

HOUSE No. 160

The Commonwealth of Massachusetts

PRESENTED BY:

Samantha Montañó

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 to promote equity joint venture partnerships.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Samantha Montañó</i>	<i>15th Suffolk</i>	<i>1/14/2025</i>

HOUSE No. 160

By Representative Montañó of Boston, a petition (accompanied by bill, House, No. 160) of Samantha Montañó for legislation to promote equity joint venture partnerships. Cannabis Policy.

The Commonwealth of Massachusetts

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

An Act to promote equity joint venture partnerships.

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 is hereby amended by
2 inserting after the definition of “Mycotoxin” the following definitions:-

3 “Person or Entity Having Direct Control”, any person or entity having direct control over
4 the operations of a marijuana establishment, which satisfies one or more of the following criteria:

5 (a) An owner;

6 (b) A person or entity that possesses a voting interest of 10 percent or greater in a
7 marijuana establishment;

8 (c) A close associate;

9 (d) A person or entity that has the right to control or authority, through contract or
10 otherwise including, but not limited to: (1) To appoint more than 50% of the directors or their

equivalent; (2) To appoint or remove corporate-level officers or their equivalent; or (3) To earn 10 percent or more of the profits or collect more than 10 percent of the dividends.

(e) A court appointee or assignee pursuant to an agreement for a general assignment or assignment for the benefit of creditors; or

(f) A third-party technology platform provider that possesses any financial interest in a marijuana delivery licensee including, but not limited to, a delivery agreement or other agreement for services.

“Person or Entity Having Indirect Control”, any person or entity having indirect control over operations of a marijuana establishment. It specifically includes any person or entity having direct control over an indirect holding or parent company of the applicant, and the chief executive officer and executive director of those companies, or any person or entity in a position indirectly to control the decision-making of a marijuana establishment.

SECTION 2. Section 1 of chapter 94G of the General Laws, as so appearing, is hereby amended by inserting after the definition of “Production batch” the following definition:-

“Owner”, any person or entity owning directly or indirectly through parent or holding company, or otherwise, 10 percent or more of the interest in a licensee,

SECTION 3. Section 16 of chapter 94G of the General Laws is hereby amended by adding after the word “licenses” where last occurring:-

provided however that any licensee or any person or entity having direct or indirect control may become a person or entity having direct or indirect control of up to 4 additional marijuana retailer licenses or medical marijuana treatment center licenses if (i) such marijuana

32 retailer licenses are majority owned by a social equity business, economic empowerment
33 business, a Massachusetts Minority Business Enterprises (MBE), Women Business Enterprises
34 (WBE), or Veteran Business Enterprises (VBE) with valid certification from the Supplier
35 Diversity Office of the Massachusetts Operational Services Division as a Disadvantaged
36 Business Enterprise (DBE). and (ii) such person or entity owns directly or indirectly through a
37 parent or holding company, trust, or otherwise, no more than 35 percent of the interest of the
38 business.