



Substitute House Bill No. 5329

Public Act No. 22-103

AN ACT CONCERNING CANNABIS.

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

Section 1. Section 21a-420 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in RERACA, unless the context otherwise requires:

(1) "Responsible and Equitable Regulation of Adult-Use Cannabis Act" or "RERACA" means this section, sections 2-56j, 7-294kk, 7-294ll, 12-330ll to 12-330nn, inclusive, 14-227p, 21a-278b, 21a-278c, 21a-279c, 21a-279d, 21a-420a to 21a-420i, inclusive, 21a-420l to 21a-421r, inclusive, 21a-421aa to 21a-421ff, inclusive, 21a-421aaa to 21a-421ggg, inclusive, 21a-422 to 21a-422c, inclusive, 21a-422e to 21a-422g, inclusive, 21a-422j to 21a-422s, inclusive, 22-61n, 23-4b, 47a-9a, 53-247a, 53a-213a, 53a-213b, 54-33p, 54-56q, 54-56r, 54-125k and 54-142u, sections 23, 60, 63 to 65, inclusive, 124, 144 and 165 of public act 21-1 of the June special session and the amendments in public act 21-1 of the June special session to sections 7-148, 10-221, 12-30a, 12-35b, 12-412, 12-650, 12-704d, 14-44k, 14-111e, 14-227a to 14-227c, inclusive, 14-227j, 15-140q, 15-140r, 18-100h, 19a-342, 19a-342a, 21a-267, 21a-277, 21a-279, 21a-279a, 21a-408 to 21a-408f, inclusive, as amended by this act, 21a-408h to 21a-408p, inclusive,

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21a-408r to 21a-408v, inclusive, 30-89a, 31-40q, 32-39, 46b-120, 51-164n, as amended by this act, 53-394, 53a-39c, 54-1m, 54-33g, 54-41b, 54-56e, 54-56g, 54-56i, 54-56k, 54-56n, 54-63d, 54-66a, [and] 54-142e, section 2 of this act and section 5 of this act;

(2) "Backer" means any individual with a direct or indirect financial interest in a cannabis establishment. "Backer" does not include an individual with an investment interest in a cannabis establishment if (A) the interest held by such individual and such individual's spouse, parent or child, in the aggregate, does not exceed five per cent of the total ownership or interest rights in such cannabis establishment, and (B) such individual does not participate directly or indirectly in the control, management or operation of the cannabis establishment;

(3) "Cannabis" means marijuana, as defined in section 21a-240;

(4) "Cannabis establishment" means a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter;

(5) "Cannabis flower" means the flower, including abnormal and immature flowers, of a plant of the genus cannabis that has been harvested, dried and cured, and prior to any processing whereby the flower material is transformed into a cannabis product. "Cannabis flower" does not include (A) the leaves or stem of such plant, or (B) hemp, as defined in section 22-61l;

(6) "Cannabis trim" means all parts, including abnormal or immature parts, of a plant of the genus cannabis, other than cannabis flower, that have been harvested, dried and cured, and prior to any processing whereby the plant material is transformed into a cannabis product. "Cannabis trim" does not include hemp, as defined in section 22-61l;

(7) "Cannabis product" means cannabis that is in the form of a

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cannabis concentrate or a product that contains cannabis, which may be combined with other ingredients, and is intended for use or consumption. "Cannabis product" does not include the raw cannabis plant;

(8) "Cannabis concentrate" means any form of concentration, including, but not limited to, extracts, oils, tinctures, shatter and waxes, that is extracted from cannabis;

(9) "Cannabis-type substances" have the same meaning as "marijuana", as defined in section 21a-240;

(10) "Commissioner" means the Commissioner of Consumer Protection and includes any designee of the commissioner;

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

(12) "Cultivation" has the same meaning as provided in section 21a-408, as amended by this act;

(13) "Cultivator" means a person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space;

(14) "Delivery service" means a person that is licensed to deliver cannabis from (A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in section 21a-408, as amended by this act, or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to chapter 368v that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof;

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(15) "Department" means the Department of Consumer Protection;

(16) "Dispensary facility" means a place of business where cannabis may be dispensed, sold or distributed in accordance with chapter 420f and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the department has issued a dispensary facility license under chapter 420f and any regulations adopted thereunder;

(17) "Disproportionately impacted area" means a United States census tract in the state that has, as determined by the Social Equity Council under section 21a-420d, as amended by this act, (A) a historical conviction rate for drug-related offenses greater than one-tenth, or (B) an unemployment rate greater than ten per cent;

(18) "Disqualifying conviction" means a conviction within the last ten years which has not been the subject of an absolute pardon under the provisions of section 54-130a, or an equivalent pardon process under the laws of another state or the federal government, for an offense under (A) section 53a-276, 53a-277 or 53a-278; (B) section 53a-291, 53a-292 or 53a-293; (C) section 53a-215; (D) section 53a-138 or 53a-139; (E) section 53a-142a; (F) sections 53a-147 to 53a-162, inclusive; (G) sections 53a-125c to 53a-125f, inclusive; (H) section 53a-129b, 53a-129c or 53a-129d; (I) subsection (b) of section 12-737; (J) section 53a-48 or 53a-49, if the offense which is attempted or is an object of the conspiracy is an offense under the statutes listed in subparagraphs (A) to (I), inclusive, of this subdivision; or (K) the law of any other state or of the federal government, if the offense on which such conviction is based is defined by elements that substantially include the elements of an offense under the statutes listed in subparagraphs (A) to (J), inclusive, of this subdivision;

(19) "Dispensary technician" means an individual who has had an active pharmacy technician or dispensary technician registration in this state within the past five years, is affiliated with a dispensary facility or

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hybrid retailer and is registered with the department in accordance with chapter 420f and any regulations adopted thereunder;

(20) "Employee" means any person who is not a backer, but is a member of the board of a company with an ownership interest in a cannabis establishment, and any person employed by a cannabis establishment or who otherwise has access to such establishment or the vehicles used to transport cannabis, including, but not limited to, an independent contractor who has routine access to the premises of such establishment or to the cannabis handled by such establishment;

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

(22) "Equity joint venture" means a business entity that is at least fifty per cent owned and controlled by an individual or individuals, or such applicant is an individual, who meets the criteria of subparagraphs (A) and (B) of subdivision (48) of this section;

(23) "Extract" means the preparation, compounding, conversion or processing of cannabis, either directly or indirectly by extraction or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis to produce a cannabis concentrate;

(24) "Financial interest" means any right to, ownership, an investment or a compensation arrangement with another person, directly, through

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business, investment or family. "Financial interest" does not include ownership of investment securities in a publicly-held corporation that is traded on a national exchange or over-the-counter market, provided the investment securities held by such person and such person's spouse, parent or child, in the aggregate, do not exceed one-half of one per cent of the total number of shares issued by the corporation;

(25) "Food and beverage manufacturer" means a person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages;

(26) "Grow space" means the portion of a premises owned and controlled by a producer, cultivator or micro-cultivator that is utilized for the cultivation, growing or propagation of the cannabis plant, and contains cannabis plants in an active stage of growth, measured starting from the outermost wall of the room containing cannabis plants and continuing around the outside of the room. "Grow space" does not include space used to cure, process, store harvested cannabis or manufacture cannabis once the cannabis has been harvested;

(27) "Historical conviction count for drug-related offenses" means, for a given area, the number of convictions of residents of such area (A) for violations of sections 21a-267, 21a-277, 21a-278, 21a-279 and 21a-279a, and (B) who were arrested for such violations between January 1, 1982, and December 31, 2020, inclusive, where such arrest was recorded in databases maintained by the Department of Emergency Services and Public Protection;

(28) "Historical conviction rate for drug-related offenses" means, for a given area, the historical conviction count for drug-related offenses divided by the population of such area, as determined by the five-year estimates of the most recent American Community Survey conducted by the United States Census Bureau;

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(29) "Hybrid retailer" means a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products;

(30) "Key employee" means an employee with the following management position or an equivalent title within a cannabis establishment: (A) President or chief officer, who is the top ranking individual at the cannabis establishment and is responsible for all staff and overall direction of business operations; (B) financial manager, who is the individual who reports to the president or chief officer and who is generally responsible for oversight of the financial operations of the cannabis establishment, including, but not limited to, revenue generation, distributions, tax compliance and budget implementation; or (C) compliance manager, who is the individual who reports to the president or chief officer and who is generally responsible for ensuring the cannabis establishment complies with all laws, regulations and requirements related to the operation of the cannabis establishment;

(31) "Laboratory" means a laboratory located in the state that is licensed by the department to provide analysis of cannabis that meets the licensure requirements set forth in section 21a-246, as amended by this act;

(32) "Laboratory employee" means an individual who is registered as a laboratory employee pursuant to section 21a-408r;

