in compliance with the Maine Medical Use of Marijuana Act. In addition, the bill permits a qualified law enforcement officer, without making an arrest, to request that a person who the officer reasonably believes has been operating under the influence take a preliminary breath test for alcohol level and allows the results to be used to determine whether there is probable cause to believe the person was operating under the influence.	3/1/2016 – referred to Committee on Criminal Justice & Public Safety.
Maryland 2016 HB 183	Prohibits a driver of a motor vehicle from smoking or consuming marijuana in the passenger area of the motor vehicle on a highway; prohibits an occupant of a motor vehicle from smoking marijuana in the passenger area of the motor vehicle on a highway.	2/22/2016 – first reading in Senate; referred to Committee on Judicial Proceedings.
Maryland 2016 HB 334	Prohibits a person from smoking or consuming marijuana in a public place or in a vehicle located on a highway, in a parking lot, or in an area accessible to the public; prohibits a person from being impaired by marijuana and endangering the safety of the person, another person, or property.	3/14/2016 – unfavorable report from Committee on Judiciary.
Maryland 2016 HB 665	Proposes an amendment to the Maryland constitution allowing persons aged 21 and older to use, possess and cultivate marijuana. Allows the sale of marijuana to be taxed with the proceeds earmarked for certain education and treatment purposes. Does not prohibit a property owner from regulating the use or cultivation of marijuana on that property.	3/14/2016 – unfavorable report from Committee on Judiciary.
Maryland 2016 HB 777	This bill repeals the civil offense for the use or possession of marijuana involving smoking marijuana in a public place, and instead establishes a criminal offense for smoking or consuming marijuana: (1) in a public place; (2) in or on a public conveyance; or (3) in any area otherwise accessible to the public, as specified in the bill. A violation is a misdemeanor subject to the existing maximum fine of \$500.	3/19/2016 – first reading in Senate; referred to Committee on Judicial Proceedings.

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Maryland 2016 HB 809	Prohibits a person from smoking or otherwise consuming marijuana while operating or attempting to operate a vessel; prohibits a driver of a motor vehicle from smoking or otherwise consuming marijuana in the motor vehicle on a highway; prohibits a passenger of a motor vehicle on a highway from smoking marijuana in a passenger area of a motor vehicle or consuming marijuana in an area of a motor vehicle that is readily accessible to the driver of the motor vehicle.	3/14/2016 – unfavorable report from Committee on Judiciary.
Maryland 2016 HB 1304	Repeals a civil fine for smoking marijuana in public; provides that smoking marijuana in a public place is a criminal misdemeanor.	3/14/2016 – unfavorable report from Committee on Judiciary.
Maryland 2016 HB 1423	Requires the Office of the Maryland Attorney General, at a certain time, to establish a system to notify the public of certain risks related to any law that reduces the penalties for or legalizes the use of marijuana.	3/17/2016 – unfavorable report from Committee on Judiciary.
Maryland 2016 HB 1580	Repeals certain civil and criminal prohibitions against the use and possession of marijuana; establishes certain exemptions from prosecution for certain persons for using, obtaining, purchasing, transporting, or possessing marijuana; establishes certain exemptions from prosecution for certain retailers, marijuana product manufacturers, marijuana cultivation facilities, and safety compliance facilities.	2/22/2016 – first reading; referred to Committee on Rules and Executive Nominations.
Maryland 2016 SB 1036	Repeals the civil fine for smoking marijuana in public; provides that smoking marijuana in a public place is a criminal misdemeanor.	3/18/2016 – unfavorable report from Committee on Judiciary Proceedings; withdrawn.

