

HOUSE No. 5350

The Commonwealth of Massachusetts

The committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2749) of the House Bill modernizing the commonwealth's cannabis laws (House, No. 4206), reports recommending passage of the accompanying bill (House, No. 5350). April 6, 2026.

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| Daniel M. Donahue | Adam Gómez |
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HOUSE No. 5350

The Commonwealth of Massachusetts

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

An Act modernizing the commonwealth’s cannabis laws.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to modernize the commonwealth’s cannabis laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. 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 3 commissioners, appointed by the governor. The governor shall designate 1
5 commissioner as chair. The commissioners shall devote their full time and attention to the duties
6 of their office. The governor shall appoint commissioners with experience or expertise in any of
7 the following areas: public health, public safety, social justice, the regulation and business of
8 consumer commodities or the production and distribution of marijuana and marijuana products;
9 provided, however, that at least 1 commissioner shall have a background in social justice. Prior
10 to appointment to the commission, a background investigation shall be conducted into the
11 financial stability, integrity and responsibility of a candidate, including the candidate’s reputation

12 for good character and honesty. No person convicted of a felony shall be eligible to serve on the
13 commission.

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

19 (c) The chair shall serve a term co-terminus with the governor. The 2 remaining
20 commissioners shall each serve for a term of 4 years or until a successor is appointed. Each
21 commissioner shall be eligible for reappointment. A person appointed to fill a vacancy in the
22 office of a commissioner shall be appointed in a like manner and shall serve for only the
23 unexpired term of that commissioner.

24 (d) The governor may remove a commissioner for inefficiency, neglect of duty,
25 misconduct, malfeasance, inability to discharge the duties of a commissioner or conviction of a
26 felony in office. Before removal, the commissioner shall be provided with a written statement of
27 the reason for removal and an opportunity to be heard.

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

34 (f) The chair shall receive a salary equal to the salary of the secretary of administration
35 and finance under section 4 of chapter 7. The 2 remaining commissioners shall receive a salary
36 equal to 75 per cent of the salary of the secretary of administration and finance under said section
37 4 of said chapter 7.

38 (g) The chair shall have and exercise supervision and control over all of the affairs of the
39 commission, including the coordination and administration of its operations, programs and
40 personnel; provided, however, that the chair may delegate any of these responsibilities to the
41 executive director. The chair shall preside at all hearings at which the chair is present and shall
42 designate a commissioner to act as chair to preside in the chair's absence. The chair shall direct
43 the implementation of the commission's policies and shall have final authority, subject to
44 applicable law and regulations, over personnel management and internal administrative matters.
45 The chair may, as necessary, assign or reassign responsibilities among the commissioners,
46 officers, employees and agents of the commission to ensure the efficient administration of the
47 commission.

48 (h)(1) The commissioners shall, if so directed by the chair, participate in the hearing and
49 decision of any matter before the commission; provided, however, that any matter may be heard,
50 examined and investigated by an employee of the commission designated and assigned by the
51 chair, with the concurrence of 1 other commissioner. Such employee shall make a report in
52 writing relative to the hearing, examination and investigation of every such matter to the
53 commission for its decision. For the purposes of hearing, examining and investigating any such
54 matter, such employee shall have all of the powers conferred upon a commissioner by this
55 section. For each hearing, the concurrence of a majority of the commissioners participating in the
56 decision shall be necessary.

57 (2) When presiding over or participating in an adjudicatory proceeding, the
58 commissioners shall be subject to all duties, standards and prohibitions applicable to presiding
59 officers pursuant to chapter 30A.

60 (i)(1) The chair shall, in consultation with the other commissioners, appoint an executive
61 director who shall devote their full-time duties to their office. The executive director shall serve
62 at the pleasure of the chair and under the supervision and direction of the chair. The salary of the
63 executive director shall be determined by the chair after consultation with the commission.

64 (2) The executive director shall, consistent with the personnel and budget policies
65 adopted by the chair, appoint and employ a chief financial and accounting officer and may
66 appoint other officers, employees, consultants, agents and legal counsel as may be necessary to
67 carry out the duties of the commission. No funds shall be transferred or expended by the
68 commission without the approval of the chair and the authorization of the chief financial and
69 accounting officer consistent with financial control policies.

70 (3) In the event of an absence or vacancy in the office of the executive director or in the
71 case of disability, as determined by the chair, the chair shall designate an acting executive
72 director who shall perform the duties of the office until such vacancy, absence or disability
73 ceases.

74 (j) Chapters 268A and 268B shall apply to the commissioners and to employees of the
75 commission; provided, however, that the commission shall establish a code of ethics for all
76 commissioners and employees that shall be more restrictive than said chapters 268A and 268B.
77 A copy of the code shall be filed with the state ethics commission. The code shall include
78 provisions reasonably necessary to carry out the purposes of this section and any other laws

79 subject to the jurisdiction of the commission, including, but not limited to: (i) prohibiting the
80 receipt of gifts by commissioners and employees from any marijuana licensee, applicant, close
81 associate, affiliate or other person or entity subject to the jurisdiction of the commission; (ii)
82 prohibiting the participation by commissioners and employees in a particular matter as defined in
83 section 1 of said chapter 268A that affects the financial interest of a relative within the third
84 degree of consanguinity or a person with whom such commissioner or employee has a significant
85 relationship, as defined in the code; and (iii) providing for recusal of a commissioner in a
86 licensing decision due to a potential conflict of interest.