(33) "Labor peace agreement" means an agreement between a cannabis establishment and a bona fide labor organization under section 21a-421d pursuant to which the owners and management of the cannabis establishment agree not to lock out employees and that prohibits the bona fide labor organization from engaging in picketing, work stoppages or boycotts against the cannabis establishment;

(34) "Manufacture" means to add or incorporate cannabis into other products or ingredients or create a cannabis product;

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(35) "Medical marijuana product" means cannabis that may be exclusively sold to qualifying patients and caregivers by dispensary facilities and hybrid retailers and which are designated by the commissioner as reserved for sale to qualifying patients and caregivers and published on the department's Internet web site;

(36) "Micro-cultivator" means a person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the commissioner;

(37) "Municipality" means any town, city or borough, consolidated town and city or consolidated town and borough;

(38) "Paraphernalia" means drug paraphernalia, as defined in section 21a-240;

(39) "Person" means an individual, partnership, limited liability company, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other legal entity and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination thereof;

(40) "Producer" means a person that is licensed as a producer pursuant to section 21a-408i and any regulations adopted thereunder;

(41) "Product manufacturer" means a person that is licensed to obtain cannabis, extract and manufacture products exclusive to such license type;

(42) "Product packager" means a person that is licensed to package and label cannabis;

(43) "Qualifying patient" has the same meaning as provided in section

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21a-408, as amended by this act;

(44) "Research program" has the same meaning as provided in section 21a-408, as amended by this act;

(45) "Retailer" means a person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs;

(46) "Sale" or "sell" has the same meaning as provided in section 21a-240;

(47) "Social Equity Council" or "council" means the council established under section 21a-420d, as amended by this act;

(48) "Social equity applicant" means a person that has applied for a license for a cannabis establishment, where such applicant is at least sixty-five per cent owned and controlled by an individual or individuals, or such applicant is an individual, who:

(A) Had an average household income of less than three hundred per cent of the state median household income over the three tax years immediately preceding such individual's application; and

(B) (i) Was a resident of a disproportionately impacted area for not less than five of the ten years immediately preceding the date of such application; or

(ii) Was a resident of a disproportionately impacted area for not less than nine years prior to attaining the age of eighteen;

(49) "THC" has the same meaning as provided in section 21a-240;

(50) "Third-party lottery operator" means a person, or a constituent

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unit of the state system of higher education, that conducts lotteries pursuant to section 21a-420g, identifies the cannabis establishment license applications for consideration without performing any review of the applications that are identified for consideration, and that has no direct or indirect oversight of or investment in a cannabis establishment or a cannabis establishment applicant;

(51) "Transfer" means to transfer, change, give or otherwise dispose of control over or interest in;

(52) "Transport" means to physically move from one place to another;

(53) "Transporter" means a person licensed to transport cannabis between cannabis establishments, laboratories and research programs; and

(54) "Unemployment rate" means, in a given area, the number of people sixteen years of age or older who are in the civilian labor force and unemployed divided by the number of people sixteen years of age or older who are in the civilian labor force.

Sec. 2. (NEW) (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, no person shall gift, sell or transfer cannabis to another person: (1) To induce, or in exchange for, any donation for any purpose, including, but not limited to, any charitable donation or any donation made to gain admission to any event; (2) at any location, other than a dispensary facility, retailer or hybrid-retailer, (A) where a consumer may purchase any item other than cannabis, a cannabis product or services related to cannabis, or (B) that requires consideration, including, but not limited to, membership in any club, in order to gain admission to such location; or (3) as part of any giveaway associated with attendance at any event, including, but not limited to, any giveaway made by way of a door prize, goodie bag or swag bag. The provisions of this subsection shall not be construed to prohibit any

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gift of cannabis between individuals with a bona fide social relationship, provided such gift is made without consideration and is not associated with any commercial transaction.

(b) Any person who violates the provisions of subsection (a) of this section shall, in addition to any other penalty provided by law: (1) Be subject to a fine imposed by a municipality under section 3 of this act; (2) be fined one thousand dollars per offense, in accordance with the provisions of section 51-164n of the general statutes, as amended by this act, by the Commissioner of Emergency Services and Public Protection; and (3) be subject to an administrative hearing held by the Commissioner of Revenue Services pursuant to chapter 54 of the general statutes for failure to pay taxes, which may result in a civil penalty of not more than one thousand dollars per violation. For the purposes of this subsection, "per offense" and "per violation" mean either per transaction or per day the violation continues, as determined by the Commissioner of Emergency Services and Public Protection for the purposes of subdivision (2) of this subsection or the Commissioner of Revenue Services for the purposes of subdivision (3) of this subsection.

Sec. 3. (NEW) (*Effective from passage*) Any municipality may establish, by ordinance, a fine for violations of section 2 of this act, provided the amount of any such fine shall not be greater than one thousand dollars per violation. Any police officer or other person authorized by the chief executive officer of the municipality may issue a citation to any person who commits such a violation. Any municipality that adopts an ordinance pursuant to this section shall also adopt a citation hearing procedure pursuant to section 7-152c of the general statutes. Any fine collected by a municipality pursuant to this section shall be deposited into the general fund of the municipality or in any special fund designated by the municipality.

Sec. 4. Subsections (a) and (b) of section 51-164n of the 2022 supplement to the general statutes are repealed and the following is

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substituted in lieu thereof (*Effective from passage*):

(a) There shall be a Centralized Infractions Bureau of the Superior Court to handle payments or pleas of not guilty with respect to the commission of an infraction under any provision of the general statutes or a violation set forth in subsection (b) of this section. Except as provided in section 51-164o, any person who is alleged to have committed an infraction or a violation under subsection (b) of this section may plead not guilty or pay the established fine and any additional fee or cost for the infraction or such violation.

(b) Notwithstanding any provision of the general statutes, any person who is alleged to have committed (1) a violation under the provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247, 13a-253 or 13a-263, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414, subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (f) of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49, 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153 or 14-163b, a first violation as specified in subsection (f) of section 14-164i, section 14-219 as specified in subsection (e) of said section, subdivision (1) of section 14-223a, section 14-240, 14-250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h) of section 14-283, section 14-291, 14-293b, 14-296aa, 14-300, 14-300d, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or

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14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-25 or 15-33, subdivision (1) of section 15-97, subsection (a) of section 15-115, section 16-44, 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17b-124, 17b-131, 17b-137, 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-265, 20-324e, subsection (b) of section 20-334, section 20-341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48, 21-63, subsection (d) of section 21-71 or section 21-76a, subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section 21a-21, subdivision (1) of subsection (b) of section 21a-25, section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-77, subsection (b) of section 21a-79, section 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-159, section 21a-278b, subsection (c), (d) or (e) of section 21a-279a, section 21a-421eee, 21a-421fff, 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-29, 22-30, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61l, subdivision (1) of subsection (n) of section 22-61l, subsection (f) of section 22-61m, subdivision (1) of subsection (f) of section 22-61m, subsection (d) of section 22-84, section 22-89, 22-90, 22-96, 22-98, 22-99, 22-100, 22-111o, 22-167, subsection (c) of section 22-277, section 22-278, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326, subsection (b), subdivision (1) or (2) of subsection (e) or subsection (g) of section 22-344, subdivision (2) of subsection (b) of section 22-344b, subsection (d) of section 22-344c, subsection (d) of section 22-344d, section 22-344f, 22-350a, 22-354, 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of section 22a-250, subsection (e) of section 22a-256h, section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449, 22a-461, 23-4b, 23-38, 23-46 or 23-61b, subsection (a) or subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40, subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-21, 26-31, 26-40, 26-

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40a, 26-42, 26-49, 26-54, 26-55, 26-56, 26-58 or 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-64, subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-230, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-288, 26-294, 28-13, 29-6a, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e) or (g) of section 29-161q, section 29-161y or 29-161z, subdivision (1) of section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of section 29-291c, section 29-316, 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52, 31-52a or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-273, section 31-288, subdivision (1) of section 35-20, section 36a-787, 42-230, 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331 or 53-344, subsection (c) of section 53-344b, [or] section 53-450 or section 2 of this act, or (2) a violation under the provisions of chapter 268, or (3) a violation of any regulation adopted in accordance with the provisions of section 12-484, 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or bylaw of any town, city or borough, except violations of building codes and the health code, for which the penalty exceeds ninety dollars but does not exceed two hundred fifty dollars, unless such town, city or borough has established a payment and hearing procedure for such violation pursuant to section 7-152c, shall follow the procedures set forth in this section.

Sec. 5. (NEW) (*Effective from passage*) (a) A cultivator licensed under section 21a-420o of the general statutes may create not more than two equity joint ventures to be approved by the Social Equity Council under

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section 21a-420d of the general statutes, as amended by this act, and licensed by the department under this section. The equity joint venture shall be in any cannabis establishment licensed business, other than a cultivator license.

