

The Commonwealth of Massachusetts

INITIATIVE PETITION OF ANGIE AN-CHI TSO AND OTHERS.

OFFICE OF THE SECRETARY.

BOSTON, January 7, 2026.

Timothy Carroll
Clerk of the House of Representatives
State House
Boston, Massachusetts 02133

Sir: — I herewith transmit to you, in accordance with the requirements of Article XLVIII of the Amendments to the Constitution “An Initiative Petition for An Act to Restore Sensible Marijuana Policy,” signed by ten qualified voters and filed with this department on or before December 3, 2025, together with additional signatures of qualified voters in the number of 78,301, being a sufficient number to comply with the provisions of said Article.

Sincerely,

WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth.

AN INITIATIVE PETITION.

Pursuant to Article XLVIII of the Amendments to the Constitution of the Commonwealth, as amended, the undersigned qualified voters of the Commonwealth, ten in number at least, hereby petition for the enactment into law of the following measure:

HOUSE No. 5002

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act to restore a sensible marijuana policy.

Be it enacted by the People, and by their authority, as follows:

1 SECTION 1. The Act’s purpose is to modify the criteria for the legal possession,
2 distribution, and use of marijuana by: (a) continuing the medical use of marijuana program; (b)
3 ensuring that the simple possession of 1 ounce or less of marijuana by those 21 and over is not
4 punishable by civil or criminal penalties, and that possession of over 1 ounce to no more than 2
5 ounces of marijuana is punishable only by a civil penalty; and (c) repealing Chapters 94G and
6 64N of the General Laws which govern the possession, use, distribution, cultivation, and taxation
7 of marijuana not medically prescribed. To the fullest extent possible, the Act’s terms are to be
8 interpreted in accordance with the purpose and intent set forth in this section.

9 SECTION 2. This act may be known as “An Act to Restore A Sensible Marijuana
10 Policy.”

11 SECTION 3. Chapter 64N of the General Laws is hereby repealed.

12 SECTION 4. Chapter 94C of the General Laws, as appearing in the 2024 Official
13 Edition, is hereby amended by striking out section 32L and inserting in place thereof the
14 following section:

15 Section 32L Possession of marihuana; civil penalty and forfeiture; other sanctions or
16 disqualifications prohibited

17 (a) Notwithstanding any other general or special law to the contrary, except as otherwise
18 provided in this chapter, a person 21 years of age or older shall not be arrested, prosecuted,
19 penalized, sanctioned or disqualified under the laws of the commonwealth in any manner, or
20 denied any right or privilege and shall not be subject to seizure or forfeiture of assets for:

21 (1) possessing 1 ounce or less of marihuana, except that not more than 5 grams of
22 marihuana may be in the form of marihuana concentrate; or

23 (2) giving away or otherwise transferring without remuneration up to 1 ounce of
24 marihuana, except that not more than 5 grams of marihuana may be in the form of marihuana
25 concentrate, to a person 21 years of age or older, as long as the transfer is not advertised or
26 promoted to the public.

27 (b) Notwithstanding any general or special law to the contrary, possession of an amount between
28 more than 1 ounce and 2 ounces or less of marihuana for an offender 21 years of age or older
29 shall only be a civil offense, subjecting an offender to a civil penalty of one hundred dollars and
30 forfeiture of the marihuana, but not to any other form of criminal or civil punishment or
31 disqualification.

32 (c) Notwithstanding any general or special law to the contrary, possession of an amount of 2
33 ounces or less of marihuana for an offender under the age of 21 shall be subject to the same
34 forfeiture and civil penalty provisions as subsection (b), provided he or she completes a drug
35 awareness program which meets the criteria set forth in Section 32M of this Chapter. The parents
36 or legal guardian of any offender under the age of eighteen shall be notified in accordance with
37 Section 32N of this Chapter of the offense and the availability of a drug awareness program and
38 community service option. If an offender under the age of eighteen fails within one year of the
39 offense to complete both a drug awareness program and the required community service, the
40 civil penalty may be increased pursuant to Section 32N of this Chapter to one thousand dollars
41 and the offender and his or her parents shall be jointly and severally liable to pay that amount.

