

SUMMARY OF NO. 25-09

The proposed law would change the type and amount of marijuana that may legally be possessed in Massachusetts by repealing the laws that legalize, regulate, and tax the retail sale of adult recreational use marijuana in Massachusetts. The proposed law would also permit persons 21 years of age and older to possess 1 ounce or less of marijuana including no more than 5 grams in the form of concentrate, and to gift or transfer to another person 21 years of age and older 1 ounce or less of marijuana including no more than 5 grams in the form of concentrate. The proposed law would also impose a civil penalty of \$100 and forfeiture of the marijuana for the possession of marijuana between the weight of 1 and 2 ounces.

For persons 21 years of age and younger, the proposed law would make the possession of 2 ounces or less of marijuana a civil infraction subject to a \$100 fine, forfeiture of the marijuana, completion of a drug awareness program and community service, and notification to their parents or legal guardian of the offense and penalties.

The proposed law would impose new potency limitations on medical marijuana products that may legally be sold in Massachusetts, prohibiting: marijuana flower with potency in excess of 30% tetrahydrocannabinol ("THC"); marijuana concentrates intended for inhalation following vaporization or

combustion that exceed 5 mg of THC per metered serving, or with potency exceeding 60%; concentrated forms of medical use marijuana products that fail to clearly provide metered, or otherwise measured, standard delivered servings of 5 mg of THC; and packages of marijuana concentrate that exceed 20 metered or measured servings of 5 mg of THC.

The proposed law would allow currently licensed adult recreational marijuana businesses to apply on an expedited basis to become a licensed medical marijuana dispensary and to sell their remaining inventory of adult recreational marijuana to medical marijuana dispensaries. The proposed law would retain the Cannabis Control Commission but modify its authority so it would regulate only the medical marijuana market.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect.

The proposed law would take effect on January 1, 2028.