(b) The equity joint venture applicant shall submit an application to the Social Equity Council that may include, but need not be limited to, evidence of business formation, ownership allocation, terms of ownership and financing and proof of social equity status. The equity joint venture applicant shall submit to the Social Equity Council information including, but not limited to, the organizing documents of the entity that outline the ownership stake of each backer, initial backer investment and payout information to enable the council to determine the terms of ownership.

(c) Upon obtaining the written approval of the Social Equity Council for an equity joint venture, the equity joint venture applicant shall apply for a license from the department in the same form as required by all other licensees of the same license type, except that such application shall not be subject to the lottery.

(d) A cultivator licensed under section 21a-420o of the general statutes, including the backer of such cultivator, shall not increase its ownership in an equity joint venture in excess of fifty per cent during the seven-year period after a license is issued by the department under this section.

(e) Equity joint ventures that share a common cultivator or cultivator backer shall not be located within twenty miles of another commonly owned equity joint venture.

(f) An equity joint venture applicant shall pay fifty per cent of the amount of any applicable fee specified in subsection (c) of section 21a-420e of the general statutes for the first three renewal cycles of the

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applicable cannabis establishment license applied for, and shall pay the full amount of such fee thereafter.

Sec. 6. Section 21a-420m of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) In order to pay a reduced license expansion authorization fee as described in subsection (b) of section 21a-420l, a producer shall commit to create two equity joint ventures to be approved by the Social Equity Council under section 21a-420d, as amended by this act, and licensed by the department under this section.

(b) The equity joint venture shall be in any cannabis establishment licensed business, other than a cultivator license, provided [the social equity applicant shall own at least fifty per cent of such business] such equity joint venture is at least fifty per cent owned and controlled by an individual or individuals who meet, or the equity joint venture applicant is an individual who meets, the criteria established in subparagraphs (A) and (B) of subdivision (48) of section 21a-420, as amended by this act.

(c) The [producer or social equity applicant of an] equity joint venture applicant shall submit an application to the Social Equity Council that may include, but need not be limited to, evidence of business formation, ownership allocation, terms of ownership and financing and proof of social equity [applicant involvement] status. The [producer or social equity applicant of an] equity joint venture applicant shall submit to the Social Equity Council information including, but not limited to, the organizing documents of the entity that outline the ownership stake of each backer, initial backer investment and payout information to enable the council to determine the terms of ownership.

(d) Upon obtaining the written approval of the Social Equity Council

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for an equity joint venture, [the producer or social equity applicant of] the equity joint venture applicant shall apply for a license from the department in the same form as required by all other licensees of the same license type, except that such application shall not be subject to the lottery.

(e) A producer, including the backer of such producer, shall not increase its ownership in an equity joint venture in excess of fifty per cent during the seven-year period after a license is issued by the department under this section.

(f) Equity joint ventures that share a common producer or producer backer and that are retailers or hybrid retailers shall not be located within twenty miles of another commonly owned equity joint venture.

(g) If a producer [had] has paid a reduced conversion fee, as described in subsection (b) of section 21a-420l, and subsequently did not create two equity joint ventures under this section that, not later than fourteen months after the Department of Consumer Protection approved the producer's license expansion application under section 21a-420l, each received a final license from the department, the producer shall be liable for the full conversion fee of three million dollars established in section 21a-420l minus such paid reduced conversion fee.

(h) No producer that receives license expansion authorization under section 21a-420l shall create more than two equity joint ventures. No such producer shall apply for, or create, any additional equity joint venture if, on the effective date of this section, such producer has created at least two equity joint ventures that have each received a provisional license.

(i) An equity joint venture applicant shall pay fifty per cent of the amount of any applicable fee specified in subsection (c) of section 21a-420e for the first three renewal cycles of the applicable cannabis

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establishment license applied for, and shall pay the full amount of such fee thereafter.

Sec. 7. Section 21a-420u of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) In order for a dispensary facility to convert its license to a hybrid-retailer license, a dispensary facility shall have a workforce development plan that has been approved by the Social Equity Council under section 21a-420d, as amended by this act, and shall either pay the fee of one million dollars established in section 21a-420e or, if such dispensary facility has committed to create one equity joint venture to be approved by the Social Equity Council for ownership purposes under section 21a-420d, as amended by this act, and subsequent to obtaining such approval, approved by the department for licensure under this section, pay a reduced fee of five hundred thousand dollars.

(b) Any equity joint venture created under this section shall be created for the development of a cannabis establishment, [business with a social equity applicant that owns at least fifty per cent of such business and where the dispensary facility owns at most fifty per cent of such business] other than a cultivator, provided such equity joint venture is at least fifty per cent owned and controlled by an individual or individuals who meet, or the equity joint venture applicant is an individual who meets, the criteria established in subparagraphs (A) and (B) of subdivision (48) of section 21a-420, as amended by this act.

(c) An equity joint venture applicant shall submit an application to the Social Equity Council that may include, but need not be limited to, evidence of business formation, ownership allocation, terms of ownership and financing and proof of social equity [applicant involvement. The dispensary facility or social equity applicant of an equity joint venture shall submit an application to the Social Equity

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Council that may include, but need not be limited to, evidence of business formation, ownership allocation, terms of ownership and financing and proof of social equity applicant involvement. The dispensary facility or social equity applicant of an] status. The equity joint venture applicant shall submit to the Social Equity Council information including, but not limited to, the organizing documents of the entity that outline the ownership stake of each backer, initial backer investment and payout information to enable the council to determine the terms of ownership.

(d) Upon receipt of written approval of the equity joint venture by the Social Equity Council, [the dispensary facility or social equity applicant of] the equity joint venture applicant shall apply for a license from the department in the same form as required by all other licensees of the same license type and subject to the same fees as required by all other licensees of the same license type.

(e) A dispensary facility, including the backers of such dispensary facility, shall not increase its ownership in an equity joint venture in excess of fifty per cent during the seven-year period after a license is issued by the department under this section.

(f) Equity joint ventures that are retailers or hybrid retailers that share a common dispensary facility or dispensary facility backer owner shall not be located within twenty miles of another commonly owned equity joint venture.

(g) If a dispensary facility has paid the reduced conversion fee, in accordance with subsection (a) of this section, and did not subsequently create one equity joint venture under this section [, the] that, not later than fourteen months after the Department of Consumer Protection approved the dispensary facility's license conversion application under section 21a-420t, receives a final license from the department, the dispensary facility shall be liable for the full conversion fee of one

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million dollars [,] established [under] in section 21a-420e minus such paid reduced conversion fee.

(h) No dispensary facility that receives approval to convert the dispensary facility's license to a hybrid-retailer license under section 21a-420t shall create more than two equity joint ventures. No such dispensary facility shall apply for, or create, any additional equity joint venture if, on the effective date of this section, such dispensary facility has created at least two equity joint ventures that have each received a provisional license.

(i) An equity joint venture applicant shall pay fifty per cent of the amount of any applicable fee specified in subsection (c) of section 21a-420e for the first three renewal cycles of the applicable cannabis establishment license applied for, and shall pay the full amount of such fee thereafter.

Sec. 8. Section 21a-421bb of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No person other than the holder of a cannabis establishment license issued by this state shall advertise any cannabis or services related to cannabis in this state.

~~[(a) Cannabis]~~ (b) Except as provided in subsection (d) of this section, cannabis establishments [and any person advertising any cannabis or services related to cannabis] shall not:

(1) Advertise, including, but not limited to, through a business name or logo, cannabis, cannabis paraphernalia or goods or services related to cannabis; [in]

(A) In ways that target or are designed to appeal to individuals under twenty-one years of age, including, but not limited to, spokespersons or

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celebrities who appeal to individuals under the legal age to purchase cannabis or cannabis products, depictions of a person under twenty-five years of age consuming cannabis, or, the inclusion of objects, such as toys, characters or cartoon characters, suggesting the presence of a person under twenty-one years of age, or any other depiction designed in any manner to be appealing to a person under twenty-one years of age; or

(B) By using any image, or any other visual representation, of the cannabis plant or any part of the cannabis plant, including, but not limited to, the leaf of the cannabis plant;

(2) Engage in any advertising by means of an electronic or illuminated billboard between the hours of six o'clock a.m. and eleven o'clock p.m.;

[(2)] (3) Engage in advertising by means of any television, radio, Internet, mobile [applications] application, social media [,] or other electronic communication, billboard or other outdoor signage, or print publication unless the [advertiser] cannabis establishment has reliable evidence that at least ninety per cent of the audience for the advertisement is reasonably expected to be twenty-one years of age or older;

[(3)] (4) Engage in advertising or marketing directed toward location-based devices, including, but not limited to, cellular phones, unless the marketing is a mobile device application installed on the device by the owner of the device who is twenty-one years of age or older and includes a permanent and easy opt-out feature and warnings that the use of cannabis is restricted to persons twenty-one years of age or older;

