

1 AN ACT proposing to create a new section of the Constitution of Kentucky relating
2 to the possession of cannabis.

3 WHEREAS, cannabis is a naturally occurring plant that has a number of medical
4 uses; and

5 WHEREAS, far too many citizens of the Commonwealth have been incarcerated
6 for minor crimes involving the possession of small amounts of cannabis and the vast
7 majority of the citizens of the Commonwealth want to have a say on the legality of
8 cannabis;

9 NOW, THEREFORE,

10 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

11 ➔SECTION 1. IT IS PROPOSED THAT A NEW SECTION BE ADDED TO
12 THE CONSTITUTION OF KENTUCKY TO READ AS FOLLOWS:

13 **(1) The right of an individual twenty-one years of age or older to possess, use,**
14 **buy, or sell one ounce or less of cannabis shall be guaranteed in this state and shall not**
15 **be subject to any criminal sanction.**

16 **(2) The right of an individual twenty-one years of age or older to cultivate,**
17 **harvest, or store up to five cannabis plants for personal use shall be guaranteed in this**
18 **state and shall not be subject to any criminal sanction.**

19 **(3) The General Assembly may by general law regulate and control the**
20 **production, processing, and sale of cannabis and cannabis-derived products.**

21 ➔Section 2. This amendment shall be submitted to the voters of the
22 Commonwealth for their ratification or rejection at the time and in the manner provided
23 for under Sections 256 and 257 of the Constitution, KRS 118.415, and Sections 3 and 4
24 of this Act. The following shall be printed on the ballot:

25 "Are you in favor of amending the present Constitution of Kentucky to add a new
26 section of the Constitution of Kentucky to allow individuals twenty-one years of age or
27 older to possess, use, buy, or sell one ounce or less of cannabis and to cultivate, harvest,

1 or store up to five cannabis plants for personal use, and to allow the production,
2 processing, and sale of cannabis to be regulated and controlled by the General Assembly?

3 **Proposed New Section**

4 **(1) The right of an individual twenty-one years of age or older to possess, use,**
5 **buy, or sell one ounce or less of cannabis shall be guaranteed in this state and shall not**
6 **be subject to any criminal sanction.**

7 **(2) The right of an individual twenty-one years of age or older to cultivate,**
8 **harvest, or store up to five cannabis plants for personal use shall be guaranteed in this**
9 **state and shall not be subject to any criminal sanction.**

10 **(3) The General Assembly may by general law regulate and control the**
11 **production, processing, and sale of cannabis and cannabis-derived products."**

12 ➔Section 3. Notwithstanding any provision in KRS 118.415 to the contrary, the
13 Secretary of State shall cause the question relating to the proposed amendment to the
14 Constitution of Kentucky and the entirety of the proposed amendment to the Constitution
15 of Kentucky contained in Section 2 of this Act to be published at least one time in a
16 newspaper of general circulation published in this state, and shall also cause to be
17 published at the same time and in the same manner the fact that the amendment will be
18 submitted to the voters for their acceptance or rejection at the next regular election at
19 which members of the General Assembly are to be voted for. The publication required by
20 this section and KRS 118.415 shall be made no later than the first Tuesday in August
21 preceding the election at which the amendment is to be voted on.

22 ➔Section 4. Notwithstanding any provision in KRS 118.415 to the contrary, the
23 Secretary of State, not later than the second Monday after the second Tuesday in August
24 preceding the next regular election at which members of the General Assembly are to be
25 chosen in a year in which there is not an election for President and Vice President of the
26 United States, or not later than the Thursday after the first Tuesday in September
27 preceding a regular election in a year in which there is an election for President and Vice

1 President of the United States, shall certify the entirety of the proposed amendment to the
2 Constitution of Kentucky contained in Section 1 of this Act and the question relating to
3 the proposed amendment contained in Section 2 of this Act to the county clerk of each
4 county, and the county clerk shall have the entirety of the amendment, as so certified,
5 indicated on the ballots provided to the voters in paper or electronic form as applicable to
6 the voting machines in use in each county or precinct.