

HOUSE No. 3506

The Commonwealth of Massachusetts

PRESENTED BY:

Aaron Vega

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 for public safety in regards to homegrown marijuana.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>Carlos González</i>	<i>10th Hampden</i>

HOUSE No. 3506

By Mr. Vega of Holyoke, a petition (accompanied by bill, House, No. 3506) of Aaron Vega and Carlos Gonzalez relative to marijuana cultivators. Marijuana Policy.

The Commonwealth of Massachusetts

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

An Act for public safety in regards to homegrown marijuana.

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 1 of chapter 94G of the General Laws, as inserted by section 5 of
2 chapter 334 of the acts of 2016, is hereby amended by striking out the definition of “marijuana
3 cultivator” and inserting in place thereof the following definition:- (i) “marijuana cultivator”, an
4 entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana
5 establishments and to transfer marijuana to other marijuana establishments but not to consumers;
6 provided, that a marijuana cultivator may set aside space on the premises equal to no more than
7 10 per cent of the total space of the entity, to be leased by persons for the purpose of cultivating
8 marijuana for personal use subject to the restrictions in clause (3) of subsection (a) of section 7,
9 and subject to safety inspection by the marijuana cultivator.

10 SECTION 2. Subsection (a) of section 7 of said chapter 94G, as so inserted, is hereby
11 amended by striking out clauses (3) and (4) and inserting in place thereof the following 3
12 clauses:-

13 (3) possessing, cultivating or processing not more than 6 marijuana plants and the
14 marijuana produced by such marijuana plants at a leased space at a licensed marijuana cultivator,
15 subject to safety inspection by the marijuana cultivator; provided, however, that a person may
16 cultivate or process marijuana plants at either their primary residence pursuant to clause (2) or at
17 such leased space, but shall not cultivate or process marijuana plants at both such primary
18 residence and such leased space at the same time; and provided, further, that marijuana produced
19 by such marijuana plants shall be for personal use only and shall not be available for resale;

20 (4) assisting another person who is 21 years of age or older in any of the acts described
21 in this section; or

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

26 SECTION 3. Clause (2) of subsection (a) of section 9 of said chapter 94G, as so inserted,
27 is hereby amended by inserting after the words “marijuana establishment” the following words:-
28 , or leasing space to a person for the possession, cultivation or processing of marijuana plants for
29 personal use on the premises of the marijuana cultivator pursuant to clause (3) of subsection (a)
30 of section 7.

31 SECTION 4. Subsection (e) of section 13 of said chapter 94G, as so inserted, is hereby
32 amended by inserting after the words “2 ounces”, the following words:- , except for marijuana
33 possessed at a leased space on the premises of a marijuana cultivator pursuant to clause (3) of
34 subsection (a) of section 7,.