

SENATE No. 2749

Senate, November 19, 2025 -- Text of the Senate amendment to the House Bill modernizing the commonwealth's cannabis laws (being the text of Senate document numbered 2722, printed as amended)

The Commonwealth of Massachusetts

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

1 SECTION 1. Chapter 6 of the General Laws is hereby amended by adding the following
2 section:-

3 Section 223. (a) There shall be a Massachusetts cannabis control commission, which shall
4 consist of 2 commissioners appointed by the governor, 1 of whom the governor shall designate
5 as chair, and 1 commissioner appointed by the attorney general. The commissioners shall devote
6 their full time and attention to the duties of the office. The governor shall appoint commissioners
7 with experience or expertise in any of the following areas: public health, public safety, the
8 regulation and business of consumer commodities or the production and distribution of
9 marijuana and marijuana products. The attorney general shall appoint a commissioner with a
10 background in social justice issues related to the cannabis industry. Prior to appointment to the
11 commission, a background investigation shall be conducted into the financial stability, integrity,
12 potential conflicts of interest and responsibility of a candidate, including the candidate's
13 reputation for good character and honesty. No person convicted of a felony shall be eligible to
14 serve on the commission.

15 (b) Each commissioner shall be a resident of the commonwealth within 90 days of
16 appointment and, while serving on the commission, shall not: (i) hold, or be a candidate for,
17 federal, state or local elected office; (ii) hold an appointed office in a federal, state or local
18 government; or (iii) serve as an official in a political party. Not more than 2 commissioners shall
19 be from the same political party.

20 (c) The commissioner designated by the governor as chair shall serve a term coterminous
21 with the governor. The 2 remaining commissioners shall each serve for a term of 4 years or until
22 a successor is appointed. Each commissioner shall be eligible for reappointment. A person
23 appointed to fill a vacancy during the term of a commissioner shall be appointed in the manner
24 provided under this section and shall serve for the unexpired term of that commissioner.

25 (d) Each commissioner shall serve at the pleasure of the appointing authority.

26 (e) Two commissioners shall constitute a quorum and the affirmative vote of 2
27 commissioners shall be required for an action of the commission. The chair or 2 commissioners
28 may call a meeting; provided, however, that notice of all meetings shall be given to each
29 commissioner and to other persons who request such notice. The commission shall adopt
30 regulations establishing procedures, which may include electronic communications, by which a
31 request to receive notice shall be made and the method by which timely notice may be given.

32 (f) The chair shall receive a salary equal to the salary of the secretary of administration
33 and finance under section 4 of chapter 7. The 2 remaining commissioners shall receive a salary
34 equal to 75 per cent of the salary of the secretary of administration and finance under said section
35 4 of said chapter 7.

36 (g)(1) The chair shall preside at all meetings or hearings at which the chair is present and
37 shall designate a commissioner to act as chair in the chair's absence. The chair may, as
38 necessary, assign or reassign responsibilities among the commissioners to ensure the efficient
39 administration of the commission

40 (2) The chair and commissioners shall not participate in or supervise any investigation,
41 inspection, audit, enforcement action or other fact-gathering activity that may be subject to
42 adjudication before the commission.

43 (3) Nothing in this subsection shall be construed to impair the obligation of the chair or
44 any commissioner to act impartially in any adjudicatory proceeding conducted pursuant to
45 chapter 30A.

46 (4) When presiding over or participating in an adjudicatory proceeding, the chair shall be
47 subject to all duties, standards and prohibitions applicable to presiding officers pursuant to
48 chapter 30A.

49 (h) The commissioners shall, if so directed by the chair, participate in the hearing and
50 decision of any matter before the commission. Any matter may be heard, examined and
51 investigated by an employee of the commission designated and assigned by the chair, with the
52 concurrence of 1 other commissioner; provided, however, that s an employee assigned to a
53 matter shall make a report in writing relative to the hearing, examination and investigation of
54 every such matter to the commission. For each hearing, the concurrence of a majority of the
55 commissioners participating in the decision shall be necessary.

56 (i)(1) The chair, in consultation with the commission, shall appoint an executive director,
57 who shall devote their full-time duties to the office and shall serve at the pleasure of the chair

58 and under the supervision and direction of the chair. The salary of the executive director shall be
59 determined by the chair after consultation with the commission.

60 (2) The executive director shall be the chief administrative officer of the commission and
61 shall exercise independent authority over enforcement and the operational units of the
62 commission. Such authority shall be exercised independently of the commissioners, including
63 the chair, who shall not participate in any fact-finding, investigative or enforcement actions that
64 may become the subject of an adjudicatory proceeding under chapter 30A.

65 (3) The executive director shall direct the implementation of the commission's policies
66 and shall have final authority, subject to applicable law and regulations, over personnel
67 management and internal administrative matters.