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Massachusetts 2015 HB 3932	The purpose of this Act is to control the production and distribution of marijuana under a system that licenses, regulates and taxes the businesses involved in a manner similar to alcohol and to make marijuana legal for adults 21 years of age or older. Its intent is to remove the production and distribution of marijuana from the illicit market and to prevent the sale of marijuana to persons under 21 years of age by providing for a regulated and taxed distribution system.	2/29/2016 – hearing scheduled for 3/7/2016.
Michigan 2015 HB 4877	“Marihuana Legalization and Regulation Act.” This bill decriminalizes and regulates marihuana cultivation, production, testing, sale, possession and use for nonmedical purposes by persons over age 21. In addition, it provides for the licensing of marihuana facilities (by the Michigan Department of Licensing and Regulatory Affairs) and stores and imposes an excise tax on marihuana transfers by a marihuana cultivation facility.	9/17/2015 – introduced and referred to Committee on Judiciary.
Michigan 2015 HB 5024	Creates a commission to research and recommend a scientifically supported threshold of THC bodily content to provide evidence for “per se” impaired driving.	3/1/2016 – referred to second reading.
Michigan 2015 SB 813	A bill to: (1) regulate and tax marihuana; (2) require registration of marihuana establishments and provide for registration, application, and renewal fees; (3) regulate growth, manufacture, and retail sale of marihuana; (4) regulate marihuana testing, labeling, and packaging for retail sale; (5) restrict marihuana possession, sale, and use by individuals under the age of 21; (6) limit landlord restrictions on marihuana in rental property; (7) impose an excise tax and provide for distribution of the proceeds of that tax; (8) require the promulgation of rules; and (9) provide sanctions for violations of this act.	2/24/2016 – introduced and referred to Committee on Judiciary.
Mississippi 2016 HB 701	Revises penalties for the selling of marijuana and synthetic cannabinoids.	3/22/2016 – died in Senate committee.

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Missouri 2016 HJR 57	Submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, and adopting one new section relating to the regulation and taxation of marijuana.	1/7/2016 – read second time.
Missouri 2016 HB 1974	Provides that in instances where THC is identified in a driver’s blood in quantities of 5 ng/ml or higher, there is a permissible inference that the defendant was driving under the influence of THC.	1/7/2016 – read second time.
Missouri 2016 HB 2338	Provides that it shall not be unlawful for any person 21 years of age or older to possess or have under his or her control 454 grams or less of marijuana, or nine or less marijuana plants; provided that, such possession or control is not within 2,000 of the real property comprising of a public or private elementary, vocational, or secondary school.	1/25/2016 – read second time.
Missouri 2016 SB 762	This act allows a person to possess up to one ounce of marijuana and provides a licensure process for retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturers, and retail marijuana testing facilities. Licensees may possess, manufacture, and distribute marijuana in accordance with the provisions of the act and rules promulgated by the Division of Alcohol and Tobacco Control. Retail marijuana is subject to a sales tax of 12.9 percent.	12/1/2015 – pre-filed.
Missouri 2016 SB 1067	Imposes an excise tax on specified controlled substances possessed, transported, transferred, sold, or offered to be sold in violation of Missouri law by dealers. A “controlled substance” is defined as any drug, substance, or immediate precursor placed in Schedules I through IV, as specified in the act, but not any drug, substance, or immediate precursor possessed by any individual with a prescription from an authorized practitioner. Dealer is defined as any person who actually or constructively possesses more than 35 grams of marijuana or one or more marijuana plants, one or more grams of any other unauthorized substance that is sold by weight, or one or more dosage units of any other unauthorized substance that is not sold by weight.	3/3/2016 – hearing conducted in Committee on Ways & Means.

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New Hampshire 2015 HB 1610	This bill allows a person 21 years of age or older to possess up to two ounces of marijuana and to cultivate no more than six marijuana plants without penalty.	3/23/2016 – motion adopted to lay on the table.
New Hampshire 2015 HB 1675	Legalizes the personal use of up to 2.2 pounds of marijuana by persons 18 years of age or older. Authorizes the licensing of marijuana wholesale, retail, cultivation, and testing facilities. Imposes a tax on marijuana sold or transferred by a marijuana cultivation facility to a marijuana product manufacturing facility or to a retail marijuana store.	2/10/2016 – motion adopted to deem inexpedient to legislate.
New Hampshire 2015 HB 1694	The bill: (1) legalizes the personal use of marijuana by persons 21 years of age or older; (2) legalizes the cultivation, possession, and use of hemp; (3) authorizes the licensing of marijuana wholesale, retail, cultivation, and testing facilities; and (4) imposes a tax on the sale of marijuana.	2/12/2016 – motion adopted to deem inexpedient to legislate.
New Jersey 2016 AB 2068	Legalizes possession and personal use of small amounts of marijuana for persons age 21 and over.	1/27/2016 – introduced and referred to Assembly Judiciary Committee.
New Jersey 2016 AB 2614	This bill legalizes the possession of one ounce or less of marijuana, subject to voter approval. Under current law, set out in N.J.S.2C:35-10, it is a disorderly persons offense to possess 50 grams or less of marijuana. A disorderly persons offense is punishable by a term of imprisonment of up to six months or a fine of up to \$1,000 or both. The bill, if approved by the voters, would also amend N.J.S.2C:36-2, which provides that the use or possession with intent to use drug paraphernalia is a disorderly persons offense. Under the bill, use or possession with intent to use drug paraphernalia for personal use of one ounce or less of marijuana would not constitute a violation of the statute.	2/8/2016 – introduced and referred to Assembly Judiciary Committee.