42 (d) Except as specifically provided in this chapter, section 24I of chapter 90, and chapter 387 of
43 the acts of 2008, neither the Commonwealth nor any of its political subdivisions or their
44 respective agencies, authorities or instrumentalities may impose any other form of penalty,
45 sanction or disqualification on an offender for possessing 2 ounces or less of marihuana. By way
46 of illustration rather than limitation, possession of 2 ounces or less of marihuana shall not
47 provide a basis to deny an offender student financial aid, public housing or any form of public
48 financial assistance including unemployment benefits, to deny the right to operate a motor
49 vehicle or to disqualify an offender from serving as a foster parent or adoptive parent.

50 Information concerning the offense of possession of 2 ounces or less of marihuana shall not be
51 deemed “criminal offender record information,” “evaluative information,” or “intelligence
52 information” as those terms are defined in Section 167 of Chapter 6 of the General Laws and
53 shall not be recorded in the Criminal Offender Record Information system.

54 (e) As used herein, “possession of 2 ounces or less of marihuana” includes possession of 2
55 ounces or less of marihuana or tetrahydrocannabinol and having cannabinoids or cannibinoid
56 metabolites in the urine, blood, saliva, sweat, hair, fingernails, toe nails or other tissue or fluid of
57 the human body. Nothing contained herein shall be construed to repeal or modify existing laws,
58 ordinances or bylaws, regulations, personnel practices or policies concerning the operation of
59 motor vehicles or other actions taken while under the influence of marihuana or
60 tetrahydrocannabinol, laws concerning the unlawful possession of prescription forms of
61 marihuana or tetrahydrocannabinol such as Marinol, possession of more than 2 ounces of
62 marihuana or tetrahydrocannabinol, or selling, manufacturing or trafficking in marihuana or
63 tetrahydrocannabinol. Nothing contained herein shall prohibit a political subdivision of the
64 Commonwealth from enacting ordinances or bylaws regulating or prohibiting the consumption
65 of marihuana or tetrahydrocannabinol in public places and providing for additional penalties for
66 the public use of marihuana or tetrahydrocannabinol.

67 (f) The use of marihuana shall not disqualify a person from any needed medical procedure or
68 treatment, including organ and tissue transplants.

69 (g) This section shall not apply to the sale, delivery or furnishing of medical use marijuana
70 pursuant to chapter 94I.

71 (h) For the purposes of this section, “marihuana concentrate” means a substance derived from
72 marihuana that is produced by extracting or concentrating cannabinoids from the plant through
73 the use of: (i) solvents; (ii) carbon dioxide; or (iii) heat, screens, presses, or distillation.

74 SECTION 5. Section 32M of said chapter 94C, as so appearing, is hereby amended by
75 striking out both of said section's references to the word "eighteen" and inserting in place thereof
76 the following word:- 21

77 SECTION 6. Chapter 94G of the General Laws is hereby repealed.

78 SECTION 7. Chapter 94I of the General Laws is hereby amended by inserting after
79 section 1 the following section:-

80 Section 1A. The Cannabis Control Commission.

81 (a) The commission shall have all the powers necessary or convenient to carry out and
82 effectuate its purposes including, but not limited to, the power to:

83 (i) appoint officers and hire employees;

84 (ii) establish and amend a plan of organization that it considers expedient;

85 (iii) execute all instruments necessary or convenient for accomplishing the purposes of
86 this chapter;

87 (iv) enter into agreements or other transactions with a person, including, but not limited
88 to, a public entity or other governmental instrumentality or authority in connection with its
89 powers and duties under this chapter;

90 (v) appear on its own behalf before boards, commissions, departments or other agencies
91 of municipal, state or federal government;

92 (vi) apply for and accept subventions, grants, loans, advances and contributions of
93 money, property, labor or other things of value from any source, to be held, used and applied for
94 its purposes;

95 (vii) provide and pay for advisory services and technical assistance as may be necessary
96 in its judgment to carry out this chapter and fix the compensation of persons providing such
97 services or assistance;

98 (viii) prepare, publish and distribute, with or without charge as the commission may
99 determine, such studies, reports, bulletins and other materials as the commission considers
100 appropriate;

101 (ix) require an applicant for licensure under this chapter to apply for such licensure and
102 approve or disapprove any such application or other transactions, events and processes as
103 provided in this chapter;