68 (4) The executive director shall, subject to appropriation and consistent with the
69 personnel and budget policies adopted by the commissioners, appoint and employ a chief
70 financial and accounting officer and may appoint other officers, employees, consultants, agents
71 and legal counsel as may be necessary to carry out the duties of the commission. No funds shall
72 be transferred or expended by the commission without the approval of the chair or executive
73 director and the authorization of the chief financial and accounting officer consistent with
74 financial control policies.

75 (5) In the event of an absence or vacancy in the office of the executive director or in the
76 case of disability, as determined by the chair, the chair shall designate an acting executive
77 director who shall perform the duties of the office until such vacancy, absence or disability
78 ceases.

79 (j) Chapters 268A and 268B shall apply to all commissioners and employees of the
80 commission; provided, however, that the commission shall establish a code of ethics for all
81 commissioners and employees consistent with said chapters 268A and 268B, which shall be filed
82 with the state ethics commission. The code shall include provisions reasonably necessary to carry
83 out the purposes of this section and any other laws subject to the jurisdiction of the commission,
84 including, but not limited to: (i) prohibiting the receipt of gifts by commissioners and employees
85 from any marijuana licensee, applicant, close associate, affiliate or other person or entity subject
86 to the jurisdiction of the commission; (ii) prohibiting the participation by commissioners and
87 employees in a particular matter as defined in section 1 of said chapter 268A that affects the
88 financial interest of a relative within the third degree of consanguinity or a person with whom
89 such commissioner or employee has a significant relationship, as defined in the code; and (iii)
90 providing for recusal of a commissioner in a licensing decision or any matter in which a
91 commissioner may serve in an adjudicatory capacity due to a potential conflict of interest.

92 (k)(1) No commissioner, including the chair, shall initiate, participate in or knowingly
93 receive any communication concerning the substance of any investigation, enforcement matter or
94 adjudicatory proceeding, except as part of the official record of a proceeding conducted in
95 accordance with chapter 30A.

96 (2) This subsection shall not preclude the commission from receiving periodic reports
97 regarding the overall administration or performance of the enforcement division or from
98 receiving complaints or information regarding the quality, efficiency or integrity of the
99 commission's programs and operations; provided, however, that such reports shall not include
100 information relating to any specific matter that may reasonably be expected to come before the
101 commission in an adjudicatory capacity.

102 (3) A commissioner who violates this subsection shall be disqualified from participating
103 in any proceeding related to the subject matter of the prohibited information and may be subject
104 to further action as provided by law.

105 (l) The commission shall be a commission for the purposes of section 3 of chapter 12.

106 (m) The commission shall, for the purposes of compliance with state finance law, operate
107 as a state agency as defined in section 1 of chapter 29 and shall be subject to the laws applicable
108 to agencies under the control of the governor; provided, however, that the comptroller may
109 identify any additional instructions or actions necessary for the commission to manage fiscal
110 operations in the state accounting system and meet statewide and other governmental accounting
111 and audit standards. The commission shall properly classify the commission's operating and
112 capital expenditures and shall not include any salaries of employees in the commission's capital
113 expenditures. Unless otherwise exempted by law or the applicable central service agency, the
114 commission shall participate in any other available commonwealth central services, including,
115 but not limited to, the state payroll system pursuant to section 31 of said chapter 29, and may
116 purchase other goods and services provided by state agencies in accordance with comptroller
117 provisions. The comptroller may chargeback the commission for the transition and ongoing costs
118 for participation in the state accounting and payroll systems and may retain and expend such
119 costs without further appropriation for the purposes of this section. The commission shall be
120 subject to section 5D and subsection (f) of section 6B of said chapter 29.

121 SECTION 2. Sections 76 and 77 of chapter 10 of the General Laws are hereby repealed.

122 SECTION 3. Paragraph (4) of subsection (d) of section 2 of chapter 62 of the General
123 Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 412

124 and 413, the words “medical marijuana treatment center” and inserting in place thereof the
125 following words:- medical marijuana establishment.

126 SECTION 4. Section 30 of chapter 63 of the General Laws, as so appearing, is hereby
127 amended by striking out, in line 61, the words “medical marijuana treatment center” and
128 inserting in place thereof the following words:- medical marijuana establishment.

129 SECTION 5. Section 4 of chapter 64N of the General Laws, as so appearing, is hereby
130 amended by striking out, in lines 2 and 3, the words “medical marijuana treatment center” and
131 inserting in place thereof the following words:- medical marijuana establishment.

132 SECTION 6. Section 32L of chapter 94C of the General Laws, as so appearing, is hereby
133 amended by striking out, in lines 2, 23, 25, 30, 35, 36 and 45, the figure “2” and inserting in
134 place thereof, in each instance, the following figure:- 3.

135 SECTION 7. Section 32M of said chapter 94C, as so appearing, is hereby amended by
136 striking out, in line 3, the figure “2” and inserting in place thereof the following figure:- 3.

137 SECTION 8. Section 34 of said chapter 94C, as so appearing, is hereby amended by
138 striking out, in line 18, the words “one ounce of marihuana” and inserting in place thereof the
139 following words:- 2 ounces of marihuana.

