



Summary of the Rhode Island 2020 “Adult Use Marijuana Act”

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Article 13 of [Gov. Raimondo’s 2021 budget bill](#)

Personal use allowances and protections

The Act:

- Legalizes possession and purchase of up to one ounce of marijuana for adults 21 and older — up to five ounces may be possessed at home;
- Allows the state to issue social use licenses;
- Imposes a system of fines for violations (e.g. smoking in public, home cultivation, etc.); and
- Asserts that a positive indication for cannabis metabolites does not constitute evidence of impairment for purposes related to disciplinary actions in the workplace.

The Act does not allow:

- Home cultivation;
 - Smoking or vaporizing in public spaces;
 - Smoking or vaporizing in a multi-unit housing complex, unless granted permission by property owner; or
 - Operating a vehicle under the influence of marijuana.
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Regulatory structure

The Act:

- Establishes a system in which the state owns and maintains a monopoly on the retail sector of the market, while licensing and regulating private entities to produce and process marijuana and contracting with licensed private entities to operate adult-use state stores;
- Designates the Department of Business Regulation as the chief regulatory agency and creates the Office of Cannabis Regulation within it;
- Grants the Office of Cannabis Regulation full managerial control over adult-use state stores, including determining locations of stores, hiring decisions, purchase agreements, and product pricing;
- Allows the Office of Cannabis Regulation to regulate how much marijuana may be grown or produced by cultivators;
- Creates a system of third-party privately run testing laboratories; and

- Prohibits licensed adult-use state store contractors from also holding other kinds of licenses.
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Revenue distribution from state stores

The Act:

- Distributes 61% to the state;
 - Distributes 29% to licensed adult-use state store contractors;
 - Distributes 10% to municipalities where sales take place; and
 - Directs the state to spend its share of the revenue on public health programs, youth services, and administration.
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Community Equity and Reinvestment Council

The Act:

- Establishes an 11-person council composed of members with expertise in criminal justice, social equity, diversity and inclusion, business incubation, etc.;
 - Directs the council to review data on adverse impacts resulting from marijuana criminalization and develop recommendations designed to "foster social equity and community reinvestment within the framework of the state's adult use marijuana program including proposed expenditure of funds appropriated therefor;" and
 - Tasks the Office of Cannabis Regulation with providing administrative support.
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Other provisions

- Prohibits the issuance of licenses to people with prior drug felonies;
- Bans products designed to be attractive to children;
- Limits potency to 50% THC and no more than five mg of THC per serving for edible products; and
- Provides that marijuana establishments may be temporarily banned by municipalities but must be approved by a local referendum of voters by November 2021 to remain in effect.