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

88 (l) The commission shall, for the purposes of compliance with state finance law, operate
89 as a state agency as defined in section 1 of chapter 29 and shall be subject to the laws applicable
90 to agencies under the control of the governor; provided, however, that the comptroller may
91 identify any additional instructions or actions necessary for the commission to manage fiscal
92 operations in the state accounting system and meet statewide and other governmental accounting
93 and audit standards. The commission shall properly classify the commission's operating and
94 capital expenditures and shall not include any salaries of employees in the commission's capital
95 expenditures. Unless otherwise exempted by law or the applicable central service agency, the
96 commission shall participate in any other available commonwealth central services, including,
97 but not limited to, the state payroll system pursuant to section 31 of said chapter 29, and may
98 purchase other goods and services provided by state agencies in accordance with comptroller
99 provisions. The comptroller may chargeback the commission for the transition and ongoing costs
100 for participation in the state accounting and payroll systems and may retain and expend such

101 costs without further appropriation for the purposes of this section. The commission shall be
102 subject to section 5D and subsection (f) of section 6B of said chapter 29.

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

104 SECTION 3. Section 2 of chapter 62 of the General Laws, as appearing in the 2024
105 Official Edition, is hereby amended by striking out, in lines 412 and 413, the words “medical
106 marijuana treatment center” and inserting in place thereof the following words:- medical
107 marijuana establishment.

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

111 SECTION 5. Section 4 of chapter 64N of the General Laws, as so appearing, is hereby
112 amended by striking out, in lines 2 and 3, the words “medical marijuana treatment center” and
113 inserting in place thereof the following words:- medical marijuana establishment as defined in
114 section 1 of chapter 94I.

115 SECTION 6. Section 1 of chapter 94C of the General Laws, as so appearing, is hereby
116 amended by striking out the definition of “Marihuana” and inserting in its place the following
117 definition:-

118 “Marijuana” or “Marihuana”, all parts of any plant of the genus Cannabis, not excepted
119 below and whether growing or not; and resin extracted from any part of the plant; and every
120 compound, manufacture, salt, derivative, mixture or preparation of the plant or its resin including
121 tetrahydrocannabinol; provided, however, that marijuana shall not include: (i) the mature stalks

122 of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any
123 other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber,
124 oil or cake made from the seeds of the plant; (ii) the seeds of the plant; (iii) hemp; or (iv) the
125 weight of any other ingredient combined with marijuana to prepare topical or oral
126 administrations, food, drink or other products.

127 SECTION 7. Section 32L of said chapter 94C, as so appearing, is hereby amended by
128 striking out, in lines 2, 23, 25, 30, 35, 36 and 45, each time it appears, the figure “2” and
129 inserting in place thereof, in each instance, the following figure:- 3.

130 SECTION 8. Section 32M of said chapter 94C, as so appearing, is hereby amended by
131 striking out, in line 3, the figure “2” and inserting in place thereof the following figure:- 3.

132 SECTION 9. Section 34 of said chapter 94C, as so appearing, is hereby amended by
133 striking out, in line 18, the words “one ounce of marihuana” and inserting in place thereof the
134 following words:- 2 ounces of marihuana.

135 SECTION 10. Section 1 of chapter 94G of the General Laws, as so appearing, is hereby
136 amended by striking out the definition of “Commission” and inserting in place there of the
137 following definition:-

138 “Commission”, the Massachusetts cannabis control commission established in section
139 223 of chapter 6.

140 SECTION 11. Said section 1 of said chapter 94G, as so appearing, is hereby further
141 amended by striking out the definitions of “Host community”, “Host community agreement” and
142 “Independent testing laboratory” and inserting in place thereof the following 3 definitions:-

143 “Host community”, a municipality in which a marijuana establishment or a medical
144 marijuana establishment is located or in which an applicant has proposed locating a marijuana
145 establishment or a medical marijuana establishment.

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

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

155 SECTION 12. Said section 1 of said chapter 94G, as so appearing, is hereby further
156 amended by striking out the definition of “Marijuana” and inserting in place thereof the
157 following definition:-

158 “Marijuana” or “Marihuana”, all parts of any plant of the genus Cannabis, not excepted
159 below and whether growing or not; and resin extracted from any part of the plant; and every
160 compound, manufacture, salt, derivative, mixture or preparation of the plant or its resin including
161 tetrahydrocannabinol as defined in section 1 of chapter 94C; provided, however, that marijuana
162 shall not include: (i) the mature stalks of the plant, fiber produced from the stalks, oil or cake
163 made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or
164 preparation of the mature stalks, fiber, oil or cake made from the seeds of the plant; (ii) the seeds

165 of the plant; (iii) hemp; or (iv) the weight of any other ingredient combined with marijuana to
166 prepare topical or oral administrations, food, drink or other products.