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<u>State and Bill Number</u>	<u>Description¹</u>	<u>Status and Date of Last Action</u>
New Mexico 2016 HB 44	Provides that it is unlawful “for a person to drive a vehicle if the person has the following amount or more of a controlled substance or metabolite in the person’s blood within three hours of driving the vehicle and the controlled substance or metabolite concentration results from consumption of a controlled substance before or while driving the vehicle: . . . (7) for the active compound in marijuana, delta-9-tetrahydrocannabinol, five nanograms per milliliter of blood.”	1/19/2016 – referred to Rules & Order of Business Committee.
New Mexico 2016 HB 75	“Cannabis Revenue and Freedom Act.” Allows persons aged 21 or older to buy and possess marijuana in the state, with marijuana sales taxed similar to those in neighboring Colorado. The bill also legalizes industrial hemp cultivation. As compared to 2015 NM HB 160, the bill further outlines what will not be allowed under the law – specifically language pertaining to federal land and laws and a portion that says any legalization efforts would not get in the way of state or federal law allowing workplaces to test for marijuana.	1/19/2016 – referred to Rules & Order of Business Committee.
New Mexico 2016 SJR 5	Resolution to amend Article 20 of the constitution of New Mexico by adding a new section to read: “Possession and personal use of marijuana shall be lawful by persons twenty-one years of age or older. The legislature shall provide by law for: A. the production, processing, transportation, sale, taxation and acceptable quantities and places of use of marijuana and hemp to protect public health and safety; and B. any state revenue generated from the production, processing, transportation, sale, taxation or other regulation of marijuana and hemp to be used to fund the state’s Medicaid program or drug and alcohol rehabilitation programs.”	2/4/2016 – failed passage in Senate.

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<u>State and Bill Number</u>	<u>Description¹</u>	<u>Status and Date of Last Action</u>
New Mexico 2016 SJR 6	It is proposed to amend Article 20 of the constitution of New Mexico by adding a new section to read: “Possession and personal use of marijuana shall be lawful by persons twenty-one years of age or older. The legislature shall provide by law for the production, processing, transportation, sale, taxation and acceptable quantities and places of use of marijuana and hemp to protect public health and safety.”	1/20/2016 – referred to Committees on Rules and Judiciary.
New York 2015 AB 3089	“Marihuana Regulation and Taxation Act.” Amends public health law to allow the growing of and use of marihuana by persons eighteen years of age or older. Amends certain offenses involving marihuana and to exempt certain persons from prosecution for the use, consumption, display, production or distribution of marihuana. Amends the alcoholic beverage control law, in relation to providing for the licensure of persons authorized to produce, process and sell marihuana. Amends the tax law, in relation to providing for the levying of an excise tax on certain sales of marihuana.	1/6/2016 – referred to Committee on Assembly Codes.
Pennsylvania 2015 SB 528	“Regulate Marijuana Act.” Provides for personal use of marijuana, for lawful operation of marijuana-related facilities, for general powers of the Pennsylvania Liquor Control Board, for regulation of marijuana and for employers, minors and control of property; and making related repeals.	2/25/2015 – referred to Law and Justice Committee.
Rhode Island 2015 HB 7362	This act would transfer the jurisdiction of possession of one ounce or less of marijuana by a person who is under the age of 17 years from the Rhode Island Traffic Tribunal to the Rhode Island Family Court. The act would also provide the Family Court with jurisdiction to order substance abuse assessments and treatment for persons 17 years of age or older and under the age of 18 years who commit this offense.	3/16/2016 – scheduled for hearing and/or consideration on 3/23/2016.