140 SECTION 9. Section 1 of chapter 94G of the General Laws, as so appearing, is hereby
141 amended by striking out the definitions of “Consumer”, “Controlling person” and “Commission”
142 and inserting in place thereof the following 3 definitions:-

143 “Commission”, the Massachusetts cannabis control commission established in section
144 223 of chapter 6.

145 “Consumer”, a person who is at least 21 years of age.

146 “Controlling person”, an officer, board member or other individual who has a financial or
147 voting interest of 10 per cent or greater in a marijuana establishment.

148 SECTION 10. Said section 1 of said chapter 94G, as so appearing, is hereby further
149 amended by striking out the definitions of “Host community”, “Host community agreement” and
150 “Independent testing laboratory” and inserting in place thereof the following 3 definitions:-

151 “Host community”, a municipality in which a marijuana establishment or a medical
152 marijuana establishment is located or in which an applicant has proposed locating a marijuana
153 establishment or a medical marijuana establishment.

154 “Host community agreement”, an agreement between a marijuana establishment or a
155 medical marijuana establishment and a municipality pursuant to subsection (d) of section 3.

156 “Independent testing laboratory”, a laboratory that is licensed by the commission and is:
157 (i) accredited to the most current International Organization for Standardization 17025 by a
158 third-party accrediting body that is a signatory to the International Laboratory Accreditation
159 Cooperation mutual recognition arrangement or that is otherwise approved by the commission;
160 (ii) independent financially from any medical marijuana establishment or any licensee or
161 marijuana establishment for which it conducts a test; and (iii) qualified to test marijuana in
162 compliance with regulations promulgated by the commission pursuant to this chapter.

163 SECTION 11. Said section 1 of said chapter 94G, as so appearing, is hereby further
164 amended by striking out the definition of “Medical marijuana treatment center” and inserting in
165 place thereof the following definition:-

166 “Medical marijuana establishment”, as defined in section 1 of chapter 94I.

167 SECTION 12. Said section 1 of said chapter 94G, as so appearing, is hereby further
168 amended by striking out the definition of “Social equity business” and inserting in place thereof
169 the following definition:

170 “Social equity business”, a marijuana establishment or medical marijuana establishment
171 with not less than 51 per cent majority ownership of individuals who are eligible for the social
172 equity program under section 22 or whose ownership qualifies it as an economic empowerment
173 priority applicant as defined by the commission’s regulations promulgated pursuant to section 4.

174 SECTION 13. Section 3 of said chapter 94G, as so appearing, is hereby amended by
175 striking out, in lines 10, 98 and 99, 103, 106, 111 and 112, 114 and 115, 117, 120 and 121, 127,
176 130 and 131, 135 and 136, 139 and 140, 147, 150 and 151, 156, 162 and 163, 177 and 178 and
177 190, the words “medical marijuana treatment center” and inserting in place thereof, in each
178 instance, the following words:- medical marijuana establishment.

179 SECTION 14. Said section 3 of said chapter 94G, as so appearing, is hereby further
180 amended by striking out, in lines 31 and 223, the words “medical marijuana treatment centers”
181 and inserting in place thereof, in each instance, the following words:- medical marijuana
182 establishments.

183 SECTION 15. Said section 3 of said chapter 94G, as so appearing, is hereby further
184 amended by striking out, in lines 118 and 119, the words “medical marijuana treatment center’s”
185 and inserting in place thereof the following words:- medical marijuana establishment’s.

186 SECTION 16. Section 4 of said chapter 94G, as so appearing, is hereby amended by
187 striking out, in line 5, the words “officers and hire employees” and inserting in place thereof the
188 following words:- “an executive director”.

189 SECTION 17. Subsection (a) of said section 4 of said chapter 94G, as so appearing, is
190 hereby amended by striking out clauses (xv) and (xvi).

191 SECTION 18. Said subsection (a) of said section 4 of said chapter 94G, as so appearing,
192 is hereby further amended by striking out clauses (xxxii) and (xxxiii) and inserting in place thereof
193 the following 3 clauses:-

194 (xxxii) establish procedures and policies for municipalities to promote and encourage full
195 participation in the regulated marijuana industry during negotiations of host community
196 agreements with social equity program businesses and economic empowerment priority
197 applicants;

198 (xxxiii) develop a model host community agreement, minimum acceptable standards and
199 best practices for municipalities and prospective licensees during negotiations of host community
200 agreements with social equity businesses; and

201 (xxxiiii) limit the total number of licenses available under this chapter and chapter 94I.

202 SECTION 19. Said section 4 of said chapter 94G, as so appearing, is hereby further
203 amended by striking out, in lines 169 and 170, 355, 356 and 357, the words “medical marijuana
204 treatment center” and inserting in place thereof, in each instance, the following words:- medical
205 marijuana establishment.