167 SECTION 13. Said section 1 of said chapter 94G, as so appearing, is hereby further
168 amended by striking out the definition of “Medical marijuana treatment center” and inserting in
169 place thereof the following definition:-

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

171 SECTION 14. Said section 1 of said chapter 94G, as so appearing, is hereby further
172 amended by striking out the definition of “Social equity business” and inserting in place thereof
173 the following definition:-

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

178 SECTION 15. Section 3 of said chapter 94G, as so appearing, is hereby amended by
179 striking out, in lines 10, 98 and 99, 103, 106, 111 and 112, 114 and 115, 117, 120 and 121, 127,
180 130 and 131, 135 and 136, 139 and 140, 147, 150 and 151, 156, 162 and 163, 177 and 178 and
181 190, each time they appear, the words “medical marijuana treatment center” and inserting in
182 place thereof, in each instance, the following words:- medical marijuana establishment.

183 SECTION 16. Said section 3 of said chapter 94G, as so appearing, is hereby further
184 amended by striking out, in lines 31 and 223, each time they appear, the words “medical

185 marijuana treatment centers” and inserting in place thereof, in each instance, the following
186 words:- medical marijuana establishments.

187 SECTION 17. Said section 3 of said chapter 94G, as so appearing, is hereby further
188 amended by striking out, in lines 118 and 119, the words “medical marijuana treatment center’s”
189 and inserting in place thereof the following words:- medical marijuana establishment’s.

190 SECTION 18. Subsection (a) of section 4 of said chapter 94G, as so appearing, is hereby
191 amended by striking out, in line 5, the words “appoint officers and”.

192 SECTION 19. Subsection (a) of said section 4 of said chapter 94G, as so appearing, is
193 hereby further amended by striking out clauses (xxxi) and (xxxii) and inserting in place thereof
194 the following 3 clauses:-

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

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

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

203 SECTION 20. Said section 4 of said chapter 94G, as so appearing, is hereby further
204 amended by striking out, in lines 169 and 170, 355 and 356 and 357, each time they appear, the

205 words “medical marijuana treatment center” and inserting in place thereof, in each instance, the
206 following words:- medical marijuana establishment.

207 SECTION 21. Said section 4 of said chapter 94G, as so appearing, is hereby further
208 amended by inserting after the word “marijuana”, in line 267, the following words:- ; provided,
209 however, that the commission may permit advertising, marketing and branding of sales,
210 discounts and customer loyalty programs within a marijuana establishment, or through an opt-in
211 email list.

212 SECTION 22. Said section 4 of said chapter 94G, as so appearing, is hereby further
213 amended by inserting after the word “commission”, in lines 290 and 291, the following words:- ,
214 including, but not limited to, procedures and requirements to enable the sale of a marijuana
215 establishment or medical marijuana establishment to a licensee’s employees through an
216 employee stock ownership plan as defined in section 407(D)(6)(A) of the Employee Retirement
217 Income Security Act of 1974, codified at 29 U.S.C. 1107(d)(5).

218 SECTION 23. Said section 4 of said chapter 94G, as so appearing, is hereby further
219 amended by striking out, in lines 313 and 314 and 361 and 362, each time they appear, the words
220 “medical marijuana treatment centers” and inserting in place thereof, in each instance, the
221 following words:- medical marijuana establishments.

222 SECTION 24. Subsection (a ½) of said section 4 of said chapter 94G, as so appearing, is
223 hereby amended by striking out clauses (xxxvii) and (xxxviii) and inserting in place thereof the
224 following 4 clauses:-

225 (xxxvii) procedures and policies for host communities to promote and encourage full
226 participation in the regulated marijuana industry, pursuant to paragraph (5) of subsection (d) of

227 section 3, during negotiations of host community agreements with social equity businesses,
228 including, but not limited to, advisory guidelines, best practices and minimum acceptable policy
229 standards;

230 (xxxviii) procedures and policies for the commission to provide the department of
231 revenue with a list of businesses that qualify as social equity businesses to facilitate the
232 department of revenue's timely certification of the amounts required to be distributed, credited
233 and paid to cities and towns pursuant to section 5 of chapter 64N;

234 (xxxix) equivalency and conversion standards for marijuana products pursuant to
235 subsection (a) of section 7, provided; however, that such standards shall consider potency and
236 form; and

237 (xl) criteria for determining whether a person or entity has direct or indirect control over
238 a license pursuant to subsection (b) of section 16.

239 SECTION 25. Subsection (b) of said section 4 of said chapter 94G, as so appearing, is
240 hereby amended by striking out clause (1) and inserting in place thereof the following two
241 clauses:-

242 (1) establish and provide for issuance of additional types or classes of licenses to operate
243 marijuana-related businesses, including licenses that authorize only limited cultivation,
244 processing, manufacture, possession or storage of marijuana or marijuana products, licenses that
245 authorize the consumption of marijuana or marijuana products on the premises where sold,
246 licenses that authorize the consumption of marijuana at special events in limited areas and for a
247 limited time and licenses intended to facilitate scientific research or education;

248 (2) establish and provide for issuance of licenses that authorize limited delivery of
249 marijuana or marijuana products to consumers; provided, however that notwithstanding section 3
250 limited delivery of marijuana or marijuana products to consumers shall be allowed in any
251 municipality in the commonwealth; provided further, that notwithstanding this paragraph, a
252 municipality that does not authorize retail marijuana establishment licenses within its limits may
253 request, and the commission shall grant, a waiver from this requirement and may prohibit
254 delivery of marijuana or marijuana products in said municipality; and provided further, that said
255 waiver shall be valid for not more than 2 years and may be extended in 2-year increments upon
256 request, at the commission's discretion.