104 (x) determine which applicants shall be awarded licenses;

105 (xi) deny an application or limit, condition, restrict, revoke or suspend a license;

106 (xii) establish a registration process, based on finding of suitability or approval of
107 licensure;

108 (xiii) fine a person licensed, registered, found suitable or approved for licensure, for any
109 cause that the commission deems reasonable;

110 (xiv) gather facts and information applicable to the commission's obligation to issue,
111 suspend or revoke licenses, registrations, finding of suitability or approval of licensure for: (A) a
112 violation of this chapter or any regulation adopted by the commission; (B) willfully violating an

113 order of the commission directed to a licensee or a person required to be registered; (C) the
114 conviction of a criminal offense; or (D) any other offense which would disqualify such a licensee
115 from holding a license;

116 (xv) conduct investigations into the qualifications of all applicants for employment by
117 the commission and all applicants for licensure;

118 (xvi) receive from the state police, the department of criminal justice information
119 services or other criminal justice agencies including, but not limited to, the Federal Bureau of
120 Investigation and the Internal Revenue Service, such criminal offender record information
121 relating to criminal and background investigations as necessary for the purpose of evaluating
122 licensees, applicants for license, and lab agents;

123 (xvii) be present, through its inspectors and agents, at any time, in any medical marijuana
124 treatment center for the purposes of exercising its oversight responsibilities;

125 (xviii) inspect and have access to all equipment and supplies in a medical marijuana
126 treatment center;

127 (xix) seize and remove from the premises of a medical marijuana treatment center and
128 impound any marijuana, equipment, supplies, documents and records obtained or possessed in
129 violation of this chapter for the purpose of examination and inspection;

130 (xx) for cause, demand access to and inspect all papers, books and records of close
131 associates of a licensee whom the commission suspects is involved in the financing, operation or
132 management of the licensee; provided, however, that the inspection, examination, photocopying

133 and audit may take place on the affiliate's premises or elsewhere as practicable and in the
134 presence of the affiliate or its agent;

135 (xxi) require that the books and financial or other records or statements of a licensee be
136 kept in a manner that the commission considers proper;

137 (xxii) impose fees and fines, as authorized by this chapter and penalties and sanctions for
138 a violation of this chapter or any regulations promulgated by the commission;

139 (xxiii) collect fees under this chapter;

140 (xxiv) conduct adjudicatory proceedings and promulgate regulations in accordance with
141 chapter 30A;

142 (xxv) refer cases for criminal prosecution to the appropriate federal, state or local
143 authorities;

144 (xxvi) maintain an official internet website for the commission;

145 (xxvii) monitor any federal activity regarding marijuana; and

146 (xxviii) adopt, amend or repeal regulations for the implementation, administration and
147 enforcement of this chapter.

148 (b) The commission shall, in accordance with chapter 30A, adopt regulations consistent
149 with this chapter for the administration, clarification and enforcement of laws regulating and
150 licensing the medical use marijuana program. The regulations shall include:

151 (i) licensure and oversight of independent testing laboratories, and establish testing
152 protocols for the sampling, testing and analysis of marijuana, finished marijuana and medical use

153 marijuana products in consultation with the department of public health and the department of
154 agricultural resources.

155 (c) The commission shall administer the laws and regulations relating to licensing in this
156 chapter.

157 (d) Each fiscal year the commission shall submit an annual finance plan to the secretary
158 of administration and finance, and updates to such plan, in accordance with instructions issued
159 by said secretary.

160 (e) The commission shall hold a public hearing before the adoption, amendment or repeal
161 of any regulation. Adjudicatory proceedings shall be conducted pursuant to chapter 30A of the
162 General Laws and to standard rules of adjudicatory procedure established pursuant to section 9
163 of chapter 30A of the General Laws.

164 (f) The commission shall annually submit a complete and detailed report of the
165 commission's activities, including a review of the implementation and enforcement of this
166 chapter and the governance structure established in this chapter, not more than 90 days after the
167 end of the fiscal year to the governor, the attorney general, the treasurer and receiver-general, the
168 clerks of the house of representatives and the senate, the chairs of the joint committee on
169 cannabis policy and the chairs of the house and senate committees on ways and means.