[(4)] (5) Advertise cannabis or cannabis products in a manner claiming or implying, or permit any employee of the cannabis establishment to claim or imply, that such products have curative or

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therapeutic effects, or that any other medical claim is true, or allow any employee to promote cannabis for a wellness purpose unless such claims are substantiated as set forth in regulations adopted under chapter 420f or verbally conveyed by a licensed pharmacist or other licensed medical practitioner in the course of business in, or while representing, a hybrid retail or dispensary facility;

[(5)] (6) Sponsor charitable, sports, musical, artistic, cultural, social or other similar events or advertising at, or in connection with, such an event unless the [sponsor or advertiser] cannabis establishment has reliable evidence that (A) not more than ten per cent of the in-person audience at the event is reasonably expected to be under the legal age to purchase cannabis or cannabis products, and (B) not more than ten per cent of the audience that will watch, listen or participate in the event is expected to be under the legal age to purchase cannabis products;

[(6)] (7) Advertise cannabis, cannabis products or cannabis paraphernalia in any physical form visible to the public within one thousand five hundred feet of an elementary or secondary school ground or a house of worship, recreation center or facility, child care center, playground, public park or library;

[(7)] (8) Cultivate cannabis or manufacture cannabis products for distribution outside of this state in violation of federal law, advertise in any way that encourages the transportation of cannabis across state lines or otherwise encourages illegal activity;

[(8)] (9) Except for dispensary facilities and hybrid retailers, exhibit within or upon the outside of the facility used in the operation of a cannabis establishment, or include in any advertisement, the word "dispensary" or any variation of such term or any other words, displays or symbols indicating that such store, shop or place of business is a dispensary;

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[(9)] (10) Exhibit within or upon the outside of the premises subject to the cannabis establishment license, or include in any advertisement the words "drug store", "pharmacy", "apothecary", "drug", "drugs" or "medicine shop" or any combination of such terms or any other words, displays or symbols indicating that such store, shop or place of business is a pharmacy;

[(10)] (11) Advertise on or in public or private vehicles or at bus stops, taxi stands, transportation waiting areas, train stations, airports or other similar transportation venues including, but not limited to, vinyl-wrapped vehicles or signs or logos on transportation vehicles not owned by a cannabis establishment;

[(11)] (12) Display cannabis, [or] cannabis products or any image, or any other visual representation, of the cannabis plant or any part of the cannabis plant, including, but not limited to, the leaf of the cannabis plant, so as to be clearly visible to a person from the exterior of the facility used in the operation of a cannabis establishment, or display signs or other printed material advertising any brand or any kind of cannabis or cannabis product, or including any image, or any other visual representation, of the cannabis plant or any part of the cannabis plant, including, but not limited to, the leaf of the cannabis plant, on the exterior of any facility used in the operation of a cannabis establishment;

[(12)] (13) Utilize radio or loudspeaker, in a vehicle or in or outside of a facility used in the operation of a cannabis establishment, for the purposes of advertising the sale of cannabis or cannabis products; or

[(13)] (14) Operate any web site advertising or depicting cannabis, cannabis products or cannabis paraphernalia unless such web site verifies that the entrants or users are twenty-one years of age or older.

[(b) Any] (c) Except as provided in subsection (d) of this section, any advertisements from a cannabis establishment shall contain the

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following warning: "Do not use cannabis if you are under twenty-one years of age. Keep cannabis out of the reach of children." In a print or visual medium, such warning shall be conspicuous, easily legible and shall take up not less than ten per cent of the advertisement space. In an audio medium, such warning shall be at the same speed as the rest of the advertisement and be easily intelligible.

(d) Any outdoor signage, including, but not limited to, any monument sign, pylon sign or wayfinding sign, shall be deemed to satisfy the audience requirement established in subdivision (3) of subsection (b) of this section, and shall not be required to contain the warning required under subsection (c) of this section, if such outdoor signage:

(1) Contains only the name and logo of the cannabis establishment;

(2) Does not include any image, or any other visual representation, of the cannabis plant or any part of the cannabis plant, including, but not limited to, the leaf of the cannabis plant;

(3) Is comprised of not more than three colors; and

(4) Is located:

(A) On the cannabis establishment's premises, regardless of whether such cannabis establishment leases or owns such premises; or

(B) On any commercial property occupied by multiple tenants including such cannabis establishment.

[(c)] (e) The department shall not register, and may require revision of, any submitted or registered cannabis brand name that:

(1) Is identical to, or confusingly similar to, the name of an existing non-cannabis product;

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(2) Is identical to, or confusingly similar to, the name of an unlawful product or substance;

(3) Is confusingly similar to the name of a previously approved cannabis brand name;

(4) Is obscene or indecent; and

(5) Is customarily associated with persons under the age of twenty-one.

[(d)] (f) A violation of the provisions of [subsection (a) or (b)] subsections (a) to (c), inclusive, of this section shall be deemed to be an unfair or deceptive trade practice under subsection (a) of section 42-110b.

Sec. 9. Section 21a-422f of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section, "municipality" means any town, city or borough, consolidated town and city or consolidated town and borough, and a district establishing a zoning commission under section 7-326.

(b) Any municipality may, by amendment to such municipality's zoning regulations or by local ordinance, (1) prohibit the establishment of a cannabis establishment, (2) establish reasonable restrictions regarding the hours and signage within the limits of such municipality, or (3) establish restrictions on the proximity of cannabis establishments to any of the establishments listed in subdivision (1) of subsection (a) of section 30-46. The chief zoning official of a municipality shall report, in writing, any zoning changes adopted by the municipality regarding cannabis establishments pursuant to this subsection to the Secretary of the Office of Policy and Management and to the department not later

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than fourteen days after the adoption of such changes.

(c) Unless otherwise provided for by a municipality through its zoning regulations or ordinances, a cannabis establishment shall be zoned as if for any other similar use, other than a cannabis establishment, would be zoned.

(d) Any restriction regarding hours, zoning and signage of a cannabis establishment adopted by a municipality shall not apply to an existing cannabis establishment located in such municipality if such cannabis establishment does not convert to a different license type, for a period of five years after the adoption of such prohibition or restriction.

[(e) Until June 30, 2024, no municipality shall grant zoning approval for more retailers or micro-cultivators than a number that would allow for one retailer and one micro-cultivator for every twenty-five thousand residents of such municipality, as determined by the most recent decennial census.

(f) On and after July 1, 2024, the Commissioner of Consumer Protection may, in the discretion of the commissioner, post on the Department of Consumer Protection's Internet web site a specific number of residents such that no municipality shall grant zoning approval for more retailers or micro-cultivators than would result in one retailer and one micro-cultivator for every such specific number of residents, as determined by the commissioner. Any such determination shall be made to ensure reasonable access to cannabis by consumers.]

[(g)] (e) For purposes of ensuring compliance with this section, a special permit or other affirmative approval shall be required for any retailer or micro-cultivator seeking to be located within a municipality. [A municipality shall not grant such special permit or approval for any retailer or micro-cultivator applying for such special permit or approval if that would result in an amount that (1) until June 30, 2024, exceeds the

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density cap of one retailer and one micro-cultivator for every twenty-five thousand residents, and (2) on and after July 1, 2024, exceeds any density cap determined by the commissioner under subsection (f) of this section.] When awarding final licenses for a retailer or micro-cultivator, the Department of Consumer Protection may assume that, if an applicant for such final license has obtained zoning approval, the approval of a final license for such applicant shall not result in a violation of this section or any [other] municipal restrictions on the number or density of cannabis establishments.

Sec. 10. (*Effective from passage*) (a) The chairpersons of the joint standing committee of the General Assembly having cognizance of matters pertaining to general law shall convene a working group to study hemp, hemp products and hemp producers. Such study shall include, but need not be limited to, an examination of (1) the regulation of hemp, hemp products and hemp producers licensed in this state and neighboring states, (2) the manner in which neighboring states have integrated hemp, hemp products and hemp producers into their recreational cannabis programs, statutes and regulations, and (3) possible legislation that would integrate hemp, hemp products and hemp producers licensed in this state into this state's recreational cannabis statutes by, among other things, allowing (A) such licensees to convert their licenses to licenses issued under this state's recreational cannabis statutes, and (B) hemp products, including, but not limited to, cannabidiol, produced by such licensees to be sold in cannabis dispensaries licensed in this state.

(b) The working group shall consist of the following members:

(1) One appointed by the speaker of the House of Representatives, who shall be a representative of the Connecticut Farm Bureau;

(2) One appointed by the president pro tempore of the Senate, who shall be a person who grows hemp in the state;

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(3) One appointed by the majority leader of the House of Representatives, who shall be a representative of the state's cannabis industry;

(4) One appointed by the majority leader of the Senate, who shall be a representative of the state's cannabis industry;

(5) One appointed by the minority leader of the House of Representatives, who shall be a member of the General Assembly representing a rural district in the state;

(6) One appointed by the minority leader of the Senate, who shall be a member of the General Assembly representing a rural district in the state;

(7) The chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to general law;

(8) The Commissioner of Consumer Protection, or the commissioner's designee; and

(9) The Commissioner of Agriculture, or the commissioner's designee.