257 SECTION 26. Said section 4 of said chapter 94G, as so appearing, is hereby further
258 amended by inserting after the word "chapter", in line 384, the following words: -, the number of
259 complaints received by type submitted through the portal established in subsection (m).

260 SECTION 27. Said section 4 of said chapter 94G, as so appearing, is hereby further
261 amended by striking out, in lines 386 and 387, the words " , the attorney general, the treasurer
262 and receiver-general".

263 SECTION 28. Said section 4 of said chapter 94G, as so appearing, is hereby further
264 amended by adding the following subsection:-

265 (m) The commission shall establish and maintain an online portal for anonymous
266 submission of complaints concerning suspected violations of this chapter or the commission's
267 regulations, including, but not limited to: (i) improper practices by independent testing
268 laboratories; and (ii) violations of license ownership limitations pursuant to section 16. The
269 commission shall adopt procedures to review, log and assess all complaints in a timely manner.

270 The anonymity of complainants shall not preclude the commission from initiating inquiries or
271 enforcement actions where sufficient information is provided to support further investigation.
272 The commission may, in addition, maintain a phone line or any other line of communication that
273 it considers appropriate for the anonymous submission of complaints. Information contained in
274 complaints shall not be a public record and shall be exempt from the disclosure pursuant to
275 clause twenty-six of section 7 of chapter 4 and section 10 of chapter 66.

276 SECTION 29. Subsection (a) of section 7 of said chapter 94G, as so appearing, is hereby
277 amended by striking out clause (1) and inserting in place thereof the following clause:-

278 (1) possessing, using, purchasing, processing or manufacturing 2 ounces or less of
279 marijuana or the equivalent amount of marijuana products as determined by the commission.

280 SECTION 30. Said subsection (a) of said section 7 of said chapter 94G, as so appearing,
281 is hereby further amended by striking out clause (4) and inserting in place thereof the following
282 clause:-

283 (4) giving away or otherwise transferring without remuneration up to 2 ounces of
284 marijuana or the equivalent amount of marijuana products as determined by the commission to a
285 person 21 years of age or older; provided, however, that such transfer shall not be advertised or
286 otherwise promoted to the public.

287 SECTION 31. Section 13 of said chapter 94G, as so appearing, is hereby amended by
288 striking out, in line 12, the figure “1” and inserting in place thereof the following figure:- 2.

289 SECTION 32. Said section 13 of said chapter 94G, as so appearing, is hereby further
290 amended by striking out, in line 50, the words “1 ounce but not more than 2” and inserting in
291 place thereof the following words:- 2 ounces but not more than 3.

292 SECTION 33. Section 14A of said chapter 94G, as so appearing, is hereby amended by
293 striking out in lines 11 and 12, 45, 73 and 74, each time they appear, the words “executive office
294 of housing and economic development” and inserting in place thereof, in each instance, the
295 following words:- executive office of economic development.

296 SECTION 34. Said section 14A of said chapter 94G, as appearing in the 2024 Official
297 Edition, is hereby further amended by striking out, in lines 50 and 51, the words “medical
298 marijuana treatment centers” and inserting in place thereof the following words:- medical
299 marijuana establishments.

300 SECTION 35. Section 15 of said chapter 94G, as so appearing, is hereby by amended by
301 adding the following subsection:-

302 (d) (1) Regulations and testing protocols promulgated or otherwise established pursuant
303 to this section shall be reviewed by the commission at least once every 2 years after their
304 publication as the final rules or regulations to ensure that such regulations and testing protocols
305 are consistent with the most recently published industry standards and best practices.

306 (2) In reviewing a regulation or testing protocol pursuant to this subsection, the
307 commission shall hold a public hearing.

308 (3) The commission shall report on the results of a review undertaken pursuant to this
309 section, which shall include, but not be limited to: (i) a summary of findings under the review

310 and (ii) a summary of testimony given at the public hearing required by this subsection. The
311 reports shall be posted online in a machine-readable format.

312 SECTION 36. Said chapter 94G is hereby further amended by striking out section 16, as
313 so appearing, and inserting in place thereof the following section:-

314 Section 16. (a) No licensee shall be granted more than 6 marijuana retailer licenses, 3
315 fully integrated medical marijuana treatment center licenses, 3 marijuana product manufacturer
316 licenses or 3 marijuana cultivator licenses; provided, however, that a licensee may hold 6
317 marijuana retailer licenses, 3 fully integrated medical marijuana treatment center licenses, 3
318 marijuana product manufacturer licenses and 3 marijuana cultivator licenses; and provided
319 further, that a licensee that holds 3 fully integrated medical marijuana treatment center licenses
320 shall not hold any additional medical marijuana establishment licenses established by the
321 commission pursuant to section 7 of chapter 94I.

322 (b) The limitations of subsection (a) shall not apply to: (i) a person functioning solely as a
323 trustee during or after the sale of a marijuana establishment or medical marijuana establishment
324 to a licensee's employees through an employee stock ownership plan as defined in section
325 407(d)(6) of the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1107(d)(6); or
326 (ii) a person or entity that possesses a financial interest in the form of equity in a license of less
327 than 20 per cent provided, however, that such person or entity does not otherwise have direct or
328 indirect control over the operations of a license.

