



General Assembly

January Session, 2021

***Raised Bill No. 6377***

LCO No. 2856



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:  
(LAB)

***AN ACT CONCERNING LABOR PEACE AGREEMENTS AND A  
MODERN AND EQUITABLE CANNABIS WORKFORCE.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) As used in this section and sections 2 to  
2 33, inclusive, of this act, unless the context otherwise requires:

3 (1) "Cannabis" means cannabis type substances, as defined in section 21a-240 of  
4 the general statutes;

5 (2) "Consumer" means an individual who is twenty-one years of age or older;

6 (3) "Cultivation" means cultivation, as defined in section 21a-408 of the general  
7 statutes;

8 (4) "Dispense" means dispense, as defined in section 21a-240 of the general  
9 statutes;

10 (5) "Distribute" means distribute, as defined in section 21a-240 of the general  
11 statutes;

12 (6) "Laboratory" means a laboratory located in the state that is licensed to

13 provide analysis of controlled substances pursuant to section 21a-246 or 21a-408  
14 of the general statutes as authorized by this act;

15 (7) "Cannabis concentrate" includes tinctures and extracts;

16 (8) "Cannabis cultivation facility" means a facility licensed to cultivate, prepare  
17 and package cannabis and sell cannabis to cannabis product manufacturing  
18 facilities, cannabis retailers and other cannabis cultivation facilities;

19 (9) "Cannabis establishment" or "cannabis business" means any cannabis  
20 business licensed or seeking licensure by the Cannabis Control Commission under  
21 this act;

22 (10) "Cannabis product" means a cannabis concentrate or a product that is  
23 comprised of cannabis or cannabis concentrates and other ingredients and is  
24 intended for use or consumption;

25 (11) "Cannabis product manufacturing facility" means a facility licensed to  
26 purchase cannabis, manufacture, prepare and package cannabis products and sell  
27 cannabis and cannabis products to cannabis product manufacturing facilities and  
28 cannabis retailers;

29 (12) "Cannabis retailer" means a person registered (A) to purchase cannabis  
30 from cannabis cultivation facilities, (B) to purchase cannabis and cannabis  
31 products from cannabis product manufacturing facilities, and (C) to sell cannabis  
32 and cannabis products to consumers;

33 (13) "Cannabis microbusiness" means a vertically integrated cannabis business  
34 that does not exceed ten thousand total square feet dedicated to the cultivation of  
35 cannabis plants or the manufacture of cannabis products and that is permitted to  
36 cultivate, process and distribute cannabis and cannabis products to licensed  
37 retailers and to deliver its own cannabis or cannabis products direct to consumers  
38 pursuant to a single license;

39 (14) "Bona fide labor organization" means a labor union (A) that represents  
40 employees in this state with regard to wages, hours and working conditions, (B)  
41 whose officers have been elected by a secret ballot or otherwise in a manner  
42 consistent with federal law, (C) that is free of domination or interference by any  
43 employer, (D) that has received no improper assistance or support from any

44 employer, and (E) that is actively seeking to represent cannabis workers in this  
45 state;

46 (15) "Equity" and "equitable" mean or refer to efforts, regulations, policies,  
47 programs, standards, processes and any other functions of government or  
48 principles of law and governance intended to: (A) Identify and remedy past and  
49 present patterns of discrimination and disparities of race, ethnicity, gender and  
50 sexual orientation; (B) ensure that such patterns of discrimination and disparities,  
51 whether intentional or unintentional, are neither reinforced nor perpetuated; and  
52 (C) prevent the emergence and persistence of foreseeable future patterns of  
53 discrimination or disparities of race, ethnicity, gender, and sexual orientation; and

54 (16) "Labor peace agreement" means an agreement between a cannabis  
55 establishment and a bona fide labor organization that protects the state's interests  
56 by, at minimum, prohibiting the labor organization from engaging in picketing,  
57 work stoppages or boycotts against the cannabis establishment.

58 Sec. 2. (NEW) (*Effective from passage*) (a) The sum of XX dollars shall be  
59 appropriated, annually and at the start of each fiscal year, for five consecutive  
60 fiscal years, to the Department of Economic and Community Development, from  
61 the General Fund for the purposes specified in this section. The first year of  
62 funding under this section shall begin with the fiscal year ending June 30, 2022.  
63 The funding under this section shall go to the following purposes:

64 (1) To provide grants-in-aid to create, support and deliver workforce training,  
65 education and other programs that prepare individuals with an adverse criminal  
66 history related to cannabis and who reside in the state or on tribal lands within the  
67 state to participate in the lawful cannabis business sector and in secondary  
68 industries that directly support such sector. The grants-in-aid created pursuant to  
69 this section may be directed toward workforce training providers, educational  
70 institutions, economic development and human services agencies, labor unions,  
71 private employers, not-for-profit community organizations, not-for-profit  
72 economic development organizations, local governments and other public and  
73 private entities as identified by the Department of Economic and Community  
74 Development, in consultation with the Department of Labor, the Black and Puerto  
75 Rican Caucus of the General Assembly, the Governor's Workforce Council and the  
76 Cannabis Control Commission, established pursuant to section 8 of this act and

77 the Office of Justice Reinvestment, established pursuant to section 18 of this act.

78 (2) To provide grants-in-aid or low-interest loans in support of equity among  
79 new small cannabis businesses operating in the state or on tribal lands within the  
80 state and that commit to engaging in substantial workforce development,  
81 apprenticeships, or on-the-job training and education, in ways generally  
82 consistent with subdivision (1) of this section for individuals with an adverse  
83 criminal history related to cannabis.

84 (3) To provide grants-in-aid and loans to municipalities, community  
85 development corporations and other public or private entities for the purpose of  
86 rehabilitating disused or abandoned industrial and commercial facilities and  
87 remediating brownfields, provided that such facilities and remediated areas be  
88 reserved for the use of cannabis equity applicants and licensees, pursuant to this  
89 section, sections 3 to 33, inclusive, of this act and any regulations adopted pursuant  
90 to said sections, and to support environmental justice in communities of color and  
91 low-income communities.

