

**HOUSE . . . . . No. 117**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***David M. Rogers***

*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 relative to vertical integration of medical marijuana businesses.

PETITION OF:

| NAME:                              | DISTRICT/ADDRESS:                       | DATE ADDED:      |
|------------------------------------|---|------------------|
| <i>David M. Rogers</i>             | <i>24th Middlesex</i>                   | <i>1/19/2023</i> |
| <i>Lindsay N. Sabadosa</i>         | <i>1st Hampshire</i>                    | <i>1/19/2023</i> |
| <i>David F. DeCoste</i>            | <i>5th Plymouth</i>                     | <i>2/1/2023</i>  |
| <i>Angelo J. Puppolo, Jr.</i>      | <i>12th Hampden</i>                     | <i>2/2/2023</i>  |
| <i>Patricia A. Duffy</i>           | <i>5th Hampden</i>                      | <i>2/2/2023</i>  |
| <i>Susannah M. Whipps</i>          | <i>2nd Franklin</i>                     | <i>2/2/2023</i>  |
| <i>David Henry Argosky LeBoeuf</i> | <i>17th Worcester</i>                   | <i>2/6/2023</i>  |
| <i>Jon Santiago</i>                | <i>9th Suffolk</i>                      | <i>2/6/2023</i>  |
| <i>Michael J. Soter</i>            | <i>8th Worcester</i>                    | <i>2/10/2023</i> |
| <i>Jacob R. Oliveira</i>           | <i>Hampden, Hampshire and Worcester</i> | <i>2/13/2023</i> |
| <i>James Arciero</i>               | <i>2nd Middlesex</i>                    | <i>2/15/2023</i> |
| <i>Daniel Cahill</i>               | <i>10th Essex</i>                       | <i>2/17/2023</i> |
| <i>John J. Cronin</i>              | <i>Worcester and Middlesex</i>          | <i>3/8/2023</i>  |

**HOUSE . . . . . No. 117**

By Representative Rogers of Cambridge, a petition (accompanied by bill, House, No. 117) of David M. Rogers and others relative to medical marijuana businesses. Cannabis Policy.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act relative to vertical integration of medical marijuana businesses.

*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. Paragraph (4) of subsection (d) of Section 2 of Chapter 62 is hereby  
2 amended by striking out "medical marijuana treatment center" and inserting in place thereof the  
3 following words:-

4 medical marijuana establishment

5 SECTION 2. Paragraph (4) of Section 30 of Chapter 63 is hereby amended by striking  
6 out "medical marijuana treatment center" and inserting in place thereof the following words:-

7 medical marijuana establishment

8 SECTION 3. Section 4 of chapter 64N of the General Laws is hereby amended by  
9 inserting after the words "medical marijuana treatment center" the following:-

10 , medical marijuana establishment,

11 SECTION 4. Section 1 of chapter 94I of the General Laws is hereby amended by striking  
12 the definitions of “Card holder”, “Cultivation registration”, “Locked area”, “Medical marijuana  
13 treatment center”, “Medical use marijuana”, “Medical use marijuana license”, “Registration  
14 card”, and “Temporary Registration”, and inserting the following definitions:-

15 “Card holder”, a registered qualifying patient, personal caregiver or agent of a medical  
16 marijuana establishment who has been issued and possesses a valid registration card.

17 “Cultivation registration”, a registration issued to a fully integrated medical marijuana  
18 treatment center or medical marijuana cultivator to grow medical use marijuana under the terms  
19 of this chapter, or to a qualified patient or personal caregiver.

20 “Fully integrated medical marijuana treatment center” a medical marijuana-related  
21 business licensed by the commission with the ability to cultivate, manufacture, process, and sell  
22 medical use marijuana to qualifying patients, personal caregivers, and medical marijuana  
23 establishments.

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

27 "Medical marijuana establishment", a medical marijuana cultivator, medical marijuana  
28 product manufacturer, fully integrated medical marijuana treatment center, medical marijuana  
29 retailer or any other type of medical marijuana-related business licensed by the commission.

30 "Medical marijuana treatment center", the premises approved under a fully integrated  
31 medical marijuana treatment center license

32 “Medical use marijuana”, marijuana or marijuana accessories sold by a medical  
33 marijuana establishment or a fully integrated medical marijuana treatment center to a card holder  
34 for medical use or marijuana or marijuana accessories possessed by a qualifying patient under a  
35 cultivation registration.

36 “Medical use marijuana license”, a license issued by the commission that permits the  
37 licensee to operate a medical marijuana establishment or a fully integrated medical marijuana  
38 treatment center.

39 “Registration card”, a personal identification card issued by the commission to a  
40 registered qualifying patient, personal caregiver, laboratory agent or agent of a medical  
41 marijuana establishment or a fully integrated medical marijuana treatment center. The  
42 registration card facilitates verification of an individual registrant's status, including, but not  
43 limited to, verification that a registered healthcare professional has provided a written or  
44 electronic certification to the qualifying patient; that the patient has designated the individual as a  
45 personal caregiver; that a laboratory agent has been registered with the commission and is  
46 authorized to possess and test marijuana; or that an agent has been registered with the  
47 commission and is authorized to work at a medical marijuana establishment or a fully integrated  
48 medical marijuana treatment center. A temporary registration issued to a qualifying patient shall  
49 be deemed a registration card.

50 “Temporary Registration” an interim registration document for patients and their personal  
51 caregivers generated automatically upon the commission's receipt of a healthcare professional's  
52 electronic certification. The temporary registration document shall constitute a registration card  
53 for patients and their personal caregivers to access a medical marijuana establishment or a fully

54 integrated medical marijuana treatment center. Temporary registration shall expire 14 days after  
55 the commission issues the registration card.