329 SECTION 37. Said chapter 94G is hereby further amended by adding the following
330 section:-

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

334 (b) It shall be unlawful for any licensee to receive or extend credit, directly or indirectly,
335 for marijuana or marijuana products sold or delivered to any licensee except in the usual course
336 of business and for a period of not more than 60 days. Nothing in this chapter shall require any
337 licensee to extend credit to any other licensee. If any licensee does not discharge in full any such
338 indebtedness within such 60-day period, the indebtedness shall be overdue and such licensee
339 shall be delinquent under this section. Not more than 3 days after a licensee becomes delinquent,
340 the licensee that extended the credit shall notify the commission and the delinquent licensee in a
341 manner to be determined by the commission. The notice shall contain the name of the delinquent
342 licensee, the date of delivery of the marijuana or marijuana products and the amount of the
343 indebtedness remaining undischarged. Not more than 5 days after receipt of such notice, the
344 commission shall review the delinquency report and, upon finding it valid, post the name and
345 address only of the delinquent licensee in a delinquent list containing the names and addresses of
346 all delinquent licensees. Such posting shall constitute notice to all licensees of the delinquency of
347 such licensee.

348 (c) If a licensee is seriously damaged in its business by riot, insurrection, civil
349 disturbance, fire, explosion or by an act of God, so-called, the licensee may file an application
350 with the commission requesting that the provisions of subsection (b) be suspended as to the
351 licensee for a reasonable period. The commission shall set down the application for hearing
352 within 21 days and shall notify all licensees engaged in selling to the applicant of the hearing and
353 give all interested parties the right to be heard. Pending such hearing, the commission may, after

354 an investigation and determination that the facts as stated by the licensee in its application would
355 constitute reasonable grounds for relief, order that such licensee shall not be posted as
356 delinquent. If the commission finds it is in the public interest to do so, it may suspend the
357 application of subsection (b) with respect to the applicant for such period as it may consider to be
358 reasonable and in the public interest. Such action shall not deprive creditors of all legal rights
359 available to them for the collection of the indebtedness and shall be contingent on such terms and
360 conditions as the commission shall determine.

361 (d) No licensee shall sell or deliver, directly or indirectly, marijuana or marijuana
362 products to a licensee whose name is posted on the delinquent list, except upon full payment
363 made on or before delivery by certified funds, electronic funds transfer or other payment method
364 as may be approved by the commission and no licensee that is posted on the delinquent list shall
365 purchase or accept delivery of any marijuana or marijuana product except upon full payment
366 made on or before delivery by certified funds, electronic funds transfer or other payment method
367 as may be approved by the commission.

368 (e) Upon full discharge of the indebtedness for which a licensee was posted to the
369 delinquent list, the licensee who filed the letter of notice of delinquency shall, within 24 hours
370 thereafter, notify the commission of the discharge of the indebtedness. The commission shall,
371 within 2 business day after the receipt of such notice, strike the name of the delinquent licensee
372 from the list. The commission shall, by regulations, prescribe how licensees, other than the 2
373 concerned, shall be notified of the filing of the name of a licensee on the delinquency list and the
374 removal of the name of a delinquent from such list.

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

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

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

386 SECTION 38. Section 1 of chapter 94I of the General Laws, as appearing in the 2024
387 Official Edition, is hereby amended by striking out the definition of “Card holder” and inserting
388 in place thereof the following definition:-

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

391 SECTION 39. Said section 1 of said chapter 94I, as so appearing, is hereby further
392 amended by striking out, in line 16, the words “section 76 of chapter 10” and inserting in place
393 thereof the following words:- section 223 of chapter 6.

394 SECTION 40. Said section 1 of said chapter 94I, as so appearing, is hereby further
395 amended by striking out the definition of “Cultivation registration” and inserting in place thereof
396 the following definition:-

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

400 SECTION 41. Said section 1 of said chapter 94I, as so appearing, is hereby further
401 amended by inserting after the definition of “Electronic certification” the following definition:-

402 “Fully integrated medical marijuana treatment center”, an entity licensed by the
403 commission with the ability to cultivate, manufacture, process and sell medical use marijuana to
404 qualifying patients, personal caregivers and medical marijuana establishments.

405 SECTION 42. Said section 1 of said chapter 94I, as so appearing, is hereby further
406 amended by striking out the definition of “Locked area” and inserting in place thereof the
407 following definition:-

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

411 SECTION 43. Said section 1 of said chapter 94I, as so appearing, is hereby further
412 amended by striking out the definitions “Marijuana”, “Medical marijuana treatment center”,
413 “Medical use marijuana”, “Medical use marijuana license” and “Medical use marijuana
414 licensee”, and inserting in place thereof the following 3 definitions:-

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

416 “Medical marijuana establishment”, a fully integrated medical marijuana treatment center
417 or any other type of licensed medical use of marijuana-related business.