92 (4) To support the administration of such grants-in-aid, which may include the  
93 hiring of additional staff, contracting with vendors, engaging in public outreach  
94 and education and the funding of any other measures that the Commissioner of  
95 Economic and Community Development deems necessary to ensure that grants  
96 and loans issued pursuant to this section are distributed in an equitable manner  
97 and are spent in compliance with regulations adopted pursuant to this section and  
98 sections 3 to 33, inclusive, of this act.

99 (b) The Commissioner of Economic and Community Development shall adopt  
100 regulations, in accordance with the provisions of chapter 54 of the general statutes,  
101 and shall issue guidance and create such forms and procedures as he or she deems  
102 reasonable and necessary to ensure that grants-in-aid funded pursuant to this  
103 section are distributed in an equitable manner and are used in a cost-effective  
104 manner for their intended purpose.

105 Sec. 3. (NEW) (*Effective from passage*) (a) On and after one year from the effective  
106 date of this section, in order for the state to relieve employees, job seekers,  
107 employers and businesses of the unjustified stigmatization of cannabis and to  
108 further support the establishment of a modernized and equitable cannabis  
109 business sector, the following nondiscrimination and antiretaliation protections

110 shall apply to all employers:

111 (1) No employer may implement a policy prohibiting the possession, use or  
112 other consumption of cannabis in the course of employment by an employee  
113 unless such policy is: (A) In writing, (B) equally applicable to each employee, (C)  
114 made available to each employee prior to the enactment of such policy, and (D)  
115 directly related to a clear business necessity. The employer shall provide any such  
116 written policy to each prospective employee at the time the employer makes an  
117 offer of employment to the prospective employee.

118 (2) No employer or agent of any employer shall require, as a condition of  
119 employment, that any employee or prospective employee refrain from using  
120 cannabis outside the course of his or her employment, or otherwise discriminate  
121 against any employee with respect to compensation, terms, conditions or  
122 privileges of employment for using cannabis outside the course of his or her  
123 employment.

124 (3) No employer or agent of any employer shall discriminate against any  
125 employee or prospective employee on the basis of his or her prior, current or  
126 future involvement in lawful cannabis commerce in this state, or in any other state,  
127 territory, district, tribe or other jurisdiction.

128 (4) No employer or agent of any employer shall retaliate against any employee  
129 or prospective employee for alleging a violation of any part of this section or  
130 assisting in any investigation of an alleged violation of any part of this section, or  
131 for assisting another employee or prospective employee in seeking to redress an  
132 alleged violation of any part of this section.

133 (b) The provisions of this section shall not apply to any position or condition of  
134 employment governed by federal law or regulation that clearly preempts any  
135 provision of this section with regard to an employee's possession, use or other  
136 consumption of cannabis or involvement in lawful cannabis commerce.

137 (c) If an employer has violated any provision of this section and is not otherwise  
138 exempted by subsection (b) of this section or other superseding provision of state,  
139 federal or tribal law, an individual aggrieved by such violation may bring a civil  
140 action for compensatory damages and judicial enforcement of such provision in  
141 the superior court for the judicial district where the violation is alleged to have

142 occurred or where the employer has its principal office. Any such individual who  
 143 prevails in such civil action shall be awarded reasonable attorney's fees and costs.

144 Sec. 4. (NEW) (*Effective from passage*) There is established a cannabis equity task  
 145 force whose purpose shall be to study, make findings of fact for and issue  
 146 recommendations to the General Assembly and the Governor regarding equity, as  
 147 are relevant to the establishment and regulation of cannabis cultivation,  
 148 manufacture and sale as a lawful and modern business sector in the state. The task  
 149 force shall be composed of seven commissioners, four of whom shall be appointed  
 150 by the Black and Puerto Rican Caucus of the General Assembly, one who shall be  
 151 the Labor Commissioner, or his or her designee, one who shall be the  
 152 Commissioner of Consumer Protection, or his or her designee, and one who shall  
 153 be the Commissioner of Economic and Community Development, or his or her  
 154 designee. The task force shall choose a chairperson from among its commissioners.  
 155 Except for the Commissioners of Labor, Consumer Protection and Economic and  
 156 Community Development, any task force commissioner may be removed by such  
 157 commissioner's appointing authority at any time and a replacement shall be  
 158 appointed not later than fourteen days after the date of such commissioner's  
 159 removal. Commissioners shall be chosen from persons having no present or  
 160 pending financial or managerial interest in any cannabis establishment or other  
 161 cannabis business in this state or in any other place or who have entirely divested  
 162 themselves of any financial or managerial interest in any cannabis establishment  
 163 or other cannabis business in this state or in any other place not less than fourteen  
 164 days prior to accepting appointment as a commissioner. The Equity Task Force  
 165 shall establish such rules for its meetings and governance as it deems reasonable  
 166 and necessary to carry out its purpose and described in this section, section 2 to 4,  
 167 inclusive, of this act and sections 5 to 33, inclusive, of this act, provided, a quorum  
 168 of not less than four commissioners shall be required to be present for any binding  
 169 vote of the task force.

170 Sec. 5. (NEW) (*Effective from passage*) Not later than one year after the  
 171 appointment of the seventh commissioner to the cannabis equity task force  
 172 pursuant to section 4 of this act, said task force shall issue a written report, in  
 173 accordance with the provisions of section 11-4a of the general statutes, to the  
 174 General Assembly and Governor, with detailed findings of fact regarding the  
 175 following matters in the state:

176 (1) Historical and present-day social, economic and familial consequences of  
177 cannabis prohibition, the criminalization and stigmatization of cannabis use and  
178 related public policies;

179 (2) Historical and present-day structures, patterns, causes and consequences of  
180 intentional and unintentional racial discrimination and racial disparities in the  
181 development, application and enforcement of cannabis prohibition and related  
182 public policies;

183 (3) Foreseeable long-term social, economic and familial consequences of  
184 unremedied past racial discrimination and disparities arising from past and  
185 continued cannabis prohibition, stigmatization and criminalization;

186 (4) Existing patterns of racial discrimination and racial disparities in access to  
187 entrepreneurship, employment and other economic benefits arising in the lawful  
188 palliative use cannabis sector as established pursuant to chapter 420f of the general  
189 statutes; and

190 (5) Any other matters that the task force deems relevant and feasible for study  
191 for the purpose of making reasonable and practical recommendations for the  
192 establishment of an equitable and lawful adult-use cannabis business sector in this  
193 state.