(c) All initial appointments to the working group shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(d) The chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to general law shall serve as the chairpersons of the working group. Such chairpersons shall schedule the first meeting of the working group, which shall be held not later than sixty days after the effective date of this section.

(e) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to general law

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shall serve as administrative staff of the working group.

(f) Not later than January 1, 2023, the working group shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to general law, in accordance with the provisions of section 11-4a of the general statutes. The working group shall terminate on the date that it submits such report or January 1, 2023, whichever is later.

Sec. 11. Section 21a-408 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

As used in this section, sections 21a-408a to 21a-408o, inclusive, as amended by this act, and sections 21a-408r to 21a-408v, inclusive, unless the context otherwise requires:

(1) "Advanced practice registered nurse" means an advanced practice registered nurse licensed pursuant to chapter 378;

(2) "Cannabis establishment" has the same meaning as provided in section 21a-420, as amended by this act;

(3) "Cultivation" includes planting, propagating, cultivating, growing and harvesting;

(4) "Debilitating medical condition" means (A) cancer, glaucoma, positive status for human immunodeficiency virus or acquired immune deficiency syndrome, Parkinson's disease, multiple sclerosis, damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity, epilepsy or uncontrolled intractable seizure disorder, cachexia, wasting syndrome, Crohn's disease, posttraumatic stress disorder, irreversible spinal cord injury with objective neurological indication of intractable spasticity, cerebral palsy, cystic fibrosis or terminal illness requiring end-of-life care, except, if the

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qualifying patient is under eighteen years of age, "debilitating medical condition" means terminal illness requiring end-of-life care, irreversible spinal cord injury with objective neurological indication of intractable spasticity, cerebral palsy, cystic fibrosis, severe epilepsy or uncontrolled intractable seizure disorder, or (B) any medical condition, medical treatment or disease approved for qualifying patients by the Department of Consumer Protection and posted online pursuant to section 21a-408l;

(5) "Dispensary facility" means a place of business where marijuana may be dispensed, sold or distributed in accordance with this chapter and any regulations adopted thereunder to qualifying patients and caregivers and for which the department has issued a dispensary facility license pursuant to this chapter;

(6) "Employee" has the same meaning as provided in section 21a-420, as amended by this act;

(7) "Institutional animal care and use committee" means a committee that oversees an organization's animal program, facilities and procedures to ensure compliance with federal policies, guidelines and principles related to the care and use of animals in research;

(8) "Institutional review board" means a specifically constituted review body established or designated by an organization to protect the rights and welfare of persons recruited to participate in biomedical, behavioral or social science research;

(9) "Laboratory" means a laboratory located in the state that is licensed by the department to provide analysis of marijuana and that meets the licensure requirements set forth in section 21a-246, as amended by this act;

(10) "Laboratory employee" means a person who is registered as a laboratory employee pursuant to section 21a-408r;

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(11) "Licensed dispensary" or "dispensary" means an individual who is a licensed pharmacist employed by a dispensary facility or hybrid retailer;

(12) "Producer" means a person who is licensed as a producer pursuant to section 21a-408i;

(13) "Marijuana" means marijuana, as defined in section 21a-240;

(14) "Nurse" means a person who is licensed as a nurse under chapter 378;

(15) "Palliative use" means the acquisition, distribution, transfer, possession, use or transportation of marijuana or paraphernalia relating to marijuana, including the transfer of marijuana and paraphernalia relating to marijuana from the patient's caregiver to the qualifying patient, to alleviate a qualifying patient's symptoms of a debilitating medical condition or the effects of such symptoms, but does not include any such use of marijuana by any person other than the qualifying patient;

(16) "Paraphernalia" means drug paraphernalia, as defined in section 21a-240;

(17) "Physician" means a person who is licensed as a physician under chapter 370; [, but does not include a physician assistant, as defined in section 20-12a;]

(18) "Physician assistant" means a person who is licensed as a physician assistant under chapter 370;

[[18)] (19) "Caregiver" means a person, other than the qualifying patient and the qualifying patient's physician, physician assistant or advanced practice registered nurse, who is eighteen years of age or older and has agreed to undertake responsibility for managing the well-being

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of the qualifying patient with respect to the palliative use of marijuana, provided (A) in the case of a qualifying patient (i) under eighteen years of age and not an emancipated minor, or (ii) otherwise lacking legal capacity, such person shall be a parent, guardian or person having legal custody of such qualifying patient, and (B) in the case of a qualifying patient eighteen years of age or older or an emancipated minor, the need for such person shall be evaluated by the qualifying patient's physician, physician assistant or advanced practice registered nurse and such need shall be documented in the written certification;

[(19)] (20) "Qualifying patient" means a person who: (A) Is a resident of Connecticut, (B) has been diagnosed by a physician, physician assistant or [an] advanced practice registered nurse as having a debilitating medical condition, and (C) (i) is eighteen years of age or older, (ii) is an emancipated minor, or (iii) has written consent from a custodial parent, guardian or other person having legal custody of such person that indicates that such person has permission from such parent, guardian or other person for the palliative use of marijuana for a debilitating medical condition and that such parent, guardian or other person will (I) serve as a caregiver for the qualifying patient, and (II) control the acquisition and possession of marijuana and any related paraphernalia for palliative use on behalf of such person. "Qualifying patient" does not include an inmate confined in a correctional institution or facility under the supervision of the Department of Correction;

[(20)] (21) "Research program" means a study approved by the Department of Consumer Protection in accordance with this chapter and undertaken to increase information or knowledge regarding the growth or processing of marijuana, or the medical attributes, dosage forms, administration or use of marijuana to treat or alleviate symptoms of any medical conditions or the effects of such symptoms;

[(21)] (22) "Research program employee" means a person who (A) is registered as a research program employee under section 21a-408t, or

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(B) holds a temporary certificate of registration issued pursuant to section 21a-408t;

[(22)] (23) "Research program subject" means a person registered as a research program subject pursuant to section 21a-408v;

[(23)] (24) "Usable marijuana" means the dried leaves and flowers of the marijuana plant, and any mixtures or preparations of such leaves and flowers, that are appropriate for the palliative use of marijuana, but does not include the seeds, stalks and roots of the marijuana plant; and

[(24)] (25) "Written certification" means a written certification issued by a physician, physician assistant or [an] advanced practice registered nurse pursuant to section 21a-408c, as amended by this act.

Sec. 12. Section 21a-408a of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) A qualifying patient shall register with the Department of Consumer Protection pursuant to section 21a-408d, as amended by this act, prior to engaging in the palliative use of marijuana. A qualifying patient who has a valid registration certificate from the Department of Consumer Protection pursuant to subsection (a) of section 21a-408d, as amended by this act, and complies with the requirements of sections 21a-408 to 21a-408m, as amended by this act, inclusive, shall not be subject to arrest or prosecution, penalized in any manner, including, but not limited to, being subject to any civil penalty, or denied any right or privilege, including, but not limited to, being subject to any disciplinary action by a professional licensing board, for the palliative use of marijuana if:

(1) The qualifying patient's physician, physician assistant or advanced practice registered nurse has issued a written certification to the qualifying patient for the palliative use of marijuana after the

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physician, physician assistant or advanced practice registered nurse has prescribed, or determined it is not in the best interest of the patient to prescribe, prescription drugs to address the symptoms or effects for which the certification is being issued;

(2) The combined amount of marijuana possessed by the qualifying patient and the caregiver for palliative use does not exceed five ounces;

(3) The qualifying patient has not more than one caregiver at any time; and

(4) Any cannabis plants grown by the qualifying patient in his or home is in compliance with subsection (b) of section 21a-408d, as amended by this act, and any applicable regulations.

(b) The provisions of subsection (a) of this section do not apply to:

(1) Any palliative use of marijuana that endangers the health or well-being of a person other than the qualifying patient or the caregiver; or

(2) The ingestion of marijuana (A) in a motor bus or a school bus or in any other moving vehicle, (B) in the workplace, (C) on any school grounds or any public or private school, dormitory, college or university property, unless such college or university is participating in a research program and such use is pursuant to the terms of the research program, (D) in any public place, or (E) in the presence of a person under the age of eighteen, unless such person is a qualifying patient or research program subject. For the purposes of this subdivision, (i) "presence" means within the direct line of sight of the palliative use of marijuana or exposure to second-hand marijuana smoke, or both; (ii) "public place" means any area that is used or held out for use by the public whether owned or operated by public or private interests; (iii) "vehicle" means a vehicle, as defined in section 14-1; (iv) "motor bus" means a motor bus, as defined in section 14-1; and (v) "school bus" means a school bus, as defined in section 14-1.