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

421 SECTION 44. Said section 1 of said chapter 94I, as so appearing, is hereby further
422 amended by striking out the definition of “Registration card” and inserting in place thereof the
423 following definition:-

424 “Registration card”, a personal identification card issued by the commission to a
425 registered qualifying patient, personal caregiver, laboratory agent or agent of a medical
426 marijuana establishment. The registration card shall facilitate verification of an individual
427 registrant’s status, including, but not limited to, verification that: (i) a registered healthcare
428 professional has provided a written or electronic certification to the qualifying patient; (ii) the
429 patient has designated the individual as a personal caregiver; (iii) a laboratory agent has been
430 registered with the commission and is authorized to possess and test marijuana; or (iv) an agent
431 has been registered with the commission and is authorized to work at a medical marijuana
432 establishment. A temporary registration issued to a qualifying patient shall be deemed a
433 registration card.

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

437 SECTION 45. Said section 1 of said chapter 94I, as so appearing, is hereby further
438 amended by striking out the definition of “Temporary Registration” and inserting in place
439 thereof the following definition:-

440 “Temporary registration”, an interim registration document for patients and their personal
441 caregivers generated automatically upon the commission’s receipt of a healthcare professional’s
442 electronic certification. The temporary registration document shall constitute a registration card
443 for patients and their personal caregivers to access a medical marijuana establishment.
444 Temporary registration shall expire 14 days after the commission issues the registration card.

445 SECTION 46. Section 2 of said chapter 94I, as so appearing, is hereby amended by
446 striking out subsection (a) and inserting in place thereof the following subsection:-

447 (a) The commission shall operate a medical use of marijuana program, which shall permit
448 a qualifying patient with a debilitating medical condition to obtain a written or electronic
449 certification from a healthcare professional with whom the patient has a bona fide healthcare
450 professional-patient relationship to purchase medical use marijuana from a medical marijuana
451 establishment. Upon issuance of a written certification from a healthcare professional, the
452 commission shall issue a registration card to the qualifying patient. A medical marijuana
453 establishment licensed and authorized by the commission to deliver, sell or otherwise transfer
454 medical use marijuana to consumers may sell medical use marijuana to a card holder.

455 SECTION 47. Said section 2 of said chapter 94I, as so appearing, is hereby further
456 amended by striking out, in lines 29, 37 and 39, each time they appear, the words “medical
457 marijuana treatment center” and inserting in place thereof, in each instance, the following
458 words:- medical marijuana establishment.

459 SECTION 48. Section 3 of said chapter 94I, as so appearing, is hereby amended by
460 striking out, in lines 5 and 23 and 24, each time they appear, the words “medical marijuana
461 treatment center” and inserting in place thereof, in each instance, the following words:- medical
462 marijuana establishment.

463 SECTION 49. Said section 3 of said chapter 94I, as so appearing, is hereby further
464 amended by striking out, in lines 10 and 11, the words “medical marijuana treatment centers”
465 and inserting in place thereof the following words:- medical marijuana establishments.

466 SECTION 50. Said section 3 of said chapter 94I, as so appearing, is hereby further
467 amended by striking out, in line 16, the words “medical use marijuana licensee or establishment”
468 and inserting in place thereof the following words:- medical marijuana establishment.

469 SECTION 51. Section 6 of said chapter 94I, as so appearing, is hereby amended by
470 striking out clauses (ii) and (iii) and inserting in place thereof the following 3 clauses:-

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

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

476 (iv) require medical marijuana establishments to simultaneously cultivate, process
477 and dispense medical use marijuana as a condition of licensure.

478 SECTION 52. Section 7 of said chapter 94I, as so appearing, is hereby amended by
479 striking out, in lines 3 and 4, the words “medical marijuana treatment centers” and inserting in

480 place thereof the following words:- medical marijuana establishments, which may include
481 different fee amounts for classes established pursuant to this section.

482 SECTION 53. Said section 7 of said chapter 94I, as so appearing, is hereby further
483 amended by adding the following 3 paragraphs:-

484 The commission may adopt regulations to: (i) establish and provide for the issuance of
485 additional types or classes of licenses to operate medical use of marijuana-related businesses;
486 and (ii) limit the number of medical marijuana establishment licenses a licensee may be granted.

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

491 The commission shall adopt regulations to promote and encourage full participation in
492 the regulated medical marijuana industry by people from communities that have previously been
493 disproportionately harmed by marijuana prohibition and enforcement and to positively impact
494 those communities pursuant to clause (iv) of subsection (a ½) of section 4 of chapter 94G.

495 SECTION 54. Section 22 of chapter 270 of the General Laws, as so appearing, is hereby
496 amended by striking out, in lines 27 and 28, the words “section 76 of chapter 10” and inserting in
497 place thereof the following words:- section 223 of chapter 6.

498 SECTION 55. The Massachusetts cannabis control commission shall study and report on
499 patterns of cannabis use in the commonwealth. The commission shall study: (i) patterns of use,
500 methods of consumption, sources of purchase and general perceptions of marijuana among

501 minors, college and university students and adults; (ii) incidents of impaired driving; and (iii)
502 incidents of hospitalization and the use of other health care services related to marijuana use.
503 Based on findings of the study, the commission shall report on the: (1) science of identifying a
504 quantifiable level of marijuana-induced impairment of motor vehicle operation; (2) financial
505 impacts to the state healthcare system for hospitalizations related to marijuana use; (3)
506 prevalence of cannabis use disorder in the commonwealth; and (4) impacts of public health
507 interventions, including, but not limited to, warning labels and educational campaigns. The
508 commission shall incorporate available data into the report, including, but not limited to, data
509 obtained pursuant to subsection (b) of section 17 of chapter 94G of the General Laws. Not later
510 than January 1, 2028, the commission shall submit its report and any recommendations for
511 legislation to the clerks of the house of representatives and the senate and the joint committee on
512 cannabis policy.