194 Sec. 6. (NEW) (*Effective from passage*) (a) Simultaneous with the issuance of its  
195 detailed findings of fact pursuant to section 5 of this act, and based upon such  
196 findings, the cannabis equity task force shall issue specific recommendations for  
197 statutory enactments, amendments and repeals, the adoption or amendment of  
198 regulations, executive orders, programs, agencies, commissions, grants, financial  
199 instruments and any other tools of governance, public policy and public or private  
200 finance and investment that it deems:

201 (1) Necessary and feasible for the General Assembly and the Governor to  
202 implement in order to create and regulate an equity-based and lawful adult-use  
203 cannabis business sector;

204 (2) Necessary and feasible to remedy and uproot past and present patterns of  
205 racial and other forms of unlawful discrimination arising directly or indirectly  
206 from cannabis prohibition, stigmatization, and criminalization; and

207 (3) Necessary and feasible for the General Assembly and the Governor to  
208 improve and achieve equity within the palliative-use cannabis sector established  
209 pursuant to chapter 420f of the general statutes.

210 (b) The cannabis equity task force shall also issue recommendations regarding:

211 (1) The criteria and regulatory structure the Cannabis Control Commission, as  
212 established pursuant to section 8 of this act, should use when defining "equity  
213 applicant" and "equity applicant ownership of a cannabis business", for purposes  
214 of licensure. Such recommendations shall include, but not be limited to:

215 (A) (i) Criteria an individual or business should meet in order to be classified as  
216 an equity applicant or business; (ii) benefits and responsibilities that should  
217 accompany such classification; and (iii) limitations and controls that the  
218 Commission should impose on the ownership, transfer and sale of businesses  
219 receiving the benefits of equity-related licensure;

220 (B) The amount of capital and overall number of cannabis businesses needed to  
221 sustain an equitable cannabis business sector and workforce composition in the  
222 state; and

223 (C) The amendment of cannabis-related criminal statutes, penalties and related  
224 collateral civil consequences of convictions.

225 Sec. 7. (NEW) (*Effective from passage*) The cannabis equity task force shall have a  
226 budget of XX dollars allocated from the General Fund. From such budget, the task  
227 force shall contract with researchers and research organizations and may hire staff  
228 and otherwise purchase goods and services in order to carry out its duties and  
229 purposes pursuant to sections X to XX, inclusive, of this act, in a thorough and  
230 timely manner. In selecting researchers and research organizations to conduct  
231 such study the task force shall prioritize the hiring of researchers and research  
232 organizations with substantial experience in qualitative and quantitative research  
233 related to race and racial disparities, including, but not limited to, quantifying the  
234 economic and social impact of racism and racial discrimination. The task force  
235 shall also prioritize the hiring of research organizations that are certified minority-  
236 owned businesses operating in the state. No part of this section shall be interpreted  
237 to limit the number or areas of knowledge and expertise of researchers and  
238 research organizations that the task force may hire. The task force shall be

239 responsible for supervising and managing all hires of any kind made pursuant to  
240 this section. Any moneys remaining unspent after the completion of duties of the  
241 task force pursuant to sections X to XX, inclusive, of this act shall be retained in  
242 trust and remitted to the Cannabis Control Commission to support the  
243 commission's first year of operations.

244 Sec. 8. (NEW) (*Effective from passage*) (a) Not later than six months after the  
245 issuance of the findings of fact and recommendations of the cannabis equity task  
246 force pursuant to section X of this act, there shall be appointed and seated a  
247 Cannabis Control Commission, composed of five commissioners. Two of the  
248 commissioners of the commission shall be appointed by the Black and Puerto  
249 Rican Caucus of the General Assembly and the remaining commissioners shall be  
250 the Commissioners of Labor, Consumer Protection and Economic and Community  
251 Development, or a qualified designee of such commissioners. The commissioners  
252 appointed by the Black and Puerto Rican Caucus shall be appointed for a two-year  
253 term, renewable by such caucus at the end of each such term. Each commissioner  
254 appointed by the Black and Puerto Rican Caucus shall receive a base salary of not  
255 less than XX dollars annually. The appointing authority for each commissioner of  
256 the Cannabis Control Commission may remove its appointed commissioner at any  
257 time, for cause. No vacancy on the Cannabis Control Commission shall be  
258 permitted for longer than thirty consecutive days.

259 (b) The Cannabis Control Commission shall employ an executive director and  
260 may establish, alter and remove subordinate offices within said commission. Said  
261 commission may hire staff, contract with personnel and vendors, establish an  
262 operational budget, expend moneys, communicate with the general public and  
263 carry out all other ordinary duties and activities of a regulatory agency.

264 (c) The Cannabis Control Commission shall establish rules for its own  
265 operations and decision-making, provided no decisions of public policy are made  
266 without a properly convened quorum, which shall consist of a minimum of three  
267 commissioners.

268 Sec. 9. (NEW) (*Effective from passage*) (a) The Cannabis Control Commission  
269 established pursuant to section X of this act shall be an independent regulatory  
270 agency and shall have exclusive regulatory authority and oversight over all  
271 aspects of the cultivation, production, distribution, transport, sale and other

272 commerce in cannabis and cannabis products for nonpalliative and nonmedical  
273 use, except as expressly provided for in sections X to XX, inclusive, of this act.  
274 Nothing in said sections shall prevent the Cannabis Control Commission from  
275 cooperating with other departments, agencies or state or local authorities,  
276 provided the Cannabis Control Commission may not delegate final decision-  
277 making authority on any matter of regulation, public policy, licensure, funding,  
278 inspection, compliance or discipline under its jurisdiction to any authority or body  
279 outside of said commission and its subordinate offices.