206 SECTION 20. Said section 4 of said chapter 94G, as so appearing, is hereby further
207 amended by inserting after the word “marijuana”, in line 267, the following words:- ; provided,
208 however, that the commission may permit advertising, marketing and branding of sales,
209 discounts and customer loyalty programs within a marijuana establishment or through an opt-in
210 email list.

211 SECTION 21. Said section 4 of said chapter 94G, as so appearing, is hereby further
212 amended by inserting after the word “commission”, in lines 290 and 291, the following words:- ,
213 including, but not limited to, procedures and requirements to enable the sale of a marijuana
214 establishment or medical marijuana establishment to a licensee’s employees through an
215 employee stock ownership plan as defined in section 407(D)(6)(A) of the Employee Retirement
216 Income Security Act of 1974, codified at 29 U.S.C. 1107(d)(5).

217 SECTION 22. Said section 4 of said chapter 94G, as so appearing, is hereby further
218 amended by striking out, in lines 313 and 314 and 361 and 362, the words “medical marijuana
219 treatment centers” and inserting in place thereof, in each instance, the following words:- medical
220 marijuana establishments.

221 SECTION 23. Clause (1) of subsection (b) of said section 4 of said chapter 94G, as so
222 appearing, is hereby amended by adding the following words:- ; provided, however, that limited
223 delivery of marijuana or marijuana products to consumers shall be allowed in any municipality in
224 the commonwealth; provided further, that notwithstanding this paragraph, a municipality that
225 does not authorize retail marijuana establishment licenses within its limits may request, and the
226 commission shall grant, a waiver from this requirement and may prohibit delivery of marijuana
227 or marijuana products in said municipality; and provided further, that said waiver shall be valid

228 for not more than 2 years and may be extended in 2-year increments upon request, at the
229 commission's discretion.

230 SECTION 24. Said section 4 of said chapter 94G, as so appearing, is hereby further
231 amended by striking out, in lines 386 and 387, the words "the treasurer and receiver-general,".

232 SECTION 25. Said section 4 of said chapter 94G, as so appearing, is hereby further
233 amended by adding the following 2 subsections:-

234 (m) The executive director shall conduct investigations into the qualifications of all
235 applicants for employment by the commission and all applicants for licensure.

236 (n) The executive director shall receive from the state police, the department of criminal
237 justice information services or other agencies, including, but not limited to, the Federal Bureau
238 of Investigation and the United States Internal Revenue Service, such criminal offender record
239 information relating to criminal and background investigations as necessary for the purpose of
240 evaluating licensees, applicants for license, and lab agents as provided in section 21.

241 SECTION 26. Subsection (a) of section 7 of said chapter 94G, as so appearing, is hereby
242 amended by striking out clause (1) and inserting in place thereof the following clause:-

243 (1) possessing, using, purchasing, processing or manufacturing marijuana and marijuana
244 products; provided, however, that the total amount in an individual's possession shall be not
245 more than the dry weight equivalency of 2 ounces of marijuana flower or the equivalent for
246 infused products and other formats, as determined by the commission and pursuant to regulations
247 promulgated by the commission under this section.

248 SECTION 27. Said subsection (a) of said section 7 of said chapter 94G, as so appearing,
249 is hereby further amended by striking out clause (4) and inserting in place thereof the following
250 clause:-

251 (4) giving away or otherwise transferring without remuneration marijuana or marijuana
252 products to a person 21 years of age or older; provided, however, that the total quantity
253 transferred shall not exceed an amount equivalent in dry weight to 2 ounces of marijuana flower,
254 as determined by the commission; provided further, that such transfer shall not be advertised or
255 otherwise promoted to the public.

256 SECTION 28. Said section 7 of said chapter 94G, as so appearing, is hereby further
257 amended by adding the following subsection:-

258 (h) The commission shall promulgate regulations to establish conversion standards for
259 marijuana concentrates, infused products and other formats to ensure equivalency based on
260 potency and form for purposes of making calculations under this section.

261 SECTION 29. Section 13 of said chapter 94G, as so appearing, is hereby amended by
262 striking out, in line 12, the figure “1” and inserting in place thereof the following figure:- 2.

263 SECTION 30. Said section 13 of said chapter 94G, as so appearing, is hereby further
264 amended by striking out, in line 50, the words “1 ounce but not more than 2” and inserting in
265 place thereof the following words:- 2 ounces but not more than 3.

266 SECTION 31. Section 14 of said chapter 94G, as so appearing, is hereby amended by
267 inserting after the word "chapter", in line 12, the following words:- “and chapter 94I”

268 SECTION 32. Section 14A of said chapter 94G, as so appearing, is hereby amended by
269 striking out, in line 11 and 12, 44 and 73 and 74 the words “executive office of housing and
270 economic development” and inserting in place thereof, in each instance, the following words:-
271 executive office of economic development.

272 SECTION 33. Said section 14A of said chapter 94G, as so appearing, is hereby further
273 amended by striking out, in lines 50 and 51, the words “medical marijuana treatment centers”
274 and inserting in place thereof the following words:- medical marijuana establishments.

