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HOUSE JOINT RESOLUTION NO. 497

Offered January 16, 2025

Establishing a joint commission to oversee the transition of the Commonwealth into a retail cannabis market. Report.

Patron—Krizek

Referred to Committee on Rules

WHEREAS, during the 2021 Session, Special Session I, the General Assembly passed and the Governor signed House Bill 2312 (Herring) and Senate Bill 1406 (Ebbin and Lucas) that, among other things, allowed persons 21 years of age or older to possess up to one ounce of marijuana and cultivate up to four marijuana plants at their residence for personal consumption; and

WHEREAS, such legislation also included a regulatory and licensing framework to govern the cultivation, manufacture, testing, and sale of marijuana in the Commonwealth, to be administered by the newly created Virginia Cannabis Control Authority (the Authority); however, many of the provisions of the legislation, including the provisions creating the regulatory and licensing framework, were subject to reenactment and the General Assembly failed to reenact such provisions during the 2022 Session; and

WHEREAS, since July 1, 2021, the Commonwealth legalized the recreational use and possession of marijuana in certain circumstances but has not yet created a regulatory and licensing framework to effectively transition the Commonwealth to a retail cannabis market; and

WHEREAS, beginning January 1, 2024, statutory and regulatory oversight of the medical cannabis program transitioned from the Board of Pharmacy to the Authority; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint commission be established to oversee the transition of the Commonwealth into a retail cannabis market. The joint commission shall have a total membership of 10 legislative members. Members shall be appointed as follows: six members of the House of Delegates who are members of the House Committee on Appropriations, the House Committee for Courts of Justice, or the House Committee on General Laws to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates and four members of the Senate who are members of the Senate Committee on Finance and Appropriations, the Senate Committee for Courts of Justice, or the Senate Committee on Rehabilitation and Social Services to be appointed by the Senate Committee on Rules. The joint commission shall elect a chairman and vice-chairman from among its membership; however, the chairman and vice-chairman shall not both be members of the House of Delegates, nor shall both the chairman and vice-chairman be members of the Senate.

The joint commission shall (i) oversee the administration of responsibilities assigned to the Authority under the Cannabis Control Act (§ 4.1-600 et seq.); (ii) oversee the implementation and enforcement of cannabis-related laws and regulations; (iii) monitor issues, trends, and impacts related to cannabis; and (iv) examine, in consultation with the Authority, necessary legislative changes to the medical cannabis program that would make the program more competitive, accessible, and economically inclusive.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint commission shall be provided by the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the joint commission, upon request.

The joint commission shall meet at the call of the chairman or whenever the majority of the members so request. No recommendation of the joint commission shall be adopted if a majority of the House members or a majority of the Senate members appointed to the joint commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint commission.

The chairman shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the joint commission no later than the first day of each regular session of the General Assembly. Each executive summary shall state whether the joint commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

The joint commission shall expire on July 1, 2028.

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