280 (b) The Cannabis Control Commission may, consistent with sections X to XX,  
281 inclusive, of this act and chapter 54 of the general statutes, adopt regulations to  
282 establish a system of licenses for commerce in cannabis, investigate applicants,  
283 licensees and other relevant persons, set standards, set and waive fees, hold  
284 administrative hearings, impose discipline and otherwise take such measures and  
285 exercise such regulatory powers as necessary to establish a modern well-regulated  
286 cannabis business sector, to ensure equity in all aspects of the sector and to protect  
287 public safety and public health related to the use of cannabis.

288 (c) In carrying out its duties and exercising its authority pursuant to sections X  
289 to XX, inclusive, of this act, the Cannabis Control Commission shall adopt the  
290 findings of fact and seek to implement the recommendations issued by the  
291 cannabis equity task force. The Cannabis Control Commission and its Office of  
292 Justice Reinvestment, shall report publicly every six months to the Governor and  
293 General Assembly on the Cannabis Control Commission's progress toward  
294 implementation of the recommendations of the cannabis equity task force, until  
295 such time as all such recommendations are fulfilled.

296 Sec. 10. (NEW) (*Effective from passage*) If any provision of sections X to XX,  
297 inclusive, of this act or any provision of any regulation adopted pursuant to said  
298 sections conflicts with any provision of chapter 420f of the general statutes, the  
299 provisions of sections X to XX, inclusive, of this act shall prevail.

300 Sec. 11. (NEW) (*Effective from passage*) No person or entity licensed by the  
301 Cannabis Control Commission may hold itself out as providing for the palliative  
302 use of marijuana or cannabis, as defined in chapter 420f of the general statutes, or  
303 otherwise provide for the medical use of cannabis, unless licensed by the  
304 Department of Consumer Protection pursuant to said chapter and regulations

305 adopted pursuant to said chapter. Nothing in this section shall be interpreted as  
306 prohibiting a holder of a license under sections X to XX, inclusive, of this act from  
307 concurrently holding a license issued pursuant to chapter 420f of the general  
308 statutes.

309 Sec. 12. (NEW) (*Effective from passage*) The Cannabis Control Commission shall  
310 not adopt or implement any regulation, standard, policy, application, process or  
311 other requirement that prohibits individuals from participating in or obtaining  
312 licensure in the lawful cannabis business sector on the basis of either an arrest or  
313 conviction for: (1) Any cannabis-related offense in any jurisdiction, or (2) an arrest  
314 or conviction for a misdemeanor drug offense of any type in any jurisdiction.

315 Sec. 13. (NEW) (*Effective from passage*) (a) Not later than one year after its  
316 establishment pursuant to section X of this act, the Cannabis Control Commission  
317 shall establish, set standards for, issue and regulate to following six types of  
318 licenses:

319 (1) Licenses authorizing the cultivation and production of cannabis (cannabis  
320 cultivation license);

321 (2) Licenses authorizing the manufacture of cannabis products intended for sale  
322 (cannabis product manufacturing facility license);

323 (3) Licenses authorizing the retail sale of cannabis and cannabis products to  
324 consumers (cannabis retailer license);

325 (4) Licenses authorizing laboratories for the testing of cannabis, pursuant to  
326 standards and requirements established by the Cannabis Control Commission  
327 (cannabis laboratory license);

328 (5) Licenses authorizing businesses that deliver cannabis and cannabis products  
329 directly to consumers at a residential address from one or more licensed cannabis  
330 retailers (cannabis delivery license); and

331 (6) Licenses authorizing microbusinesses, (cannabis microbusiness license).

332 (b) The Cannabis Control Commission shall deliberate and hold public hearings  
333 regarding the establishment of other types of licenses, including, but not limited  
334 to, single-use event licenses and use-on-premises licenses. The Cannabis Control

335 Commission may, subsequent to one or more public hearings and upon its own  
336 discretion and judgment, establish, issue and regulate such additional license  
337 types that the commission deems likely to support equity within the cannabis  
338 business sector, fiscally prudent and consistent with public safety and health.

339 (c) For all license types established pursuant to sections X to XX, of this act, the  
340 Cannabis Control Commission shall adopt regulations in accordance with the  
341 provisions of chapter 54 of the general statutes, set such standards and establish  
342 such mechanisms as it deems necessary to enforce the provisions of sections X to  
343 XX, inclusive, of this act and to ensure equity, fiscal prudence, public safety and  
344 public health.

345 (d) The Cannabis Control Commission may revoke any license type authorized  
346 pursuant to sections X to XX, inclusive, of this act upon a finding by said  
347 commission that such license type fails to improve equity within the cannabis  
348 business sector, fails to be fiscally prudent or endangers public safety or health,  
349 provided that holders of such licenses are accorded reasonable notice and an  
350 opportunity to appeal such decision pursuant to the provisions of chapter 54 of  
351 the general statutes.

352 (e) For all license types, the Cannabis Control Commission shall solicit  
353 applications, issue licenses and permit the start of operations in two phases, as  
354 follows:

355 (1) Equity applicants, who shall consist of those categories of persons and  
356 entities identified by the cannabis equity task force or by the Cannabis Control  
357 Commission's Office of Justice Reinvestment, as disproportionately and unjustly  
358 burdened by cannabis prohibition and its collateral consequences, and

359 (2) Regular applicants, who shall consist of all other persons and entities. No  
360 regular applicant shall be accepted for review until one year after the first equity  
361 applicant licensee of the same type of license commences operations.

362 (f) For purposes of this section "operations" means the first date that a cannabis  
363 business transaction authorized by a license takes place in the cannabis  
364 establishment.

365 (g) For all license types and for both equity applicants and regular applicants,

366 the Cannabis Control Commission shall consult with the Office of Justice  
367 Reinvestment and solicit its recommendations regarding regulations,  
368 requirements, qualifications, standards and the review of applications.