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<u>State and Bill Number</u>	<u>Description¹</u>	<u>Status and Date of Last Action</u>
Rhode Island 2015 HB 7752	This act would remove the state's prohibition on adults using, possessing, and cultivating marijuana for personal use. It would establish a system of regulated marijuana retail distribution to adults 21 and older and imposes taxes at both the wholesale and retail level.	2/25/2016 – introduced and referred to Committee on Judiciary.
Rhode Island 2015 SB 2420	This act would remove the state's prohibition on adults using, possessing, and cultivating marijuana for personal use. It would establish a system of regulated marijuana retail distribution to adults 21 and older and imposes taxes at both the wholesale and retail level.	2/11/2016 – referred to Committee on Judiciary.
Rhode Island 2015 SB 2544	This act would transfer the jurisdiction of possession of one ounce or less of marijuana by a person who is under the age of 17 years from the Rhode Island Traffic Tribunal to the Rhode Island Family Court. The act would also provide the Family Court with jurisdiction to order substance abuse assessments and treatment for persons 17 years of age or older and under the age of 18 years who commit this offense.	3/3/2016 – committee recommended measure be held for further study.
Tennessee 2015 HB 1981	As introduced, creates the Class E felony offense of manufacturing marijuana concentrate by a process which uses an inherently hazardous substance like butane; creates Class A misdemeanor of owner of premises knowingly allowing the process to occur on the premises; makes manufacturing marijuana concentrate by a process which uses a hazardous substance when a child is present child abuse. - Amends TCA Title 39, Chapter 15, Part 4 and Title 39, Chapter 17, Part 4.	3/23/2016 – placed on calendar in Committee on Finance, Ways & Means.
Tennessee 2015 SB 1586	As introduced, creates the Class E felony offense of manufacturing marijuana concentrate by a process which uses an inherently hazardous substance like butane; creates Class A misdemeanor of owner of premises knowingly allowing the process to occur on the premises; makes manufacturing marijuana concentrate by a process which uses a hazardous substance when a child is present child abuse. - Amends TCA Title 39, Chapter 15, Part 4 and Title 39, Chapter 17, Part 4.	3/23/2016 – placed on calendar in Committee on Finance, Ways & Means.

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<u>State and Bill Number</u>	<u>Description¹</u>	<u>Status and Date of Last Action</u>
Vermont 2015 SB 241	This bill proposes to: (1) permit a person who is 21 years of age or older to possess and cultivate limited amounts of cannabis for personal use; (2) establish civil penalties for possession and cultivation above the limits; and criminal penalties for unauthorized dispensing or sale of cannabis; (3) provide civil penalties for a person who is under 21 years of age who possesses cannabis or attempts to procure cannabis from a registered cannabis establishment and criminal penalties for a person who furnishes or sells cannabis to a person who is under 21 years of age; (4) establish a Cannabis Control Board within the Department of Public Safety responsible for rulemaking, administration, and enforcement concerning registered commercial cannabis establishments; (5) establish a regulatory structure for commercial cannabis, including six types of cannabis establishments that may be registered to operate in this State: cannabis cultivator; cannabis transporter; cannabis-infused product manufacturer; cannabis testing laboratory; cannabis retailer; and cannabis lounge; (6) permit commercial manufacture and sale of cannabis-infused products that are intended for topical use only and that are nonedible, while directing further study of commercial production and sale of edible cannabis products; (7) permit municipalities to regulate or prohibit cannabis establishments, but not personal possession and cultivation; (8) prohibit consumption of cannabis in a public place and any other location in which smoking a tobacco product is prohibited; and (9) establish a fund for depositing all monies collected by the State related to commercial cannabis establishments and allocate monies first toward implementation, administration, and enforcement of the act and youth access prevention and education.	3/8/2016 – read first time in House and referred to Committee on Judiciary.