513 SECTION 56. The Massachusetts cannabis control commission shall study the businesses
514 licensed pursuant chapters 94G and 94I of the General Laws or the commission shall retain an
515 outside expert with expertise in economic analysis to study the cannabis market and businesses
516 licensed pursuant to said chapters 94G and 94I. The study shall review: (i) the appropriate
517 number of licenses to be granted under said chapters 94G and 94I, the adequacy of cannabis
518 supply for patients and consumers, whether an oversupply harms market participants, and the
519 adequacy of the commission's enforcement of its regulations with respect to cultivation tiers; (ii)
520 current cannabis supplier trends; (iii) data on projected future trends of cannabis consumption;
521 (iv) price sensitivity of marijuana consumers; (v) access to capital for the creation and
522 maintenance of legal cannabis business ventures in the commonwealth; and (vi) current
523 regulations on existing cannabis cultivation tiers. Not later than July 1, 2028, the commission

524 shall publish the results of the study on its website and submit a copy of the report to the clerks
525 of the house of representatives and the senate and to the joint committee on cannabis policy.

526 SECTION 57. The cannabis control commission shall conduct, or retain an outside expert
527 to conduct, a study on the effects of the current marijuana excise tax rates established in chapter
528 64N of the General Laws on the sustainability of the cannabis industry. The study shall include,
529 but not be limited to, the impact of the excise tax on: (i) consumer demand with regard to
530 businesses licensed pursuant to chapters 94G and 94I of the General Laws; (ii) consumer demand
531 for illicit cannabis and the size of the illicit cannabis market; (iii) the rates of marijuana related
532 business closures; and (iv) businesses that have or could qualify for the Cannabis Social Equity
533 Trust Fund established by section 14A of said chapter 94G. The study shall evaluate the impact
534 of state taxes on the sale of cannabis in other states and any other relevant factors regarding the
535 impact of the current excise tax on consumers and businesses in the commonwealth. Not later
536 than January 1, 2028, the commission shall submit a report of its findings and any
537 recommendations for legislation to the clerks of the house of representatives and the senate and
538 the joint committee on cannabis policy.

539 SECTION 58. Not later than July 1, 2027, the Massachusetts cannabis control
540 commission shall review its rules and regulations regarding: (i) workplace safety, including, but
541 not limited to, air quality and first responder access; and (ii) enforcement and investigation
542 protocols promulgated pursuant to clauses (xv) and (xxiii) of subsection (a ½) of section 4 of
543 chapter 94G of the General Laws. Not later than July 1, 2028, the commission shall report its
544 findings to the governor, the clerks of the house of representatives and the senate, the joint
545 committee on cannabis policy and the cannabis advisory board.

546 SECTION 59. Not later than 12 months after the effective date of this act, the
547 Massachusetts cannabis control commission shall conduct a targeted audit and compliance
548 review of marijuana establishments and medical marijuana establishments to evaluate adherence
549 to the ownership and control limitations pursuant to section 16 of chapter 94G of the General
550 Laws. The commission shall prioritize reviews based on license type, risk indicators and prior
551 compliance history. Not later than 18 months from the effective date of this act, the commission
552 shall submit a report to the clerks of the house of representatives and the senate and the joint
553 committee on cannabis policy summarizing the findings of the audit, including any identified
554 patterns of noncompliance and recommended regulatory or legislative actions.

555 SECTION 60. Not later than 2 months after the effective date of this act, the
556 Massachusetts cannabis control commission shall amend its regulations and begin accepting
557 applications pursuant to section 16 of chapter 94G of the General Laws, as amended by section
558 36; provided, however, that the commission shall not grant a licensee that is not a social equity
559 business more than 5 retail licenses until 12 months after the commission begins accepting
560 applications pursuant to this section.

561 SECTION 61. (a) Notwithstanding section 16 of chapter 94G of the General Laws and
562 chapter 94I of the General Laws or any other general or special law to the contrary, all medical
563 marijuana establishment licenses that are not fully integrated medical marijuana treatment
564 centers shall be limited on an exclusive basis to social equity businesses for a period of 24
565 months from the date that the first of such license types receive a notice to commence operations;
566 provided, however, that the Massachusetts cannabis control commission may vote to extend the
567 exclusivity period following an evidence-based determination that the goals and objectives of the
568 exclusivity period to promote and encourage full participation in the regulated medical marijuana

569 industry by people from communities that have previously been disproportionately harmed by
570 marijuana prohibition and enforcement has not been met.