275 SECTION 34. Subsection (a) of section 15 of said chapter 94G, as so appearing, is
276 hereby by amended by adding the following sentence:- Annually, the commission, in
277 collaboration with independent testing labs and marijuana establishments, shall review and
278 update, where appropriate, regulations and testing protocols to ensure compliance with the most
279 recent industry standards, research and data.

280 SECTION 35. Said chapter 94G is hereby further amended by striking out section 16, as
281 so appearing, and inserting in place thereof the following section:-

282 Section 16. (a) No licensee shall be granted more than 4 marijuana retailer licenses, 3
283 medical marijuana establishment licenses, 3 marijuana product manufacturer licenses or 3
284 marijuana cultivator licenses; provided, however, that a licensee may hold 4 marijuana retailer
285 licenses, 3 medical marijuana establishment licenses, 3 marijuana product manufacturer licenses
286 and 3 marijuana cultivator licenses; and provided further, that priority consideration shall be
287 given to applications pertaining to social equity businesses, minority business enterprises,
288 women business enterprises or veteran business enterprises.

289 (b) The limitations of subsection (a) shall not apply to: (i) a person functioning solely as a
290 trustee during or after the sale of a marijuana establishment or medical marijuana establishment
291 to a licensee’s employees through an employee stock ownership plan as defined in section
292 407(d)(6) of the Employee Retirement Income Security Act of 1974, 29 U.S.C. section
293 1107(d)(6); or (ii) a person or entity that possesses a financial interest in the form of equity in a
294 license of less than 12 per cent.

295 SECTION 36. Said chapter 94G is hereby further amended by adding the following
296 section:-

297 Section 23. (a) For the purposes of this section, the word “licensee” shall mean any
298 marijuana establishment licensed pursuant to this chapter, any medical marijuana establishment
299 licensed pursuant to chapter 94I or any other applicable licensee determined by the commission.

300 (b) It shall be unlawful for any licensee to receive or extend credit, directly or indirectly,
301 for marijuana or marijuana products sold or delivered to any licensee except in the usual course
302 of business and for a period of not more than 60 days. Nothing in this chapter shall require any
303 licensee to extend credit to any other licensee. If any licensee does not discharge in full any such
304 indebtedness within such 60-day period, the indebtedness shall be overdue and such licensee
305 shall be delinquent with respect to such indebtedness. Within 3 days after a licensee becomes
306 delinquent, the licensee that extended the credit shall notify the commission and the delinquent
307 licensee in a manner to be determined by the commission; provided, however, that the notice
308 shall contain the name of the delinquent licensee, the date of delivery of the marijuana or
309 marijuana products and the amount of the indebtedness remaining undischarged. Within 5 days
310 after receipt of such notice, the commission shall review the delinquency notice and, upon

311 finding it valid, include the name and address only of the delinquent licensee in a delinquent list
312 containing the names and addresses of all delinquent licensees. Such inclusion shall constitute
313 notice to all licensees of the delinquency of such licensee.

314 (c) If a licensee is seriously damaged in its business by riot, insurrection, civil
315 disturbance, fire, explosion or by an act of God, so-called, the licensee may file an application
316 with the commission requesting that the application of subsection (b) be suspended as to the
317 licensee for a reasonable period. Upon receipt of an application under this subsection, the
318 commission shall set down the application for hearing within 21 days and shall notify all
319 licensees engaged in selling to the applicant of the hearing and give all interested parties the right
320 to be heard. Pending such hearing, the commission may, after an investigation and determination
321 that the facts as stated by the licensee in its application would constitute reasonable grounds for
322 relief, order that such licensee shall not be posted as delinquent. If the commission finds it is in
323 the public interest to do so, it may suspend the application of subsection (b) with respect to the
324 applicant for such period as it may consider to be reasonable and in the public interest. Such
325 action shall not deprive creditors of all legal rights available to them for the collection of the
326 indebtedness and shall be contingent on such terms and conditions as the commission shall
327 determine.

328 (d) No licensee shall sell or deliver, directly or indirectly, marijuana or marijuana
329 products to a licensee whose name is posted on the delinquent list, except upon full payment of
330 indebtedness made on or before delivery by certified funds, electronic funds transfer or other
331 payment method as may be approved by the commission, and no licensee that is posted on the
332 delinquent list shall purchase or accept delivery of any marijuana or marijuana product except
333 upon full payment of indebtedness made by such licensee on or before delivery by certified

334 funds, electronic funds transfer or other payment method as may be approved by the
335 commission.

336 (e) Upon full discharge of the indebtedness for which a licensee was posted to the
337 delinquent list, the licensee who filed the notice of delinquency shall, within 24 hours thereafter,
338 notify the commission of the discharge of the indebtedness. The commission shall, within 3
339 business day after the receipt of such notice, remove the name of the delinquent licensee from
340 the list. The commission shall, by regulations, prescribe how licensees, other than the licensee
341 who filed the notice pursuant to this section and the licensee subject to such notice, shall be
342 notified of the filing of the name of a licensee on the delinquency list and the removal of the
343 name of a delinquent from such list.