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Sec. 13. Section 21a-408c of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) A physician, physician assistant or [an] advanced practice registered nurse may issue a written certification to a qualifying patient that authorizes the palliative use of marijuana by the qualifying patient. Such written certification shall be in the form prescribed by the Department of Consumer Protection and shall include a statement signed and dated by the qualifying patient's physician, physician assistant or advanced practice registered nurse stating that, in such physician's, physician assistant's or advanced practice registered nurse's professional opinion, the qualifying patient has a debilitating medical condition and the potential benefits of the palliative use of marijuana would likely outweigh the health risks of such use to the qualifying patient.

(b) Any written certification for the palliative use of marijuana issued by a physician, physician assistant or [an] advanced practice registered nurse under subsection (a) of this section shall be valid for a period not to exceed one year from the date such written certification is signed and dated by the physician, physician assistant or advanced practice registered nurse. Not later than ten calendar days after the expiration of such period, or at any time before the expiration of such period should the qualifying patient no longer wish to possess marijuana for palliative use, the qualifying patient or the caregiver shall destroy all usable marijuana possessed by the qualifying patient and the caregiver for palliative use.

(c) A physician, physician assistant or [an] advanced practice registered nurse shall not be subject to arrest or prosecution, penalized in any manner, including, but not limited to, being subject to any civil penalty, or denied any right or privilege, including, but not limited to, being subject to any disciplinary action by the Connecticut Medical

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Examining Board, the Connecticut State Board of Examiners for Nursing or other professional licensing board, for providing a written certification for the palliative use of marijuana under subdivision (1) of subsection (a) of section 21a-408a, as amended by this act, if:

(1) The physician, physician assistant or advanced practice registered nurse has diagnosed the qualifying patient as having a debilitating medical condition;

(2) The physician, physician assistant or advanced practice registered nurse has explained the potential risks and benefits of the palliative use of marijuana to the qualifying patient and, if the qualifying patient lacks legal capacity, to a parent, guardian or person having legal custody of the qualifying patient;

(3) The written certification issued by the physician, physician assistant or advanced practice registered nurse is based upon the physician's, physician assistant's or advanced practice registered nurse's professional opinion after having completed a medically reasonable assessment of the qualifying patient's medical history and current medical condition made in the course of a bona fide health care professional-patient relationship; and

(4) The physician, physician assistant or advanced practice registered nurse has no financial interest in a cannabis establishment, except for retailers and delivery services, as such terms are defined in section 21a-420, as amended by this act.

(d) A physician assistant or nurse shall not be subject to arrest or prosecution, penalized in any manner, including, but not limited to, being subject to any civil penalty, or denied any right or privilege, including, but not limited to, being subject to any disciplinary action by the Connecticut Medical Examining Board, Board of Examiners for Nursing [] or other professional licensing board, for administering

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marijuana to a qualifying patient or research program subject in a hospital or health care facility licensed by the Department of Public Health.

(e) Notwithstanding the provisions of this section, sections 21a-408 to 21a-408b, inclusive, as amended by this act, and sections 21a-408d to 21a-408o, inclusive, as amended by this act, a physician assistant or an advanced practice registered nurse shall not issue a written certification to a qualifying patient when the qualifying patient's debilitating medical condition is glaucoma.

Sec. 14. Section 21a-408d of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) Each qualifying patient who is issued a written certification for the palliative use of marijuana under subdivision (1) of subsection (a) of section 21a-408a, as amended by this act, and the caregiver of such qualifying patient, shall register with the Department of Consumer Protection. Such registration shall be effective from the date the Department of Consumer Protection issues a certificate of registration until the expiration of the written certification issued by the physician, physician assistant or advanced practice registered nurse. The qualifying patient and the caregiver shall provide sufficient identifying information, as determined by the department, to establish the personal identity of the qualifying patient and the caregiver. If the qualifying patient is under eighteen years of age and not an emancipated minor, the custodial parent, guardian or other person having legal custody of the qualifying patient shall also provide a letter from both the qualifying patient's care provider and a physician who is board certified in an area of medicine involved in the treatment of the debilitating condition for which the qualifying patient was certified that confirms that the palliative use of marijuana is in the best interest of the qualifying patient. A physician may issue a written certification for the palliative

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use of marijuana by a qualifying patient who is under eighteen years of age, provided such written certification shall not be for marijuana in a dosage form that requires that the marijuana be smoked, inhaled or vaporized. The qualifying patient or the caregiver shall report any change in the identifying information to the department not later than five business days after such change. The department shall issue a registration certificate to the qualifying patient and to the caregiver and may charge a reasonable fee, not to exceed twenty-five dollars, for each registration certificate issued under this subsection. Any registration fees collected by the department under this subsection shall be paid to the State Treasurer and credited to the General Fund.

(b) Any qualifying patient who is eighteen years of age or older may cultivate up to three mature cannabis plants and three immature cannabis plants in the patient's primary residence at any given time, provided such plants are secure from access by any individual other than the patient or patient's caregiver and no more than twelve cannabis plants may be grown per household.

(c) A dispensary shall not dispense any marijuana products in a smokable, inhalable or vaporizable form to a qualifying patient who is under eighteen years of age or such qualifying patient's caregiver.

(d) Information obtained under this section shall be confidential and shall not be subject to disclosure under the Freedom of Information Act, as defined in section 1-200, except that reasonable access to registry information obtained under this section shall be provided to: (1) State agencies, federal agencies and local law enforcement agencies for the purpose of investigating or prosecuting a violation of law; (2) physicians, physician assistants, advanced practice registered nurses and pharmacists for the purpose of providing patient care and drug therapy management and monitoring controlled substances obtained by the qualifying patient; (3) public or private entities for research or educational purposes, provided no individually identifiable health

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information may be disclosed; (4) a licensed dispensary for the purpose of complying with sections 21a-408 to 21a-408m, inclusive, as amended by this act; (5) a qualifying patient, but only with respect to information related to such qualifying patient or such qualifying patient's caregiver; or (6) a caregiver, but only with respect to information related to such caregiver's qualifying patient.

Sec. 15. Subsection (a) of section 21a-408d of the 2022 supplement to the general statutes, as amended by section 14 of this act, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(a) Each qualifying patient who is issued a written certification for the palliative use of marijuana under subdivision (1) of subsection (a) of section 21a-408a, as amended by this act, and the caregiver of such qualifying patient, shall register with the Department of Consumer Protection. Such registration shall be effective from the date the Department of Consumer Protection issues a certificate of registration until the expiration of the written certification issued by the physician, physician assistant or advanced practice registered nurse. The qualifying patient and the caregiver shall provide sufficient identifying information, as determined by the department, to establish the personal identity of the qualifying patient and the caregiver. If the qualifying patient is under eighteen years of age and not an emancipated minor, the custodial parent, guardian or other person having legal custody of the qualifying patient shall also provide a letter from both the qualifying patient's care provider and a physician who is board certified in an area of medicine involved in the treatment of the debilitating condition for which the qualifying patient was certified that confirms that the palliative use of marijuana is in the best interest of the qualifying patient. A physician may issue a written certification for the palliative use of marijuana by a qualifying patient who is under eighteen years of age, provided such written certification shall not be for marijuana in a dosage form that requires that the marijuana be smoked, inhaled or

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vaporized. The qualifying patient or the caregiver shall report any change in the identifying information to the department not later than five business days after such change. The department shall issue a registration certificate to the qualifying patient and to the caregiver, [and may charge a reasonable fee, not to exceed twenty-five dollars, for each registration certificate issued under this subsection. Any registration fees collected by the department under this subsection shall be paid to the State Treasurer and credited to the General Fund.]

Sec. 16. Section 21a-408m of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) The Commissioner of Consumer Protection may adopt regulations, in accordance with chapter 54, to establish (1) a standard form for written certifications for the palliative use of marijuana issued by physicians, physician assistants and advanced practice registered nurses under subdivision (1) of subsection (a) of section 21a-408a, as amended by this act, and (2) procedures for registrations under section 21a-408d, as amended by this act. Such regulations, if any, shall be adopted after consultation with the Board of Physicians established in section 21a-408l.

(b) The Commissioner of Consumer Protection shall adopt regulations, in accordance with chapter 54, to establish a reasonable fee to be collected from each qualifying patient to whom a written certification for the palliative use of marijuana is issued under subdivision (1) of subsection (a) of section 21a-408a, as amended by this act, for the purpose of offsetting the direct and indirect costs of administering the provisions of sections 21a-408 to 21a-408m, inclusive, as amended by this act. The commissioner shall collect such fee at the time the qualifying patient registers with the Department of Consumer Protection under subsection (a) of section 21a-408d, as amended by this act. Such fee shall be in addition to any registration fee that may be

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charged under said subsection. The fees required to be collected by the commissioner from qualifying patients under this subsection shall be paid to the State Treasurer and credited to the General Fund.