571 (b) If data collected by the commission demonstrates progress toward the goals and
572 objectives of the exclusivity period as set forth in subsection (a) and the demand by registered
573 qualifying patients is likely to exceed the supply that could be provided by businesses that meet
574 the exclusivity requirements during the exclusivity period, the commission may vote during the
575 exclusivity period to allow the following additional businesses to own medical marijuana
576 establishments: (i) craft marijuana cooperatives as defined in 935 CMR 500.002; (ii)
577 Massachusetts minority business enterprises; (iii) women business enterprises; and (iv) veteran
578 business enterprises; provided, that businesses pursuant to clauses (ii) to (iv), inclusive, shall
579 have valid certification from the supplier diversity office pursuant to section 61 of chapter 7 of
580 the General Laws.

581 SECTION 62. Notwithstanding section 76 of chapter 10 of the General Laws or any other
582 general or special law to the contrary, the terms of all commissioners serving on the
583 Massachusetts cannabis control commission shall terminate on the effective date of this act.
584 Commissioners shall thereafter be appointed by the governor pursuant to section 223 of chapter 6
585 of the General Laws not later than 30 days after the effective date of this act.

586 SECTION 63. (a) Notwithstanding any general or special law to the contrary, this section
587 shall facilitate the orderly transfer of employees, proceedings, rules and regulations, property and
588 legal obligations of the following functions of state government from the cannabis control
589 commission established pursuant to chapter 334 of the acts of 2016, as amended by chapter 55 of

590 the acts of 2017, as the transferor commission, to the cannabis control commission established by
591 this act, as the transferee commission.

592 (b) Notwithstanding any general or special law to the contrary, all property, including,
593 but not limited to, buildings, facilities, cash, equipment, books, papers, memoranda, files, maps,
594 plans, records, documents, property held in trust and other property, both personal and real, of
595 whatever description pertaining to the operation of the cannabis control commission that are in
596 the possession or under the control of the transferor commission or employee of the transferor
597 commission as of the effective date of this act shall remain under the control of the transferee
598 commission following the effective date of this act and all duly existing contracts, leases or
599 obligations of the commission that are in effect as of the effective date of this act shall remain in
600 effect following the effective date of this act. The transferee commission may exercise all rights
601 and enjoy all interests conferred upon the transferor commission by any previously executed
602 contracts or obligations. No existing right or remedy held or granted by the transferor
603 commission that is not expressly affected by this act shall be lost, impaired, rendered void or
604 affected by this act.

605 (c) All petitions, requests, investigations and other proceedings appropriately and duly
606 brought before the transferor commission prior to the effective date of this act shall continue
607 unabated and remain in force.

608 (d) All orders, rules and regulations duly made and all approvals duly granted by the
609 transferor commission, which are in force immediately before the effective date of this act, shall
610 continue in force and shall thereafter be enforced, until superseded, revised, rescinded or
611 canceled, in accordance with law, by the transferee commission.

612 (e) Subject to appropriation, any employees at the transferor commission, including those
613 who immediately before the effective date of this act held permanent appointment in positions
614 classified under chapter 31 of the General Laws or have tenure in their positions as provided by
615 section 9A of chapter 30 of the General Laws or did not hold such tenure, or held confidential
616 positions shall remain employed by the transferee commission without interruption of service
617 within the meaning of said section 9A of said chapter 30, without impairment of seniority,
618 retirement or other rights of the employee, without reduction in compensation or salary grade,
619 notwithstanding any change in title or duties resulting from such reorganization, without loss of
620 accrued rights to holidays, sick leave, vacation and benefits and without change in union
621 representation or certified collective bargaining unit as certified by the state labor relations
622 commission or in local union representation or affiliation. Any collective bargaining agreement
623 in effect immediately before the effective date of the act shall continue in effect. The
624 reorganization shall not impair the civil service status of any such reassigned employee who
625 immediately before the effective date of this act either held a permanent appointment in a
626 position classified under said chapter 31 or had tenure in a position by reason of said section 9A
627 of said chapter 30. Nothing in this section shall prohibit the abolition of any management
628 position within the transferee commission.

629 (f) The executive director shall continue in their role with all of the powers and duties
630 authorized in statute or delegated by the commissioners and in place at the time of transfer, until
631 such time as such delegation of authority is superseded, revised, rescinded or canceled, in
632 accordance with law, by the chair after the time of transfer.

633 SECTION 64. The cannabis control commission shall, in consultation with appropriate
634 state agencies and departments including the department of public health, the department of

635 agricultural resources, local boards of public health, the department of revenue and the alcoholic
636 beverages control commission, conduct a study and develop recommendations regarding the
637 effective regulation of the hemp-derived cannabinoid market, which shall include, but not be
638 limited to: (i) ongoing federal law and other statutory or regulatory changes; (ii) licensing
639 conditions; (iii) testing requirements and standards; (iv) appropriate age requirements and other
640 safeguards against underage access; (v) regulations for potential retail sales and taxation; and (vi)
641 optimal procedures in other states that have undertaken regulation of ingestible hemp products.
642 Not later than December 15, 2026, the commission shall publish the results of the study on its
643 website and submit a copy to the clerks of the senate and house of representatives and to the joint
644 committee on cannabis policy.

645 SECTION 65. The Massachusetts cannabis control commission shall promulgate or
646 amend regulations as necessary to be consistent with this act not later than 1 year after the
647 effective date of this act.

648 SECTION 66. Section 37 shall take effect on January 1, 2028.