



General Assembly

Amendment

January Session, 2023

LCO No. 8473



Offered by:
REP. D'AGOSTINO, 91st Dist.

To: House Bill No. 6694

File No. 91

Cal. No. 83

"AN ACT ESTABLISHING A TASK FORCE TO STUDY CONSUMER PROTECTION IN THIS STATE."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 21a-420o of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2023*):

5 (a) Thirty days after the Social Equity Council posts the criteria for
6 social equity applicants on its Internet web site, the department shall
7 open up a three-month application period for cultivators during which
8 a social equity applicant may apply to the department for a provisional
9 cultivator license and final license for a cultivation facility located in a
10 disproportionately impacted area without participating in a lottery or
11 request for proposals. Such application for a provisional license shall be
12 granted upon: (1) [verification] Verification by the Social Equity Council
13 that the applicant meets the criteria for a social equity applicant; (2) the
14 applicant submitting to and passing a criminal background check; and
15 (3) payment of a three-million-dollar fee to be deposited in the Social

16 Equity and Innovation Fund established in section 21a-420f. Upon
17 granting such provisional license, the department shall notify the
18 applicant of the project labor agreement requirements of section 21a-
19 421e.

20 (b) To obtain a final cultivator license under this section, the social
21 equity applicant shall provide evidence of: (1) [a] A contract with an
22 entity providing an approved electronic tracking system as described in
23 section 21a-421n; (2) a right to exclusively occupy [a] the location [in a
24 disproportionately impacted area] at which the cultivation facility will
25 be located, which location shall be situated (A) in a disproportionately
26 impacted area, or (B) in the case of an exclusively outdoor grow, in a
27 municipality containing any portion of a disproportionately impacted
28 area, provided such outdoor grow is conducted on land that such
29 municipality has approved for agricultural or farming uses; (3) any
30 necessary local zoning approval and permits for the cultivation facility;
31 (4) a business plan; (5) a social equity plan approved by the Social Equity
32 Council; (6) written policies for preventing diversion and misuse of
33 cannabis and sales of cannabis to underage persons; and (7) blueprints
34 of the facility and all other security requirements of the department.

35 Sec. 2. Section 21a-420v of the general statutes is repealed and the
36 following is substituted in lieu thereof (*Effective from passage*):

37 (a) A dispensary facility or hybrid retailer may submit an application
38 to the department, in a form and manner prescribed by the
39 commissioner, to relocate its current dispensary facility or hybrid
40 retailer location. Such relocation application shall include, at a
41 minimum:

42 (1) The size of the qualifying patient population that the applicant
43 served during the six-month period preceding the date on which the
44 dispensary facility or hybrid retailer submits such relocation
45 application, broken down by month and indicating whether such
46 qualifying patient population increased or decreased during such six-
47 month period;

48 (2) Evidence of accessible alternatives in the area surrounding the
49 applicant, prior to the proposed relocation, where qualifying patients
50 may obtain medical marijuana products;

51 (3) Whether the applicant will provide delivery services to the
52 qualifying patients whom the applicant serves prior to the proposed
53 relocation and, if so, the length of time and geographic scope of such
54 delivery services;

55 (4) A plan to communicate the proposed relocation to qualifying
56 patients, including, but not limited to, the methods of and timeframes
57 for such communications; and

58 (5) A plan to communicate with nearby dispensary facilities and
59 hybrid retailers concerning the proposed relocation and the needs of the
60 qualifying patients whom the applicant serves.

61 [(a) Until June 30, 2023, the] (b) The commissioner may deny a
62 [change of location] relocation application from a dispensary facility or
63 hybrid retailer based on the needs of qualifying patients.

64 [(b)] (c) Prior to June 30, 2022, the commissioner shall not approve the
65 relocation of a dispensary facility or hybrid retailer to a location that is
66 further than ten miles from its current dispensary facility or hybrid
67 retailer location.

68 Sec. 3. Subsection (k) of section 21a-420d of the general statutes is
69 repealed and the following is substituted in lieu thereof (*Effective July 1,*
70 *2023*):

71 (k) The council shall develop criteria for evaluating the ownership
72 and control of any equity joint venture created under section 21a-420m,
73 21a-420u or section 21a-420j and shall review and approve or deny in
74 writing such equity joint venture prior to such equity joint venture being
75 licensed under section 21a-420m, 21a-420u or section 21a-420j. After
76 developing criteria for social equity plans as described in subdivision
77 (5) of subsection (h) of this section, the council shall review and approve

78 or deny in writing any such plan submitted by a cannabis establishment
 79 as part of its final license application. The council shall not approve any
 80 equity joint venture applicant which shares with an equity joint venture
 81 any individual owner who meets the criteria established in
 82 subparagraphs (A) and (B) of subdivision (48) of section 21a-420, other
 83 than an individual owner in their capacity as a backer licensed under
 84 section 21a-420o, as amended by this act."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	21a-420o
Sec. 2	<i>from passage</i>	21a-420v
Sec. 3	<i>July 1, 2023</i>	21a-420d(k)