56 SECTION 5. Subsection (c) of Section 2 of chapter 94I of the General Laws, is hereby  
57 amended by striking “medical marijuana treatment center” and inserting in place thereof the  
58 following words:-

59 medical marijuana establishment

60 SECTION 6. Section 2 of chapter 94I of the General Laws, is hereby amended by adding  
61 the following subsection:-

62 (f) The commission may establish and enforce license tiers to make available separate  
63 license classes, including but not limited to: medical marijuana product manufacturer, medical  
64 marijuana cultivator, fully integrated medical marijuana treatment center, and medical marijuana  
65 retailer. The commission may promulgate the rules and regulations relative to medical license  
66 classes established under this subsection and shall have the power to encourage full participation  
67 in the medical marijuana industry by people from communities disproportionately harmed by  
68 cannabis prohibition and enforcement.

69 SECTION 7. Section 7 of chapter 94I, is hereby amended by striking the words “medical  
70 marijuana treatment centers” and inserting in place thereof the following words:-

71 medical marijuana establishments, and for any classes of license under subsection (f) of  
72 section 2 of this chapter,

73 SECTION 8. Chapter 94G is hereby amended, in section 1, by striking out the definitions  
74 of “Host community”, “Host community agreement”, and “Independent testing laboratory”, and  
75 inserting the following definitions:-

76 “Host community” a municipality in which a marijuana establishment or a medical  
77 marijuana establishment is located or in which an applicant has proposed locating a marijuana  
78 establishment or a medical marijuana establishment.

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

81 “Independent testing laboratory”, a laboratory that is licensed by the commission and is:

- 82 (i) accredited to the most current International Organization for Standardization 17025 by a  
83 third-party accrediting body that is a signatory to the International Laboratory Accreditation  
84 Cooperation mutual recognition arrangement or that is otherwise approved by the commission;  
85 (ii) independent financially from any medical marijuana establishment or any licensee or  
86 marijuana establishment for which it conducts a test; and (iii) qualified to test marijuana in  
87 compliance with regulations promulgated by the commission pursuant to this chapter.

88 SECTION 9. Subsection (d) of Section 3 of Chapter 94G is hereby amended by striking  
89 out, in all instances, the words “marijuana establishment or medical marijuana treatment center”  
90 and inserting in place thereof the following words:-

91 marijuana establishment or medical marijuana establishment

92 SECTION 10. Subsection (d) of Section 3 of Chapter 94G is further amended by striking  
93 out, in all instances, the words “marijuana establishment or a medical marijuana treatment  
94 center” and inserting in place thereof the following words:-

95 marijuana establishment or a medical marijuana establishment

96 SECTION 11. Subsection (f) of Section 3 of Chapter 94G is hereby amended by striking  
97 out “medical marijuana treatment centers” and inserting in place thereof the following words:-

98 medical marijuana establishments

99 SECTION 12. Clause (xx) of subsection (a<sup>1/2</sup>) of section 4 of Chapter 94G is hereby  
100 amended by striking out the words “medical marijuana treatment center” and inserting in place  
101 thereof the following words:-

102 fully integrated medical marijuana treatment center

103 SECTION 13. Clause (4) of subsection (c) of section 4 of Chapter 94G is hereby  
104 amended by striking out, in both instances, the words “medical marijuana treatment center” and  
105 inserting in place thereof the following words:-

106 medical marijuana establishment

107 SECTION 14. Clause (5) of subsection (c) of section 4 of Chapter 94G is hereby  
108 amended by striking out the words “medical marijuana treatment centers” and inserting in place  
109 thereof the following words:-

110 medical marijuana establishments

111 SECTION 15. Clause (xxxv) of subsection (a<sup>1/2</sup>) of section 4 of chapter 94G is hereby  
112 amended by striking out “medical marijuana treatment centers” and inserting in place thereof the  
113 following words:-

114 medical marijuana establishments

115 SECTION 16. Subsection (c) of Section 14A of Chapter 94G is hereby amended by  
116 striking out “medical marijuana treatment centers” and inseting in place thereof the following  
117 words:-

118 medical marijuana establishments

119 SECTION 17. Chapter 94G is hereby amended by striking out Section 16 and inserting in  
120 place thereof the following section:-

121 Section 16. No licensee shall be granted more than 3 marijuana retailer licenses, 3 fully  
122 integrated medical marijuana treatment center licenses, 3 medical marijuana retailer licenses, 3  
123 medical marijuana product manufacturer licenses, 3 medical marijuana cultivator licenses, 3  
124 marijuana product manufacturer licenses, or 3 marijuana cultivator licenses; provided, however,  
125 that a licensee may hold 3 marijuana retailer licenses, 3 medical marijuana retailer licenses, 3  
126 medical marijuana product manufacturer licenses, 3 medical marijuana cultivator licenses, 3  
127 marijuana product manufacturer licenses and 3 marijuana cultivator licenses, provided, however,  
128 that each fully integrated medical marijuana treatment center license shall be equivalent to 1  
129 medical marijuana retail license, 1 medical marijuana cultivator license and 1 medical marijuana  
130 product manufacturer license, and provided furthermore that a licensee holding 3 fully integrated  
131 medical marijuana treatment center licenses shall be prohibited from obtaining any additional  
132 medical marijuana-related licenses.



133           SECTION 18. The cannabis control commission may allow fully integrated medical  
134 marijuana treatment centers the ability to amend their license, subject to the license limit  
135 established in section 16 of chapter 94G, for up to one year after the effective date of this act.