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November 27, 2018

**Marijuana Legalization Advances & Free Members Webinar
Adult Use of Recreational Marijuana
Expansion of Medical Marijuana**

Marijuana Legalization Advances & Free Members Webinar

During a joint hearing Monday, the Senate Budget and Appropriations and the Assembly Appropriations Committee voted out legislation to legalize the adult use of recreational marijuana. The amended bills now stand at “2nd reading” and could be scheduled for a final floor vote as soon as December 17. The Governor, Senate President Sweeney, and Assembly Speaker Coughlin all publicly support legalization. However, there remains distance between the Legislative Leaders and the Governor’s office on specifics of the bill. While a December 17 vote remains possible, it is also very possible, if not likely, that further amendments will be made and a vote could be pushed into 2019.

In addition, the committees advanced separate bills to expand the medical use of marijuana and implement an expungement process for minor marijuana possession.

The League will be holding a free member webinar this Friday, November 30, at 12 noon to provide you with details of these initiatives. To register for the webinar, please see below for details.

Adult Use of Recreational Marijuana

The provisions of S-2703/A-4497 include:

1. Legalizes up to an ounce of marijuana for possession and sale but only for those over 21 years of age;
2. Creates a five-member regulatory cannabis commission;
3. Sets a state tax rate at 12%, inclusive of the existing sales tax;
4. Permits municipalities to implement a 2% local excise tax, which would be in addition to the state tax*;
5. Permits municipalities to “opt-out” and prohibit any cannabis establishment within 180 days of the passage of the commission’s initial regulations and will need to re-visited every five years;
6. Implements a process to expunge the records of people charged with marijuana-related crimes;
7. Provides a reimbursement mechanism to municipalities for expungement and training for Drug Recognition Experts (DRE); and
8. Allows for expungement eligibility, with most details to be addressed in separate legislation.

*As you know, the League continues to make the case that, if the State is to legalize marijuana, the local option tax should be higher than is contemplated in the bill and our recommendation is, based on outreach and research, that 5% is more appropriate.

Expansion of Medical Marijuana

The joint Legislative committees also advanced A-10 and S-10, which revise the regulatory structure for the State’s medical cannabis program. The bill would shift the primary administration of the medical cannabis program from the Department of Health to the Cannabis Regulatory Commission, which is established under the above-referenced bills S-2703/A-4497. The bills would also increase access to and expand licensure for medical cannabis.

Among the other provisions of these bills are:

1. Expand access to edible forms of medical cannabis for patients of all ages;
2. Permit out-of-state medicinal marijuana patients from the 32 states where it is also legal to buy and consume in New Jersey;
3. Shield employees from losing their jobs because they are registered patients; and
4. Phase out the 6.625% sales tax over a five-year period.

We will continue to provide additional information and analysis as more information, including amended bills are posted online.

To sign up for the free legislative webinar, please see: <https://register.gotowebinar.com/register/66245970665041921>

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