

HOUSE No. 4546

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 24, 2022.

The committee on Cannabis Policy to whom was referred the petition (accompanied by bill, House, No. 173) of David M. Rogers relative to vertical integration of medical marijuana businesses, reports recommending that the accompanying bill (House, No. 4546) ought to pass.

For the committee,

DANIEL M. DONAHUE.

HOUSE No. 4546

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to vertical integration of medical marijuana businesses.

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. Section 4 of chapter 64N of the General Laws is hereby amended by
2 inserting after the words “medical marijuana treatment center” the following:-

3 , fully integrated medical marijuana treatment center,

4 SECTION 2. Section 1 of chapter 94I of the General Laws is hereby amended by striking
5 the definitions of “Card holder”, “Cultivation registration”, “Locked area”, “Medical marijuana
6 treatment center”, “Medical use marijuana”, “Medical use marijuana license”, “Registration
7 card”, and “Temporary Registration”, and inserting the following definitions:-

8 “Card holder”, a registered qualifying patient, personal caregiver or agent of a medical
9 marijuana treatment center or fully integrated medical marijuana treatment center who has been
10 issued and possesses a valid registration card.

“Cultivation registration”, a registration issued to a fully integrated medical marijuana treatment center or medical marijuana cultivator to grow medical use marijuana under the terms of this chapter, or to a qualified patient or personal caregiver.

“Fully integrated medical marijuana treatment center” means a medical marijuana-related business with the ability to cultivate, manufacture, process and sell medical use marijuana to qualifying patients or businesses.

“Locked area”, a closet, room, greenhouse or other indoor or outdoor area equipped with locks or other security devices, accessible only to registered and authorized medical marijuana establishment employees, registered qualifying patients or registered personal caregivers.

"Medical marijuana establishment", a medical marijuana cultivator, medical marijuana product manufacturer, medical marijuana retailer or any other type of medical marijuana-related business licensed by the commission.

"Medical marijuana treatment center", the premises approved under a fully integrated medical marijuana treatment center license or a medical use marijuana license where a qualifying patient or personal caregiver may purchase their medical use marijuana.

“Medical use marijuana”, marijuana or marijuana accessories sold by a medical marijuana treatment center or a fully integrated medical marijuana treatment center to a card holder for medical use or marijuana or marijuana accessories possessed by a qualifying patient under a cultivation registration.

30 “Medical use marijuana license”, a license issued by the commission that permits the
31 licensee to operate a medical marijuana treatment center or a fully integrated medical marijuana
32 treatment center.

33 “Registration card”, a personal identification card issued by the commission to a
34 registered qualifying patient, personal caregiver, laboratory agent or agent of a medical
35 marijuana treatment center or a fully integrated medical marijuana treatment center. The
36 registration card facilitates verification of an individual registrant's status, including, but not
37 limited to, verification that a registered healthcare professional has provided a written
38 certification to the qualifying patient; that the patient has designated the individual as a personal
39 caregiver; that a laboratory agent has been registered with the commission and is authorized to
40 possess and test marijuana; or that an agent has been registered with the commission and is
41 authorized to work at a medical marijuana treatment center or a fully integrated medical
42 marijuana treatment center. A temporary registration issued to a qualifying patient shall be
43 deemed a registration card.

44 “Temporary Registration” an interim registration document for patients and their personal
45 caregivers generated automatically upon the commission's receipt of a healthcare professional's
46 electronic certification. The temporary registration document shall constitute a registration card
47 for patients and their personal caregivers to access a medical marijuana treatment center or a
48 fully integrated medical marijuana treatment center. Temporary registration shall expire 14 days
49 after the commission issues the registration card.

SECTION 3. Section 2(c) of chapter 94I of the General Laws, is hereby amended by striking “medical marijuana treatment center” and inserting in place thereof the following words:-

“medical marijuana establishment”

SECTION 4. Section 2 of chapter 94I of the General Laws, is hereby amended by adding the following subsection:-

(f) The commission may establish and enforce license tiers to make available separate license classes, including but not limited to: medical marijuana product manufacturer, medical marijuana cultivator, fully integrated medical marijuana treatment center and medical marijuana treatment center. The commission may promulgate the rules and regulations relative to medical license classes established under this subsection and shall have the power to encourage full participation in the medical marijuana industry by people from communities disproportionately harmed by cannabis prohibition and enforcement and shall have all other powers listed under Section 4 (a) of chapter 94G.

SECTION 5. Section 7 of chapter 94I, is hereby amended by striking the words “medical marijuana treatment centers” and inserting in place thereof the following words:-

“medical marijuana establishments, and for any classes of license under subsection (f) of section 2 of this chapter,”

SECTION 6. Chapter 94G is hereby amended, in section 1, by striking the words “marijuana establishment or a medical marijuana treatment center” and inserting in place thereof the following words:- “marijuana establishment or a medical marijuana establishment”

and further amended, in section 1, by striking out the words “medical marijuana treatment center or any licensee or marijuana establishment” and inserting in place thereof the following words:- “marijuana establishment or medical marijuana establishment or any licensee”

and further amended, in section 3, by striking out the words “marijuana establishment or a medical marijuana treatment center” and inserting in place thereof the following words:- “marijuana establishment or a medical marijuana establishment”

and further amended, in section 3, by striking out the words “marijuana establishment or medical marijuana treatment center” and inserting in place thereof the following words:- “marijuana establishment or medical marijuana establishment”

and further amended, in section 4(a1/2), by striking out in clause (xx) the words “medical marijuana treatment center” and inserting in place thereof the following words:- “fully integrated medical marijuana treatment center”

and further amended, in section 4(c)(4), by striking out, in both instances, the words “medical marijuana treatment center” and inserting in place thereof the following words:- “medical marijuana establishment”

and further amended, in section 4(c)(5), by striking out the words “medical marijuana treatment centers” and inserting in place thereof the following words:- “medical marijuana establishments”.

SECTION 7. Section 16 of chapter 94G is hereby amended by inserting in place thereof the following section:-

Section 16. No licensee shall be granted more than 3 marijuana retailer licenses, 3 fully integrated medical marijuana treatment center licenses, 3 medical marijuana treatment center licenses, 3 medical marijuana product manufacturer licenses, 3 medical marijuana cultivator licenses, 3 marijuana product manufacturer licenses or 3 marijuana cultivator licenses; provided, however, that a licensee may hold 3 marijuana retailer licenses, 3 medical marijuana treatment center licenses, 3 medical marijuana product manufacturer licenses, 3 medical marijuana cultivator licenses, 3 marijuana product manufacturer licenses and 3 marijuana cultivator licenses, provided, however, that a fully integrated medical marijuana licensee shall be limited to 3 fully integrated medical marijuana licenses and may not hold another medical marijuana-related license.

SECTION 8. The cannabis control commission may allow medical marijuana treatment centers the ability to amend their license, subject to the license limit established in section 16 of chapter 94G, for up to one year after the effective date of this act; provided, that a fully integrated medical marijuana treatment center licensee may not obtain additional medical license type.