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Washington 2015 HB 1461	Committee analysis of bill provides that bill revises numerous regulatory provisions regarding recreational and medical marijuana, including those pertaining to: excise taxes and exemptions; the allocation of revenues derived from excise tax proceeds; the siting of recreational marijuana businesses; municipal bans and moratoria regarding marijuana businesses; using marijuana in public places; acquisition of marijuana by minors; eradicating illegal marijuana-growing operations; seizure and auction of illegal marijuana by law enforcement agencies; repealing Initiative 502 and all of the medical marijuana statutes; cannabis-based health and beauty aids; and common carrier transportation and delivery services for marijuana businesses. Creates two alternative regulatory systems for medical cannabis.	3/10/2016 – reintroduced and retained in present status.
Washington 2015 HB 2280	Makes felony driving under the influence of intoxicating liquor, marijuana, or any drug a Class B felony (instead of Class C).	3/7/2016 – enrolled bill sent to Governor.
Washington 2015 SB 5105	Makes a fourth driving under the influence offense a felony.	3/10/2016 – by resolution, referred to Rules Committee for third reading.
Washington 2015 SB 6328	Bill addressing the licensing and sale of “vapor products.” Among other things, provides that vapor product retailers may not sell products containing cannabinoid, synthetic cannabinoid, cathinone, or methcathinone.	3/10/2016 – passed to Rules Committee for second reading.
West Virginia 2016 HB 2529	The purpose of this bill is to require the Commissioner of Agriculture to develop a pilot program for the cultivation of marijuana to be sold in states where sales are legal.	1/13/2016 – introduced and referred to Committee on Judiciary.
West Virginia 2016 HB 4441	The purpose of this bill is to prohibit sale of paraphernalia designed or marketed for use with controlled substances.	2/10/2016 – referred to Committee on Judiciary.

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West Virginia 2016 HB 4712	The purpose of this bill is to: (1) decriminalize and permit personal use, growth and possession of certain amounts of marihuana by persons over the age of 21 under certain circumstances; (2) remove marihuana from the list of schedule I drugs; (3) create a tax stamp for eligible persons to purchase to allow for possession of up to two ounces or marihuana; (4) provide method for distribution of stamps; (5) decriminalize first offense distribution of under 30 grams of marihuana; (6) establish news criminal penalties for marihuana possession and sale; and (7) provide for a medical exemption to criminal laws against marihuana use or possession.	2/23/2016 – introduced and referred to Committee on Health & Human Resources.
Wisconsin 2015 AB 224	Current law prohibits a person from manufacturing, distributing, or delivering marijuana; possessing marijuana with the intent to manufacture, distribute, or deliver it; possessing or attempting to possess marijuana; using drug paraphernalia; or possessing drug paraphernalia with the intent to produce, distribute, or use a controlled substance. This bill changes state law so that state law permits both recreational use of marijuana and medical use of marijuana. This bill prohibits the sale for recreational use of product intended for human consumption that contains marijuana or marijuana extracts and that is edible. This bill also creates a process by which a person may obtain a permit to sell marijuana for recreational use and pay a tax equal to 25 percent of the sales price.	5/19/2015 – read first time and referred to Committee on Criminal Justice and Public Safety.
Wyoming 2016 HB 129	Provides that in order to fit under the misdemeanor version of the crime of “unlawful manufacture or delivery; counterfeit substance; unlawful possession,” there must be three ounces or less of any preparations, compounds, mixtures or substances including but not limited to baked goods, candies, drinks, edibles or any other similar form containing marihuana or tetrahydrocannabinols excluding any nonpsychoactive derivative, extractive, compound or other component thereof.	2/12/2016 – failed introduction.

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Wyoming 2016 SF 96	Provides that in order to fit under the misdemeanor version of the crime of “unlawful manufacture or delivery; counterfeit substance; unlawful possession,” there must be three ounces or less of any preparations, compounds, mixtures or substances including but not limited to baked goods, candies, drinks, edibles or any other similar form containing marihuana or tetrahydrocannabinols excluding any nonpsychoactive derivative, extractive, compound or other component thereof.	2/29/2016 – did not consider in House Committee of the Whole.

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