



## Connecticut Adult-Use Cannabis Bills Referred to Judiciary

**SB 1085** — An act concerning the legalization of the retail sale and possession of cannabis and concerning erasure of criminal records in the case of convictions based on the possession of a small amount of cannabis.

### Summary:

- Beginning on July 1, 2019, adults 21 and older could possess up to 1.5 ounces of cannabis, no more than five grams of which may be concentrates, provided:
  - cannabis must be secured from unauthorized access and minors;
  - the cannabis must have been purchased from a Connecticut retailer; and
  - concentrates are defined as any form of concentration extracted from cannabis, including extracts, oils, tinctures, and waxes. Possessing over five grams of concentrates, but under 1.5 ounces of cannabis, is an infraction.
  - Cannabis retailers could sell no more than the above limits in a transaction. Penalties are removed from other cannabis establishments, too.
  - Adults may produce cannabis paraphernalia for their use or sale to adults.
  - Clean air restrictions that apply to tobacco would apply to cannabis smoking.
  - Penalties for minors attempting to buy alcohol would apply to cannabis, too. The fine is between \$250 and \$500.
  - People with past convictions for up to 1.5 ounces of cannabis could petition for erasure of the record and for that petition to be granted and the records destroyed. There would be no fee charged for those petitions.

**MPP stance:** This bill represents a significant improvement over the status quo and would prevent many adults from being penalized for possessing cannabis. That said, it could be stronger. We urge that SB 1085 be revised as follows:

- to allow secure home cultivation of a limited number of plants and possession of the cannabis produced from those plants at the grow location.
- to allow marijuana possession regardless of the cannabis' source, rather than allowing cannabis only if it was purchased from a Connecticut store.
- defining cannabis concentrates as products with at least 40% THC and including a separate, clear limit for other cannabis products, such as those with up to 1,200 mg of THC (which is the equivalent of 1.5 ounces).
- reducing the penalty for possession of double the possession limit to a civil fine or community service.
- allowing additional licenses, including delivery, lounges, and microbusinesses.
- including *automatic* expungement for conduct that is made legal, so the state is responsible for going through old records and expunging convictions.
- allowing for expungement and re-sentencing for *any* prior cannabis offenses, which would be granted if the relief would be in the interest of justice in light of legalization and past disparities. Legal assistance should be provided to those applying and should be funded from cannabis tax

revenue.

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**HB 7372** — An act concerning driving while under the influence of an intoxicating drug.

**Summary:**

- Beginning October 1, 2019, creates a new Class C misdemeanor for:
  - a driver inhaling or consuming cannabis while driving; and
  - a passenger smoking cannabis in a moving vehicle.
- Creates a program to reimburse municipalities for the costs of training more officers as drug recognition experts (to detect drug-impaired drivers).
- Appropriates \$500,000 in each of the next two fiscal years to train more state police as drug recognition experts.

**MPP stance:** MPP supports these measures to deter and detect impaired driving.

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**SB 1089** — An act concerning cannabis and the workplace.

**Summary:** Provides that no employer must make accommodations for an employee or to allow an employee to perform their duties while under the influence of cannabis, or to consume cannabis while performing such duties.

**MPP stance:** MPP has no objection to providing that employers do not have to allow employees to use cannabis at work or be impaired at work.