

HOUSE No. 3172

The Commonwealth of Massachusetts

PRESENTED BY:

Kenneth I. Gordon, (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to marijuana and marijuana concentrate in primary residence.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kathryn Rifkin</i>		<i>1/20/2017</i>

HOUSE No. 3172

By Mr. Gordon of Bedford (by request), a petition (accompanied by bill, House, No. 3172) of Kathryn Rifkin relative to penalties for possessing excessive amounts of marijuana and marijuana concentrate in primary residences. Marijuana Policy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to marijuana and marijuana concentrate in primary residence.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to ensure the safe implementation of marijuana legalization, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1 Subsection (a)(1) of Section 7 of chapter 94G of the General Laws, inserted
2 by section 5 of chapter 334 of the acts of 2016 is hereby amended inserting before the word
3 “possessing” the following words “outside their primary residence.”

4 SECTION 2 Subsection (a)(2) of Section 7 of chapter 94G of the General Laws, inserted
5 by section 5 of chapter 334 of the acts of 2016 is hereby amended by striking out said section
6 (a)(2) and inserting in place thereof the follow, “within the person’s primary residence,
7 possessing up to 10 ounces of marijuana and any marijuana produced and marijuana concentrate
8 derived from marijuana plants cultivated on the premises”.

9 SECTION 3, Subsection (a) Section 13 of chapter 94G of the General Laws, inserted by
10 section 5 of chapter 334 of the acts of 2016 is hereby amended by striking the numeral “8” and
11 inserting in place thereof the number “7”.

12 SECTION 4, Subsection (e) Section 13 of chapter 94G of the General Laws, inserted by
13 section 5 of chapter 334 of the acts of 2016 is hereby amended by striking the subsection and
14 inserting in its place the following words, “Possession of excess marijuana outside primary
15 residence. Notwithstanding chapter 94C of the General Laws and until the import or export of
16 marijuana to or from the commonwealth is not prohibited by federal law, a person who is at least
17 21 years of age and who possesses an amount of marijuana outside of their primary residence
18 having a weight of more than 1 ounce but not more than 2 ounces, or more than 5 grams of
19 marijuana in the form of marijuana concentrate but not more than 10 grams, or a combination of
20 marijuana and marijuana concentrate exceeding the equivalent of 1 ounce of marijuana but less
21 than 2 ounces shall be subject only to a civil penalty of not more than \$100 and forfeiture of the
22 marijuana and or concentrate not allowed by section 7 of this chapter, but shall not be subject to
23 any other form of criminal or civil punishment or disqualification solely for this conduct.