344 (f) The commission shall not authorize a change of ownership or control of a licensee on
345 the delinquent list until all delinquencies are satisfied and the commission has removed the
346 licensee from the delinquent list under this section, except for approval of court-appointed
347 receivers or trustees under a voluntary assignment for the benefit of creditors; provided,
348 however, that prior approval of such assignment shall be obtained from the commission after
349 notice to all creditors has been given and reasonable time allowed for objections by all creditors.

350 (g) Notwithstanding and in lieu of any other penalty under this chapter, any person who
351 violates this section shall be punished by a fine of not more than \$5,000 per violation.

352 (h) The posting list shall be available for inspection by any licensee or a duly authorized
353 agent of a licensee only; provided, however, that the commission may allow third party access to
354 the list by its licensing software provider.

355 SECTION 37. Section 1 of chapter 94I of the General Laws, as appearing in the 2024
356 Official Edition, is hereby amended by striking out the definition of “Card holder” and inserting
357 in place thereof the following definition:-

358 “Card holder”, a registered qualifying patient, personal caregiver or agent of a medical
359 marijuana establishment who has been issued and possesses a valid registration card or an
360 individual who possesses a valid patient registration for medical use marijuana issued by a
361 jurisdiction of the United States.

362 SECTION 38. Said section 1 of said chapter 94I, as so appearing, is hereby further
363 amended by striking out, in line 16, the words “section 76 of chapter 10” and inserting in place
364 thereof the following words:- section 223 of chapter 6.

365 SECTION 39. Said section 1 of said chapter 94I, as so appearing, is hereby further
366 amended by striking out the definition of “Cultivation registration” and inserting in place thereof
367 the following definition:-

368 “Cultivation registration”, a registration issued to a medical marijuana establishment to
369 grow medical use marijuana under the terms of this chapter or to a qualified patient or personal
370 caregiver.

371 SECTION 40. Said section 1 of said chapter 94I, as so appearing, is hereby further
372 amended by striking out the definition of “Locked area” and inserting in place thereof the
373 following definition:-

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

377 SECTION 41. Said section 1 of said chapter 94I, as so appearing, is hereby further
378 amended by striking out the definitions of “Marijuana”, “Medical marijuana treatment center”,
379 “Medical use marijuana”, “Medical use marijuana license” and “Medical use marijuana licensee”
380 and inserting in place thereof the following 4 definitions:-

381 “Marijuana”, as defined in section 1 of chapter 94G.

382 “Medical marijuana establishment”, an entity issued any medical use marijuana license
383 by the commission pursuant to this section.

384 “Medical use marijuana”, marijuana or marijuana accessories sold by a medical
385 marijuana establishment to a card holder for medical use or marijuana or marijuana accessories
386 possessed by a qualifying patient under a cultivation registration.

387 “Medical use marijuana license”, a license issued by the commission that permits the
388 licensee to operate a medical marijuana establishment.

389 SECTION 42. Said section 1 of said chapter 94I, as so appearing, is hereby further
390 amended by striking out the definition of “Registration card” and inserting in place thereof the
391 following definition:-

392 “Registration card”, a personal identification card issued by the commission to a
393 registered qualifying patient, personal caregiver, laboratory agent or agent of a medical
394 marijuana establishment; provided, however, that the registration card shall facilitate verification

395 of an individual registrant’s status, including, but not limited to, verification that: (i) a registered
396 healthcare professional has provided a written or electronic certification to the qualifying patient;
397 (ii) the patient has designated the individual as a personal caregiver; (iii) a laboratory agent has
398 been registered with the commission and is authorized to possess and test marijuana; or (iv) an
399 agent has been registered with the commission and is authorized to work at a medical marijuana
400 establishment. A temporary registration issued to a qualifying patient shall be deemed a
401 registration card.

402 The registration card shall facilitate identification for the commission and law
403 enforcement of those individuals who are exempt from criminal and civil penalties for conduct
404 pursuant to the medical use of marijuana.

405 SECTION 43. Said section 1 of said chapter 94I, as so appearing, is hereby further
406 amended by striking out the definition of “Temporary Registration” and inserting in place
407 thereof the following definition:-

408 “Temporary registration”, an interim registration document for patients and their personal
409 caregivers generated automatically upon the commission’s receipt of a healthcare professional’s
410 electronic certification; provided, however, that the temporary registration document shall
411 constitute a registration card for patients and their personal caregivers to access a medical
412 marijuana establishment; and provided further, that a temporary registration shall expire 14 days
413 after the commission issues the registration card.