369 (h) The Cannabis Control Commission shall adopt regulations in accordance  
370 with the provisions of chapter 54 that limit changes or transfers of ownership of  
371 businesses holding equity applicant licensure and strictly limit the use of  
372 subsidiaries, holding and shell companies and other similar corporate vehicles in  
373 the equity application process so as to preserve the equitable purposes of sections  
374 X to XX, inclusive, of this act and to prevent the misuse of the equity application  
375 process. Such regulations shall include, but not be limited to: (1) A ten-year  
376 prohibition on the transfer or sale of a business licensed by an equity applicant to  
377 a person or business that does not qualify as an equity applicant or licensee, and  
378 (2) the repayment of the previous ten years of all equity-based license fee waivers,  
379 subsidies, grants, low-interest loans and other financial supports provided  
380 through or regulated by the Cannabis Control Commission, the Department of  
381 Economic and Community Development or the Department of Labor, prior to the  
382 date of transfer or sale of the business.

383 Sec. 14. (NEW) (*Effective from passage*) On and after one year from the effective  
384 date of this section and notwithstanding any provision of sections X to XX,  
385 inclusive, of this act or any provision of the general statutes or the Regulations of  
386 Connecticut State Agencies or of any local ordinance, a person twenty-one years  
387 of age or older shall not be required to hold a license and shall not be arrested,  
388 prosecuted, penalized, sanctioned or disqualified under in any manner, or denied  
389 any right or privilege and shall not be subject to seizure or forfeiture of assets for:  
390 (1) Any cannabis produced by cannabis plants cultivated on the premises of the  
391 person's primary residence; (2) possessing, cultivating or processing not more than  
392 six cannabis plants at any one time for personal use on the premises of his or her  
393 primary residence, as the sole adult resident; or (3) possessing, cultivating, or  
394 processing not more than twelve cannabis plants at any one time if the premises  
395 are shared by two or more adults twenty-one years of age or older as their primary  
396 residence.

397 Sec. 15. (NEW) (*Effective from passage*) Notwithstanding any requirements,  
398 standards or restrictions imposed by the Cannabis Control Commission pursuant  
399 to its authority under sections X to XX, inclusive, of this act a cannabis

400 microbusiness license shall, for all holders, permit the cultivation, processing,  
401 manufacture and distribution of cannabis and cannabis products to licensed  
402 retailers and permit the delivery of the microbusinesses' cannabis and cannabis  
403 products directly to consumers, under a single microbusiness license.

404 Sec. 16. (NEW) (*Effective from passage*) Notwithstanding any other provision of  
405 sections X to XX, inclusive, of this act or any regulation adopted pursuant to said  
406 sections, the Cannabis Control Commission shall not accept an application for any  
407 manner of license from a person or entity who owns or operates a business or other  
408 establishment licensed pursuant to chapter 420f of the general statutes, until such  
409 time as the Office of Justice Reinvestment makes a determination that equity in  
410 ownership in the cannabis business sector has been sustainably achieved.

411 Sec. 17. (NEW) (*Effective from passage*) In addition to any other licensure  
412 requirements and standards established by the Cannabis Control Commission, the  
413 commission shall require each applicant for a cannabis establishment license to  
414 enter into, maintain and abide by the terms of a labor peace agreement. All labor  
415 peace agreements shall contain a clause that the parties agree that final and  
416 binding arbitration will be the exclusive remedy for any violation of such  
417 agreement. Each applicant, whether for an initial license or renewal of a license,  
418 shall submit an attestation signed by both the applicant and the bona fide labor  
419 organization stating that the applicant meets the requirements of this section. A  
420 labor peace agreement shall be an ongoing material condition of a cannabis  
421 establishment license and a violation of such agreement, established exclusively  
422 through arbitration, may result in suspension, revocation or denial of the renewal  
423 of such license.

424 Sec. 18. (NEW) (*Effective from passage*) The Cannabis Control Commission shall  
425 establish an Office of Justice Reinvestment not later than six months after the  
426 establishment of said commission. The Cannabis Control Commission shall hire  
427 staff and authorize the Office of Justice Reinvestment to hire staff, and shall  
428 provide funding and other resources so that said office may perform the following  
429 duties in a thorough and efficient manner:

430 (1) Advise the Cannabis Control Commission, the General Assembly and the  
431 Governor on all equity matters under the Cannabis Control Commission's  
432 jurisdiction;

433 (2) Meet on a quarterly basis with the Black and Puerto Rican Caucus of the  
434 General Assembly to provide updates on the implementation of the cannabis  
435 equity task force recommendations, the condition of the cannabis business sector  
436 and any other equity-related matters of importance to said caucus and to request  
437 legislative remedies from said caucus, as the Office of Justice Reinvestment deems  
438 reasonable;

439 (3) Oversee cannabis workforce grants, loans and other financial supports,  
440 distributed pursuant to sections X to XX, inclusive, of this act or pursuant to any  
441 other cannabis-related programs under the Cannabis Control Commission's  
442 jurisdiction, which includes, but is not limited to, assessing their equitable  
443 distribution, the effectiveness of their use by recipients, compliance with their  
444 terms, conditions and goals by recipients and any other matters regarding the  
445 effective and proper use of funds in the interest of equity in the cannabis business  
446 sector. The Office of Justice Reinvestment may exercise any authority and powers  
447 delegated to it by the Cannabis Control Commission, the Departments of Labor,  
448 Consumer Protection and Economic and Community Development, and any other  
449 state, local or tribal authority to carry out its oversight duties pursuant to this  
450 subdivision. Said office shall have the authority and power to request and compel  
451 the production of documents, data, witnesses and other investigatory materials  
452 from other public entities in the state and any private entity receiving any manner  
453 of benefit or license pursuant to this act, provided that no part of such production  
454 by either a public or private entity shall be considered a public record or be open  
455 to public inspection.

456 (4) Oversee, approve or disapprove, and host community agreements between  
457 cannabis businesses and municipal governments.

458 (5) Conduct research, engage in public outreach and education, and carry out  
459 all other duties assigned to it by the Cannabis Control Commission with such  
460 powers and budget as allocated to it by the Cannabis Control Commission for the  
461 purposes of supporting and improving equity within the cannabis business sector  
462 and supporting and improving equity within the operations and administration  
463 of the commission.