(c) The Commissioner of Consumer Protection shall adopt or amend regulations, as applicable, in accordance with chapter 54, to implement the provisions of sections 21a-408 to 21a-408g, inclusive, as amended by this act, and section 21a-408l. Notwithstanding the requirements of sections 4-168 to 4-172, inclusive, in order to effectuate the purposes of sections 21a-408 to 21a-408g, inclusive, as amended by this act, and section 21a-408l, and protect public health and safety, prior to adopting or amending such regulations the commissioner shall adopt policies and procedures to implement the provisions of sections 21a-408 to 21a-408g, inclusive, as amended by this act, and section 21a-408, as amended by this act, that shall have the force and effect of law. The commissioner shall post all policies and procedures on the department's Internet web site, and submit such policies and procedures to the Secretary of the State for posting on the eRegulations System, at least fifteen days prior to the effective date of any policy or procedure. Any such policy or procedure shall no longer be effective upon the earlier of either adoption of such policies or procedures as a final regulation pursuant to section 4-172 or forty-eight months from October 1, 2021, if such policies or procedures have not been submitted to the legislative regulation review committee for consideration under section 4-170. Such policies and procedures and regulations shall include, but not be limited to, how the department shall:

(1) Accept applications for the issuance and renewal of registration certificates for qualifying patients and caregivers;

(2) Establish criteria for adding medical conditions, medical treatments or diseases to the list of debilitating medical conditions that qualify for the palliative use of marijuana;

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(3) Establish a petition process under which members of the public may submit petitions, regarding the addition of medical conditions, medical treatments or diseases to the list of debilitating medical conditions;

(4) Establish requirements for the growing of cannabis plants by a qualifying patient in his or her primary residence as authorized under section 21a-408d, as amended by this act, including requirements for securing such plants to prevent access by any individual other than the patient or the patient's caregiver, the location of such plants and any other requirements necessary to protect public health or safety;

(5) Develop a distribution system for marijuana for palliative use that provides for:

(A) Marijuana production facilities within this state that are housed on secured grounds and operated by producers;

(B) The transfer of marijuana between dispensary facilities; and

(C) Distribution of marijuana for palliative use to qualifying patients or their caregivers by dispensary facilities, hybrid retailers and delivery services, as such terms are defined in section 21a-420, as amended by this act; and

(6) Ensure an adequate supply and variety of marijuana to dispensary facilities and hybrid retailers to ensure uninterrupted availability for qualifying patients, based on historical marijuana purchase patterns by qualifying patients.

Sec. 17. Section 21a-408m of the 2022 supplement to the general statutes, as amended by section 16 of this act, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(a) The Commissioner of Consumer Protection may adopt

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regulations, in accordance with chapter 54, to establish (1) a standard form for written certifications for the palliative use of marijuana issued by physicians, physician assistants and advanced practice registered nurses under subdivision (1) of subsection (a) of section 21a-408a, as amended by this act, and (2) procedures for registrations under section 21a-408d, as amended by this act. Such regulations, if any, shall be adopted after consultation with the Board of Physicians established in section 21a-408l.

[(b) The Commissioner of Consumer Protection shall adopt regulations, in accordance with chapter 54, to establish a reasonable fee to be collected from each qualifying patient to whom a written certification for the palliative use of marijuana is issued under subdivision (1) of subsection (a) of section 21a-408a, for the purpose of offsetting the direct and indirect costs of administering the provisions of sections 21a-408 to 21a-408m, inclusive. The commissioner shall collect such fee at the time the qualifying patient registers with the Department of Consumer Protection under subsection (a) of section 21a-408d. Such fee shall be in addition to any registration fee that may be charged under said subsection. The fees required to be collected by the commissioner from qualifying patients under this subsection shall be paid to the State Treasurer and credited to the General Fund.]

[(c)] (b) The Commissioner of Consumer Protection shall adopt or amend regulations, as applicable, in accordance with chapter 54, to implement the provisions of sections 21a-408 to 21a-408g, inclusive, as amended by this act, and section 21a-408l. Notwithstanding the requirements of sections 4-168 to 4-172, inclusive, in order to effectuate the purposes of sections 21a-408 to 21a-408g, inclusive, as amended by this act, and section 21a-408l, and protect public health and safety, prior to adopting or amending such regulations the commissioner shall adopt policies and procedures to implement the provisions of sections 21a-408 to 21a-408g, inclusive, as amended by this act, and section 21a-408, as

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amended by this act, that shall have the force and effect of law. The commissioner shall post all policies and procedures on the department's Internet web site, and submit such policies and procedures to the Secretary of the State for posting on the eRegulations System, at least fifteen days prior to the effective date of any policy or procedure. Any such policy or procedure shall no longer be effective upon the earlier of either adoption of such policies or procedures as a final regulation pursuant to section 4-172 or forty-eight months from October 1, 2021, if such policies or procedures have not been submitted to the legislative regulation review committee for consideration under section 4-170. Such policies and procedures and regulations shall include, but not be limited to, how the department shall:

(1) Accept applications for the issuance and renewal of registration certificates for qualifying patients and caregivers;

(2) Establish criteria for adding medical conditions, medical treatments or diseases to the list of debilitating medical conditions that qualify for the palliative use of marijuana;

(3) Establish a petition process under which members of the public may submit petitions, regarding the addition of medical conditions, medical treatments or diseases to the list of debilitating medical conditions;

(4) Establish requirements for the growing of cannabis plants by a qualifying patient in his or her primary residence as authorized under section 21a-408d, as amended by this act, including requirements for securing such plants to prevent access by any individual other than the patient or the patient's caregiver, the location of such plants and any other requirements necessary to protect public health or safety;

(5) Develop a distribution system for marijuana for palliative use that provides for:

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(A) Marijuana production facilities within this state that are housed on secured grounds and operated by producers;

(B) The transfer of marijuana between dispensary facilities; and

(C) Distribution of marijuana for palliative use to qualifying patients or their caregivers by dispensary facilities, hybrid retailers and delivery services, as such terms are defined in section 21a-420, as amended by this act; and

(6) Ensure an adequate supply and variety of marijuana to dispensary facilities and hybrid retailers to ensure uninterrupted availability for qualifying patients, based on historical marijuana purchase patterns by qualifying patients.

Sec. 18. Subsection (a) of section 21a-246 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) No person within this state shall manufacture, wholesale, repackage, supply, compound, mix, cultivate or grow, or by other process produce or prepare, controlled substances without first obtaining a license to do so from the Commissioner of Consumer Protection and no person within this state shall operate a laboratory for the purpose of research or analysis using controlled substances without first obtaining a license to do so from the Commissioner of Consumer Protection, except that such activities by pharmacists or pharmacies in the filling and dispensing of prescriptions or activities incident thereto, or the dispensing or administering of controlled substances by dentists, podiatrists, physicians, physician assistants, advanced practice registered nurses or veterinarians, or other persons acting under their supervision, in the treatment of patients shall not be subject to the provisions of this section, and provided laboratories for instruction in dentistry, medicine, nursing, pharmacy, pharmacology and

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pharmacognosy in institutions duly licensed for such purposes in this state shall not be subject to the provisions of this section except with respect to narcotic drugs and schedule I and II controlled substances. Upon application of any physician or physician assistant licensed pursuant to chapter 370, or an advanced practice registered nurse licensed pursuant to chapter 378, the Commissioner of Consumer Protection shall without unnecessary delay, (1) license such physician to possess and supply marijuana for the treatment of glaucoma or the side effects of chemotherapy, or (2) license such physician assistant or advanced practice registered nurse to possess and supply marijuana for the treatment of the side effects of chemotherapy. No person outside this state shall sell or supply controlled substances within this state without first obtaining a license to do so from the Commissioner of Consumer Protection, provided no such license shall be required of a manufacturer whose principal place of business is located outside this state and who is registered with the federal Drug Enforcement Administration or other federal agency, and who files a copy of such registration with the appropriate licensing authority under this chapter.

Sec. 19. Section 21a-253 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

Any person may possess or have under his control a quantity of marijuana less than or equal to that quantity supplied to him pursuant to a prescription made in accordance with the provisions of section 21a-249 by (1) a physician licensed under the provisions of chapter 370 and further authorized by subsection (a) of section 21a-246, as amended by this act, by the Commissioner of Consumer Protection to possess and supply marijuana for the treatment of glaucoma or the side effects of chemotherapy, or (2) a physician assistant licensed under the provisions of chapter 370, or an advanced practice registered nurse licensed under the provisions of chapter 378, and further authorized by subsection (a) of section 21a-246, as amended by this act, by said commissioner to

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possess and supply marijuana for the treatment of the side effects of chemotherapy.