414 SECTION 44. Section 2 of said chapter 94I is hereby amended by striking out subsection
415 (a), as so appearing, and inserting in place thereof the following subsection:-

416 (a) The commission shall operate a medical use of marijuana program, which shall permit
417 a qualifying patient with a debilitating medical condition to obtain a written or electronic
418 certification from a healthcare professional with whom the patient has a bona fide healthcare
419 professional-patient relationship to purchase medical use marijuana from a medical marijuana
420 establishment. Upon issuance of a written certification from a healthcare professional, the
421 commission shall issue a registration card to the qualifying patient. A medical marijuana
422 establishment licensed and authorized by the commission to deliver, sell or otherwise transfer
423 medical use marijuana to consumers may sell medical use marijuana to a card holder.

424 SECTION 45. Said section 2 of said chapter 94I, as so appearing, is hereby further
425 amended by striking out, in line 21, the words "qualifying patient or a personal caregiver" and
426 inserting in place thereof the following words:- card holder.

427 SECTION 46. Said section 2 of said chapter 94I, as so appearing, is hereby further
428 amended by striking out, in lines 33 and 34, the words "qualifying patients or their personal
429 caregivers" and inserting in place thereof the following words:- card holders.

430 SECTION 47. Said section 2 of said chapter 94I, as so appearing, is hereby further
431 amended by striking out, in lines 42 and 43, the words "qualifying patient or the qualifying
432 patient's personal caregiver" and inserting in place thereof the following words:-card holders.

433 SECTION 48. Said section 2 of said chapter 94I, as so appearing, is hereby further
434 amended by striking out, in lines 29, 37 and 39, the words "medical marijuana treatment center"
435 and inserting in place thereof, in each instance, the following words:- medical marijuana
436 establishment.

437 SECTION 49. Said section 2 of said chapter 94I, as so appearing, is hereby further
438 amended by adding the following subsection:-

439 (f) The commission may revoke or suspend a medical use marijuana license of a medical
440 use marijuana licensee who illegally sells medical use marijuana.

441 SECTION 50. Section 3 of said chapter 94I, as so appearing, is hereby amended by
442 striking out, in lines 5 and 23 and 24, the words “medical marijuana treatment center” and
443 inserting in place thereof, in each instance, the following words:- medical marijuana
444 establishment.

445 SECTION 51. Said section 3 of said chapter 94I, as so appearing, is hereby further
446 amended by striking out, in lines 10 and 11, the words “medical marijuana treatment centers”
447 and inserting in place thereof the following words:- medical marijuana establishments.

448 SECTION 52. Said section 3 of said chapter 94I, as so appearing, is hereby further
449 amended by striking out, in line 16, the words “medical use marijuana licensee or establishment”
450 and inserting in place thereof the following words:- medical marijuana establishment.

451 SECTION 53. Section 6 of said chapter 94I, as so appearing, is hereby amended by
452 striking out clauses (ii) and (iii) and inserting in place thereof the following 3 clauses:-

453 (ii) require any healthcare professional to authorize the medical use of marijuana for a
454 patient;

455 (iii) amend existing penalties for operating, navigating or being in actual physical control
456 of any motor vehicle, train, aircraft, motorboat or other motorized form of transport or machinery
457 while impaired by marijuana or a marijuana product; or

458 (iv) require medical use marijuana licensees to simultaneously cultivate, process and
459 dispense medical use marijuana as a condition of obtaining or maintaining licensure to operate a
460 medical marijuana establishment.

461 SECTION 54. Section 7 of said chapter 94I, as so appearing, is hereby amended by
462 striking out, in lines 3 and 4, the words “medical marijuana treatment centers” and inserting in
463 place thereof the following words:- medical marijuana establishments, including any classes of
464 license established under this section.

465 SECTION 55. Said section 7 of said chapter 94I, as so appearing, is hereby further
466 amended by adding the following 3 paragraphs:-

467 The commission may adopt regulations to: (i) establish and provide for the issuance of
468 additional types or classes of licenses to operate a medical marijuana establishment; and (ii) limit
469 the number of medical marijuana establishment licenses a licensee may be granted.

470 The commission may establish procedures and policies for municipalities to promote and
471 encourage full participation in the regulated medical marijuana industry during negotiations of
472 host community agreements with social equity program businesses and economic empowerment
473 priority applicants pursuant to clause (xxxix) of subsection (a) of section 4 of chapter 94G.

474 The commission shall adopt regulations to promote and encourage full participation in
475 the regulated medical marijuana industry by people from communities that have previously been
476 disproportionately harmed by marijuana prohibition and enforcement and to positively impact
477 those communities pursuant to clause (iv) of subsection (a1/2) of said section 4 of said chapter
478 94G.

479 SECTION 56. Section 22 of chapter 270 of the General Laws, as so appearing, is hereby
480 amended by striking out, in lines 27 and 28, the words “section 76 of chapter 10” and inserting in
481 place thereof the following words:- section 223 of chapter 6.