464 Sec. 19. (NEW) (*Effective from passage*) Not later than one hundred eighty days  
465 after the establishment of the Office of Justice Reinvestment, the Cannabis Control

466 Commission and the Departments of Labor, Consumer Protection and Economic  
467 and Community Development shall expressly delegate such powers to the Office  
468 of Justice Reinvestment as necessary for said Office to carry out its duties and as  
469 may be subsequently assigned to it by the Cannabis Control Commission, in a  
470 timely and efficient manner. The Cannabis Control Commission and the  
471 Departments of Labor, Consumer Protection and Economic and Community  
472 Development may delegate additional powers to or enter into cooperative  
473 agreements with the Office of Justice Reinvestment so that said Office may carry  
474 out its duties in a timely and efficient manner.

475 Sec. 20. (NEW) (*Effective from passage*) (a) There shall be a Cannabis Control  
476 Commission Operational Trust Fund held and administered by the Cannabis  
477 Control Commission and that shall receive one hundred per cent of all licensing  
478 and other regulatory fees and one hundred per cent of all cannabis sales tax  
479 surcharges. The Cannabis Control Commission Operational Trust Fund shall be  
480 expended to support the regulatory operations of the Cannabis Control  
481 Commission and to supplement any funds allocated from the General Fund and  
482 shall allocate not less than seventy per cent of the fund to the support and duties  
483 of the Office of Justice Reinvestment.

484 (b) The Cannabis Control Commission shall expend not less than ten per cent  
485 of revenue into the Cannabis Control Commission Operational Trust Fund to  
486 support workforce development programs aimed at increasing the number of  
487 qualified cannabis sector workers from disproportionately impacted  
488 backgrounds, which may include such programs as established or funded  
489 pursuant to sections X to XX, inclusive, of this act. Such allocation shall not reduce  
490 the amount allocated to the Department of Economic and Community  
491 Development pursuant to sections X to XX, inclusive, of this act in any manner,  
492 but shall be used to supplement and increase such allocation.

493 Sec. 21. (NEW) (*Effective from passage*) (a) There shall be a state-wide ten per cent  
494 sales tax surcharge, in addition to the general sales tax, on all cannabis and  
495 cannabis product sales. Any municipality may impose not more than a three per  
496 cent municipal cannabis tax, which shall be in addition to the general sales tax and  
497 the sales tax surcharge.

498 (b) There shall be an additional ten per cent restorative justice tax on all gross

499 revenue over one million dollars of cannabis businesses, including pass-through  
500 entities, in addition to any other corporate taxation or taxation on pass-through  
501 income.

502 (c) The Department of Revenue Services shall adopt regulations, in accordance  
503 with the provisions of chapter 54 of the general statutes, issue guidance and issue  
504 or amend such forms, and otherwise institute such measures as necessary and  
505 reasonable to enact and enforce the provisions of this section on a timetable  
506 consistent with the needs and requirements of the Cannabis Control Commission.

507 Sec. 22. (NEW) (*Effective from passage*) No municipality may unconditionally  
508 prohibit the operation of a cannabis establishment or cannabis business within the  
509 limits of such municipality. The provisions of this section shall not prevent  
510 municipalities from regulating the zoning, licensing, hours of operation, outward  
511 appearance or other matters subject to municipal jurisdiction of business  
512 establishments generally, provided that no ordinance, regulation, license, permit,  
513 fee or tax imposes a burden on cannabis establishments or cannabis businesses  
514 substantially greater than the burden imposed by the municipality on a similarly  
515 sized business involved in the manufacture, distribution, or sale of alcoholic  
516 liquor.

517 Sec. 23. (NEW) (*Effective from passage*) Not later than six months after the  
518 establishment of the Cannabis Control Commission, the Governor shall invite, in  
519 consultation with the Cannabis Control Commission and the Office of Justice  
520 Reinvestment, those other states, territories, tribes and the District of Columbia  
521 where commerce in cannabis is lawful to enter into an interstate or inter-  
522 jurisdictional compact with the state that shall provide for a well-regulated  
523 interstate and interjurisdictional commerce in cannabis. The Governor shall take  
524 such steps as needed to secure agreement from such federal agencies that regulate  
525 commerce to withhold interference or interdiction of a well-regulated commerce  
526 in cannabis established through such compacts. No compact shall be proposed or  
527 entered into pursuant to this section unless the terms of such compact are  
528 consistent with the equity-related goals established by the Cannabis Control  
529 Commission and the Office of Justice Reinvestment pursuant to sections X to XX,  
530 inclusive, of this act.

531 Sec. 24. (NEW) (*Effective from passage*) (a) No commissioner of the Cannabis

532 Control Commission during the term of his or her office and for one year after,  
533 and no executive or managerial employee of state or municipal government, no  
534 judge of any court, no prosecutor and no employee of a police department or other  
535 law enforcement agency with jurisdiction over the investigation and enforcement  
536 of cannabis-related crimes or crimes regarding controlled substances shall be  
537 permitted to have, directly or indirectly, individually or as a member of a  
538 partnership or as a shareholder of a corporation, any financial or managerial  
539 interest in any cannabis establishment licensed by the Cannabis Control  
540 Commission or licensed under chapter 420f of the general statutes or any business  
541 whose principal source of revenue or market entails providing goods or services  
542 specifically and directly to cannabis establishments licensed by the Cannabis  
543 Control Commission or licensed under chapter 420f of the general statutes.

544 (b) No commissioner of the Cannabis Control Commission during the term of  
545 his or her office and for one year after such term and no executive or managerial  
546 employee of state, county or municipal government, no judge of any court, no  
547 prosecutor, and no employee of a police department or other law enforcement  
548 agency with jurisdiction over the investigation and enforcement of cannabis-  
549 related crimes or crimes regarding controlled substances shall be permitted to  
550 receive any commission, profit, gratuities, offer of future employment,  
551 partnership, ownership or other financially beneficial association, or gifts of any  
552 kind from any person or cannabis establishment or cannabis business licensed  
553 under sections X to XX, inclusive, of this act or under chapter 420f of the general  
554 statutes, for the duration of their public employment.