170 (g) The commission and the department of public health shall work collaboratively to
171 ensure that the production and distribution of medical use marijuana is effectively regulated in
172 the commonwealth in furtherance of the intent of this act.

173 (h) The commission shall promulgate advisory guidelines and best practices on the
174 cultivating of marijuana within a person’s primary residence pursuant to section 2 of this chapter.

175 SECTION 8. Notwithstanding any general or special law to the contrary, the Cannabis
176 Control Commission shall act to expedite and streamline the process for licensees under Chapter
177 94G, including marijuana establishments, to apply for and obtain licenses to participate in the
178 medical use marijuana program administered pursuant to Chapter 94I and for licensees under
179 Chapter 94G to sell existing marijuana supplies to medical marijuana treatment centers licensed
180 pursuant to Chapter 94I.

181 SECTION 9. Severability

182 The provisions of this law are severable and if any clause, sentence, paragraph or section
183 of this measure, or an application thereof, shall be adjudged by any court of competent
184 jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder
185 thereof but shall be confined in its operation to the clause, sentence, paragraph, section or
186 application adjudged invalid.

187 SECTION 10. Effective Date

188 This law shall take effect January 1, 2028.

FIRST TEN SIGNERS

<u>NAME</u>	<u>RESIDENCE</u>	<u>CITY OR TOWN</u>
Angie An-Chi Tso	2 Bramble Way	Acton
Brian Coffey Bilowz	8 Crawford Drive	Woburn
Victoria A. Cudmore	1 Deer Path, #4	Maynard
Caroline Stewart Cunningham	28 Cutler Farm Road	Sudbury
Nassir Ghaemi	1564 Massachusetts Avenue	Cambridge
John Harrison Knowles	49 Walnut Street	Harvard
Brian Peter Latina	15 Jessie Road	Chelmsford
Dave H. Lunger	5 Wampanoag Drive	Acton
Kathleen Lynch	1 Rush Road	Westford
Jeffrey A. Morgan	495 Monument Street	Concord

CERTIFICATE OF THE ATTORNEY GENERAL.

September 3, 2025.

Honorable William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Room 1705
Boston, Massachusetts 02108

Re: Initiative Petition No. 25-10: Initiative Petition for a Law Relative to
Regulating Marijuana – Version B

Dear Secretary Galvin:

In accordance with the provisions of Article 48 of the Amendments to the
Massachusetts Constitution, I have reviewed the above-referenced initiative
petition, which was submitted to me on or before the first Wednesday of August
of this year.

I hereby certify that this measure is in proper form for submission to the people;
that the measure is not, either affirmatively or negatively, substantially the same
as any measure which has been qualified for submission or submitted to the
people at either of the two preceding biennial state elections; and that it contains
only subjects that are related or are mutually dependent and which are not
excluded from the initiative process pursuant to Article 48, the Initiative, Part 2,
Section 2.

In accordance with Article 48, I enclose a fair, concise summary of the measure.

Sincerely,

ANDREA JOY CAMPBELL,
Attorney General.

SUMMARY OF 25-10

The proposed law would change the type and amount of marijuana that may legally be possessed in Massachusetts by repealing the laws that legalize, regulate, and tax the retail sale of adult recreational use marijuana in Massachusetts. The proposed law would also permit persons 21 years of age and older to possess 1 ounce or less of marijuana including no more than 5 grams in the form of concentrate, and to gift or transfer to another person 21 years of age and older 1 ounce or less of marijuana including no more than 5 grams in the form of concentrate. The proposed law would also impose a civil penalty of \$100 and forfeiture of the marijuana for the possession of marijuana between the weight of 1 and 2 ounces.

For persons 21 years of age and younger, the proposed law would make the possession of 2 ounces or less of marijuana a civil infraction subject to a \$100 fine, forfeiture of the marijuana, completion of a drug awareness program and community service, and notification to their parents or legal guardian of the offense and penalties.

The proposed law would allow currently licensed adult recreational marijuana businesses to apply on an expedited basis to become a licensed medical marijuana dispensary and to sell their remaining inventory of adult recreational marijuana to medical marijuana dispensaries. The proposed law would retain the Cannabis Control Commission but modify its authority so it would regulate only the medical marijuana market.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect.

The proposed law would take effect on January 1, 2028.