482 SECTION 57. The Massachusetts cannabis control commission shall study and report on
483 mental health outcomes of cannabis use in the commonwealth. The commission shall study: (i)
484 incidents of hospitalization and the use of other health care services related to marijuana use; and
485 (ii) long term mental health impacts of marijuana consumption, including incidents of cannabis-
486 induced psychosis and cannabis-induced psychotic disorders. Based on findings of the study, the
487 commission shall report on the: (i) scientific evidence regarding marijuana use and adverse
488 mental health outcomes; (ii) prevalence of cannabis use disorder in the commonwealth including,
489 but not limited to, protocols to ensure that individuals diagnosed with said disorder are not able
490 to access medical marijuana cards; and (iii) impacts of public health interventions, including, but
491 not limited to, warning labels and educational campaigns. The commission shall incorporate
492 available data into the report, including, but not limited to, data obtained pursuant to subsection
493 (b) of section 17 of chapter 94G of the General Laws. Not later than January 1, 2027, the
494 commission shall submit its report and any recommendations for legislation to the clerks of the
495 house of representatives and the senate and the joint committee on cannabis policy.

496 SECTION 58. Notwithstanding any general or special law to the contrary, the terms of all
497 commissioners serving on the Massachusetts cannabis control commission shall terminate on the
498 effective date of this act. Commissioners shall thereafter be appointed pursuant to section 223 of
499 chapter 6 of the General Laws not later than 30 days after the effective date of this act; provided
500 however, that the commissioner appointed by the attorney general shall serve an initial term of 2
501 years.

502 SECTION 59. The cannabis control commission shall conduct, or retain an outside expert
503 in economic analysis to conduct, and publish a study on supply and demand in the cannabis
504 market, including both the current legal and illegal markets. The study shall review: (i) current
505 cannabis supplier trends; (ii) data on projected future trends of cannabis consumption; (iii) price
506 sensitivity of marijuana consumers; (iv) access to capital for the creation and maintenance of
507 legal cannabis business ventures in the commonwealth; and (v) current regulations on existing
508 cannabis cultivation tiers. The study shall include recommendations for the appropriate number
509 of licenses to enter the legal market each year based on current consumer demand. Not later than
510 January 1, 2027, the commission shall submit a report of its study along with recommendations
511 and any draft legislation to effectuate its recommendations to the clerks of the house of
512 representatives and the senate and the joint committee on cannabis policy.

513 SECTION 60. The cannabis control commission shall conduct, or retain an outside expert
514 to conduct, a study on the effects of the current marijuana excise tax rates established in chapter
515 64N of the General Laws on the sustainability of the cannabis industry. The study shall include,
516 but not be limited to, the impact of the excise tax on: (i) consumer demand with regard to
517 businesses licensed pursuant to chapters 94G and 94I of the General Laws; (ii) consumer demand
518 for illicit cannabis and the size of the illicit cannabis market; (iii) the rates of marijuana related
519 business closures; and (iv) businesses that have or could qualify for the Cannabis Social Equity
520 Trust Fund established by section 14A of said chapter 94G. The study shall evaluate the impact
521 of state taxes on the sale of cannabis in other states and any other relevant factors regarding the
522 impact of the current excise tax on consumers and businesses in the commonwealth. Not later
523 than January 1, 2027, the commission shall submit a report of its findings and any

524 recommendations for legislation to the clerks of the house of representatives and the senate and
525 the joint committee on cannabis policy.

526 SECTION 61. Notwithstanding any general or special law to the contrary, all property,
527 including, but not limited to, buildings, facilities, cash, equipment, books, papers, memoranda,
528 files, maps, plans, records, documents, property held in trust and other property, both personal
529 and real, of whatever description pertaining to the operation of the cannabis control commission
530 that are in the possession or under the control of the commission or employee of the commission
531 as of the effective date of this act shall remain under the control of the commission following the
532 effective date of this act and all duly existing contracts, leases or obligations of the commission
533 that are in effect as of the effective date of this act shall remain in effect following the effective
534 date of this act. The commission may exercise all rights and enjoy all interests conferred upon it
535 by any previously executed contracts or obligations. No existing right or remedy held or granted
536 by the commission that is not expressly affected by this act shall be lost, impaired rendered void
537 or affected by this act; provided, however, that in the case of collective bargaining agreements,
538 any obligations under such agreements shall expire on the stated date of expiration in such
539 agreements.

540 SECTION 62. The cannabis control commission shall, in consultation with medical
541 experts and appropriate state agencies and departments including the department of public
542 health, the department of agricultural resources, the department of revenue and the alcoholic
543 beverages control commission, conduct a study and develop recommendations regarding the
544 effective regulation of the hemp-derived cannabinoid market, which shall include, but not be
545 limited to: (i) ongoing federal law and other statutory or regulatory changes; (ii) licensing
546 conditions; (iii) testing requirements and standards; (iv) appropriate age requirements and other

547 safeguards against underage access; (v) regulations for potential retail sales and taxation; and (vi)
548 optimal procedures in other states that have undertaken regulation of ingestible hemp products.
549 Not later than September 15, 2026, the commission shall publish the results of the study on its
550 website and submit a copy to the clerks of the senate and house of representatives and to the joint
551 committee on cannabis policy.