555 Sec. 25. (NEW) (*Effective from passage*) Except as authorized under sections X to  
556 XX, inclusive, of this act, no municipality or local official shall condition any  
557 official action, nor accept any donation in moneys or in kind, from any cannabis  
558 establishment or from an individual or corporation that has applied for a license  
559 to open or operate a cannabis establishment in such municipality or neighboring  
560 municipality. No municipality may negotiate or enter into a local host agreement  
561 with a cannabis establishment or an individual or corporation that has applied for  
562 a license to open or operate a cannabis establishment in such municipality or  
563 neighboring municipality without the express written approval of the Office of  
564 Justice Reinvestment.

565 Sec. 26. (NEW) (*Effective from passage*) Municipalities shall be eligible for

566 cannabis workforce and economic development grants and loans or other funds  
567 under the jurisdiction of the Cannabis Control Commission, the Office of Justice  
568 Reinvestment or the Departments of Labor, Consumer Protection and Economic  
569 and Community Development, but no municipality shall be eligible for any such  
570 cannabis workforce or economic development grant or loan or other funds unless  
571 such municipality has passed a resolution or ordinance adopting the findings of  
572 fact of the cannabis equity task force and committing the municipality to the  
573 implementation of its recommendations, as applied to municipalities.

574       Sec. 27. (NEW) (*Effective from passage*) The Cannabis Control Commission shall,  
575 not later than sixty days after its establishment, consult with The University of  
576 Connecticut regarding entering into an ongoing research partnership to provide  
577 studies, research, training, education and any other manner of engagement in  
578 support of equity in the cannabis business sector, of equity applicants and  
579 licensees and of equity in the cannabis workforce. The Control Commission shall  
580 seek to enter into formal and informal partnerships with The University of  
581 Connecticut for not more than one hundred eighty days and as needed thereafter.

582       Sec. 28. (NEW) (*Effective from passage*) Neither the presence of cannabinoid  
583 components or metabolites in a person's bodily fluids, nor conduct related to the  
584 use of cannabis or the participation in cannabis-related business or other activities  
585 made lawful under sections X to XX, inclusive, of this act or by any section of the  
586 general statutes or the regulations of state agencies, or by local ordinance, by a  
587 custodial or noncustodial parent, grandparent, pregnant woman, legal guardian  
588 or other person charged with the well-being of a child, shall form the sole or  
589 primary basis for: (1) Any action or proceeding by a child welfare agency or in a  
590 family or juvenile court, or (2) any adverse finding, adverse evidence or restriction  
591 of any right of privilege in a proceeding related to adoption, fostering or a person's  
592 fitness to adopt or foster a child.

593       Sec. 29. (NEW) (*Effective from passage*) (a) On and after one hundred eighty days  
594 after the effective date of this section: (1) Any educational institution receiving  
595 public funds or subject to the regulations of state agencies shall revise and  
596 implement student disciplinary policies to conform to the criteria in this section.

597       (b) The Department of Education and the Office of Higher Education, in  
598 consultation with the Cannabis Control Commission and the Office of Justice

599 Reinvestment, shall adopt regulations in accordance with the provisions of chapter  
600 54 for the implementation of the provisions of this section. Such regulations shall  
601 include, but not be limited to, regulations for collecting information regarding  
602 student disciplinary actions related to cannabis and to undertake remedial  
603 measures to correct discriminatory conduct, disparate impacts and improper  
604 implementation of the provisions of this section.

605 (c) Each educational institution subject to the provisions of subsection (a) of this  
606 section shall file a detailed report, consistent with regulations adopted pursuant  
607 to subsection (b) of this section, with the relevant regulatory agency for each  
608 disciplinary action related to cannabis.

609 (d) Any student found unlawfully in possession of cannabis on the premises of  
610 his or her school or while engaged in school activities, such as field trips, athletic  
611 competitions or science fairs off-premises, may receive or be subject to counseling,  
612 drug-related education or community service related to the school, or any  
613 combination of such actions programs, as may be appropriate for the individual  
614 student's educational and social needs. Such disciplinary action shall not be more  
615 severe than equivalent school penalties for the underage use of alcohol.

616 (e) Any educational institution subject to the provisions of subsection (a) of this  
617 section may elect to establish a restorative justice program for addressing matters  
618 related to cannabis, other controlled substances, alcohol or tobacco. Any such  
619 restorative justice program shall include, but not be limited to, an education  
620 curriculum that is tailored to the needs and circumstances of individual students.

621 (f) Any educational institution subject to the provisions of subsection (a) of this  
622 section may elect to establish a cannabis diversion program, or other substance  
623 abuse diversion program, as part of a school drug policy. Any such diversion  
624 program shall include, but not be limited to, counseling, support and education  
625 regarding cannabis abuse and other substance abuse.

626 (g) No student found unlawfully in possession of cannabis on school premises  
627 or while engaged in school activities, such as field trips, athletic competitions or  
628 science fairs off school premises, may be subject to out of school suspension of  
629 more than ten days.

630 (h) No school disciplinary policy shall be construed to prohibit the involvement

631 of a student or school in a criminal investigation reasonably related to the unlawful  
632 possession or distribution of cannabis on school premises or in the course of school  
633 activities. In any investigation or other proceeding where a student subject to  
634 school discipline for possession of cannabis may reasonably be expected to be a  
635 witness or to be subject to arrest, the student shall have a right to independent  
636 counsel free of charge. Any student entitled to counsel under this section or any  
637 other provision of state, federal or tribal law shall be promptly informed of his or  
638 her right to counsel and be granted the means to request counsel by the school.

639 (i) No beneficiary of financial aid or student loans shall have his or her  
640 eligibility, rights, privileges or options revoked, restricted or otherwise adversely  
641 changed on the basis of cannabis-related activity that is lawful under sections X to  
642 XX, inclusive, of this act. Any contractual provision or policy contrary to the  
643 provisions of this section shall be deemed void and against public policy.