Sec. 20. Section 7 of public act 21-9 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) As used in this section:

(1) "Advanced practice registered nurse" means an advanced practice registered nurse licensed pursuant to chapter 378 of the general statutes;

(2) "Physician" has the same meaning as provided in section 21a-408 of the general statutes, as amended by this act;

(3) "Physician assistant" has the same meaning as provided in section 21a-408 of the general statutes, as amended by this act;

[(3)] (4) "Qualifying patient" has the same meaning as provided in section 21a-408 of the general statutes, as amended by this act; and

[(4)] (5) "Written certification" has the same meaning as provided in section 21a-408 of the general statutes, as amended by this act.

(b) Notwithstanding the provisions of sections 21a-408 to 21a-408n, inclusive, of the general statutes, as amended by this act, or any other section, regulation, rule, policy or procedure concerning the certification of medical marijuana patients, a physician, physician assistant or advanced practice registered nurse may issue a written certification to a qualifying patient and provide any follow-up care using telehealth services during the period beginning on the effective date of this section and ending on June 30, 2023, provided all other requirements for issuing the written certification to the qualifying patient and all recordkeeping requirements are satisfied.

Sec. 21. Section 21a-420d of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof

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(Effective from passage):

(a) There is established a Social Equity Council, which shall be within the Department of Economic and Community Development for administrative purposes only.

(b) The council shall consist of fifteen members as follows:

(1) One appointed by the speaker of the House of Representatives, who has a professional background of not less than five years working in the field of either social justice or civil rights;

(2) One appointed by the president pro tempore of the Senate, who has a professional background of not less than five years working in the field of either social justice or civil rights;

(3) One appointed by the majority leader of the House of Representatives, who has a professional background of not less than five years working in the field of economic development to help minority-owned businesses;

(4) One appointed by the majority leader of the Senate, who has a professional background of not less than five years in providing access to capital to minorities, as defined in section 32-9n;

(5) One appointed by the minority leader of the House of Representatives, who is from a community that has been disproportionately harmed by cannabis prohibition and enforcement;

(6) One appointed by the minority leader of the Senate, who has a professional background of not less than five years in providing access to capital to minorities, as defined in section 32-9n;

(7) One appointed by the chairperson of the Black and Puerto Rican Caucus of the General Assembly;

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(8) Four appointed by the Governor, one who is from a community that has been disproportionately harmed by cannabis prohibition and enforcement, one who has a professional background of not less than five years working in the field of economic development and one who is an executive branch official focused on workforce development;

(9) The Commissioner of Consumer Protection, or the commissioner's designee;

(10) The Commissioner of Economic and Community Development, or the commissioner's designee;

(11) The State Treasurer, or the State Treasurer's designee; and

(12) The Secretary of the Office of Policy and Management, or the secretary's designee.

(c) In making the appointments in subsection (b) of this section, the appointing authority shall use best efforts to make appointments that reflect the racial, gender and geographic diversity of the population of the state. All appointments shall be made not later than [thirty days after the effective date of this section] July 30, 2021, and the Governor shall appoint the chairperson of the council from among the members of the council. Members appointed by the Governor shall serve a term of four years from the time of appointment and members appointed by any other appointing authority shall serve a term of three years from the time of appointment. The appointing authority shall fill any vacancy for the unexpired term. The Governor shall appoint an interim executive director to operationalize and support the council until, notwithstanding the provisions of section 4-9a, the council appoints an executive director. Subject to the provisions of chapter 67, and within available appropriations, the council may thereafter appoint an executive director and such other employees as may be necessary for the discharge of the duties of the council.

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(d) A majority of the members of the council shall constitute a quorum for the transaction of any business. The members of the council shall serve without compensation, but shall, within available appropriations, be reimbursed for expenses necessarily incurred in the performance of their duties. Any member who fails to attend three consecutive meetings held after the effective date of this section, or who fails to attend fifty per cent of all meetings held during any calendar year beginning on or after January 1, 2023, shall be deemed to have resigned from office. The appointing authority shall fill the vacancy for the unexpired term of any member who is deemed to have resigned from office under this subsection, and shall use best efforts to ensure such appointment reflects the racial, gender and geographic diversity of the population of the state.

(e) The council may (1) request, and shall receive, from any state agency such information and assistance as the council may require; (2) use such funds as may be available from federal, state or other sources and may enter into contracts to carry out the purposes of the council, including, but not limited to, contracts or agreements with Connecticut Innovations, Incorporated, constituent units of the state system of higher education, regional workforce development boards and community development financial institutions; (3) utilize voluntary and uncompensated services of private individuals, state or federal agencies and organizations as may, from time to time, be offered and needed; (4) accept any gift, donation or bequest for the purpose of performing the duties of the council; (5) hold public hearings; (6) establish such standing committees, as necessary, to perform the duties of the council; and (7) adopt regulations, in accordance with chapter 54, as it may deem necessary to carry out the duties of the council.

(f) The council shall promote and encourage full participation in the cannabis industry by persons from communities that have been disproportionately harmed by cannabis prohibition and enforcement.

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(g) Not later than forty-five days after June 22, 2021, or at a later date determined by the council, the council shall establish criteria for proposals to conduct a study under this section and the Secretary of the Office of Policy and Management shall post on the State Contracting Portal a request for proposals to conduct a study, and shall select an independent third party to conduct such study and provide detailed findings of fact regarding the following matters in the state or other matters determined by the council:

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

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

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

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

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

(h) Not later than January 1, 2022, the council shall, taking into account the results of the study conducted in accordance with

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subsection (g) of this section, make written recommendations, in accordance with the provisions of section 11-4a, to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to finance, revenue and bonding, consumer protection and the judiciary regarding legislation to implement the provisions of this section. The council shall make recommendations regarding:

(1) Creating programs to ensure that individuals from communities that have been disproportionately harmed by cannabis prohibition and enforcement are provided equal access to licenses for cannabis establishments;

(2) Specifying additional qualifications for social equity applicants;

(3) Providing for expedited or priority license processing for each license as a retailer, hybrid retailer, cultivator, micro-cultivator, product manufacturer, food and beverage manufacturer, product packager, transporter and delivery service license for social equity applicants;

(4) Establishing minimum criteria for any cannabis establishment licensed on or after January 1, 2022, that is not owned by a social equity applicant, to comply with an approved workforce development plan to reinvest or provide employment and training opportunities for individuals in disproportionately impacted areas;

(5) Establishing criteria for a social equity plan for any cannabis establishment licensed on or after January 1, 2022, to further the principles of equity, as defined in section 21a-420, as amended by this act;

(6) Recruiting individuals from communities that have been disproportionately harmed by cannabis prohibition and enforcement to enroll in the workforce training program established pursuant to section 21a-421g;

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(7) Potential uses for revenue generated under RERACA to further equity;

(8) Encouraging participation of investors, cannabis establishments, and entrepreneurs in the cannabis business accelerator program established pursuant to section 21a-421f;

(9) Establishing a process to best ensure that social equity applicants have access to the capital and training needed to own and operate a cannabis establishment; and

(10) Developing a vendor list of women-owned and minority-owned businesses that cannabis establishments may contract with for necessary services, including, but not limited to, office supplies, information technology infrastructure and cleaning services.

(i) Not later than August 1, 2021, and annually thereafter, the council shall use the most recent five-year United States Census Bureau American Community Survey estimates or any successor data to determine one or more United States census tracts in the state that are a disproportionately impacted area and shall publish a list of such tracts on the council's Internet web site.

(j) After developing criteria for workforce development plans as described in subdivision (4) of subsection (h) of this section, the council shall review and approve or deny in writing any such plan submitted by a producer under section 21a-420l or a hybrid-retailer under section 21a-420u, as amended by this act.

(k) The council shall develop criteria for evaluating the ownership and control of any equity joint venture created under section 21a-420m, as amended by this act, [or] 21a-420u, as amended by this act, or section 5 of this act and shall review and approve or deny in writing such equity joint venture prior to such equity joint venture being licensed under section 21a-420m, as amended by this act, [or] 21a-420u, as amended by

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this act, or section 5 of this act. After developing criteria for social equity plans as described in subdivision (5) of subsection (h) of this section, the council shall review and approve or deny in writing any such plan submitted by a cannabis establishment as part of its final license application. The council shall not approve any equity joint venture applicant which shares with an equity joint venture any individual owner who meets the criteria established in subparagraphs (A) and (B) of subdivision (48) of section 21a-420, as amended by this act.

(l) The Social Equity Council shall, upon receipt of funds from producers in accordance with subdivision (5) of subsection (b) of section 21a-420l, develop a program to assist social equity applicants to open not more than two micro-cultivator establishment businesses in total. Producers shall provide mentorship to such social equity applicants. The Social Equity Council shall, with the department, determine a system to select social equity applicants to participate in such program without participating in a lottery or request for proposals.

Approved May 24, 2022