644 (j) No person lawfully dwelling in student housing shall be subject to discipline,  
645 termination of residency, eviction, or any other housing-related sanction for  
646 cannabis-related activity lawful under sections X to XX, inclusive, of this act or  
647 shall be subject to school discipline for cannabis-related activity, where permitted  
648 under sections X to XX, inclusive, of this act, that does not substantially involve  
649 housing-related misconduct. Any contractual provision or policy contrary to this  
650 section shall be deemed void and against public policy.

651 (k) Violation of any part of this section shall give rise to a private right of action  
652 by any student subject to school discipline under this section or any legal parent  
653 or guardian of such a student. Such private right of action may be filed in the  
654 superior court for the district in which the school is located.

655 Sec. 30. (NEW) (*Effective from passage*) (a) On and after one hundred eighty days  
656 after the effective date of this section, it shall be unlawful to:

657 (1) Refuse to rent, lease, license, sell or otherwise make unavailable any unit of  
658 housing on the basis of a person's prior charge or conviction for a cannabis-related  
659 offense or past, current or future involvement or participation in the lawful  
660 cannabis business sector;

661 (2) Make any inquiry into a prospective tenant, licensee or purchaser's criminal  
662 history related to cannabis; or

663 (3) Discriminate in the terms, conditions or privileges of the sale or rental of any  
664 dwelling on the basis of a person's prior charge or conviction for a cannabis-related  
665 offense or past, current or future involvement or participation in the lawful  
666 cannabis business sector.

667 (b) Homeless shelters, respite homes, nursing homes and other long-term care  
668 facilities shall not be exempt from the provisions of subsection (a) of this section.

669 (c) The provisions of subsection (a) of this section shall not apply to sober living  
670 houses or other housing intended to provide a therapeutic or rehabilitative  
671 environment related to drug or alcohol use or to temporary lodgings, including  
672 hotels, motels, camps and private homes rented for brief stays.

673 Sec. 31. (NEW) (*Effective from passage*) (a) On and after one hundred eighty days  
674 after the effective date of this section, the provisions of this section shall apply to  
675 any housing governed by the federal Quality Housing and Work and  
676 Responsibility Act of 1998 or any housing governed by any other provisions of  
677 federal law that grants persons or entities that own or manage federally assisted  
678 housing the discretion to deny persons housing to or evict persons from housing  
679 on the basis of drug-related offenses.

680 (b) It shall be unlawful to refuse to rent, lease, license or otherwise make  
681 unavailable any unit of housing subject to the provisions of this section on the basis  
682 of a person's charge or arrest for a cannabis-related offense, without conviction or  
683 other substantial independent and relevant evidence based on actual conduct.

684 (c) All persons or entities that own, manage or otherwise regulate housing  
685 subject to the provisions of this section shall provide written notification of any  
686 denial of housing or any eviction on the basis of the lawful cultivation, possession  
687 or use of cannabis or other cannabis-related offense to the Cannabis Control  
688 Commission and the Office of Justice Reinvestment. Such written notice shall  
689 provide, with specificity, the name and address of the affected person, the race and  
690 ethnicity of the affected person, the gender of the affected person, the persons with  
691 knowledge and decision-making authority regarding the denial or eviction, the  
692 specific circumstances of the denial or eviction and the specific reasons, facts and  
693 evidence for the denial or eviction. Notice shall be issued to the Office of the  
694 Attorney General not more than seven days after the denial or issuance of a notice  
695 of eviction.

696 (d) The Office of Attorney General shall conduct periodic disparate racial  
 697 impact reviews of denials and evictions for cannabis-related reasons under Title  
 698 VI of the federal Civil Rights Act of 1964, at its discretion, but not less than once  
 699 every two years. Should any such review identify any pattern of disparate racial  
 700 impact or intentional discrimination in the provision or retention of federally  
 701 assisted housing on the basis of lawful cannabis activity, the Office of the Attorney  
 702 General shall promptly undertake, upon the recommendation of the Cannabis  
 703 Control Commission, or on its own initiative, such remedial and corrective  
 704 measures as it deems reasonable, including seeking equitable and injunctive relief  
 705 and imposing civil penalties not to exceed one hundred thousand dollars for each  
 706 instance of a policy or practice that creates a disparate racial impact in the  
 707 provision or retention of housing covered by this section.

708 Sec. 32. (NEW) (*Effective from passage*) No part of sections X to XX of this act shall  
 709 be interpreted to infringe on tribal sovereignty to establish laws, regulations or  
 710 ordinances or govern and regulate matters of public policy within the boundaries  
 711 of tribal jurisdiction. Lawful cannabis operations certified by the tribes shall be  
 712 considered licensed entities for the purpose of commerce between tribal cannabis  
 713 businesses and licensed cannabis businesses in this state.

714 Sec. 33. (NEW) (*Effective from passage*) If any part of sections X to XX, inclusive,  
 715 of this act or any regulations adopted pursuant to said sections, or the application  
 716 of said sections or regulations to any person or circumstance is held invalid, such  
 717 invalidity shall not affect any other parts of said sections or regulations, or  
 718 applications of said sections or regulations, which can be given effect without the  
 719 invalid part or application.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section

Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>from passage</i>	New section
Sec. 15	<i>from passage</i>	New section
Sec. 16	<i>from passage</i>	New section
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>from passage</i>	New section
Sec. 19	<i>from passage</i>	New section
Sec. 20	<i>from passage</i>	New section
Sec. 21	<i>from passage</i>	New section
Sec. 22	<i>from passage</i>	New section
Sec. 23	<i>from passage</i>	New section
Sec. 24	<i>from passage</i>	New section
Sec. 25	<i>from passage</i>	New section
Sec. 26	<i>from passage</i>	New section
Sec. 27	<i>from passage</i>	New section
Sec. 28	<i>from passage</i>	New section
Sec. 29	<i>from passage</i>	New section
Sec. 30	<i>from passage</i>	New section
Sec. 31	<i>from passage</i>	New section
Sec. 32	<i>from passage</i>	New section
Sec. 33	<i>from passage</i>	New section

**Statement of Purpose:**

To require labor peace agreements for the cannabis industry and to ensure a modern and equitable cannabis workforce.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*