

HJR 30 -- LEGALIZING MARIJUANA

SPONSOR: Dogan

Upon voter approval, this proposed Constitutional amendment legalizes marijuana use for persons 21 years of age or older subject to state regulation, taxation, and local ordinance.

The legal adult use of marijuana should be regulated so that legitimate business people conduct sales of marijuana; marijuana sold in this state shall be subject to testing, labeling, and regulation; employers retain their rights to maintain drug-and-alcohol-free places of employment; selling, transferring, or providing marijuana to individuals under 21 years of age remains illegal; and driving, flying, or boating while impaired by cannabis remains illegal.

This bill establishes the "Smarter and Safer Missouri Act" which requires that marijuana be removed from the list of controlled substances; however this does not give any person the right to smoke marijuana in a public place or open space, prohibit state or political subdivisions from prohibiting or regulating conduct otherwise allowed by this section when such conduct occurs on property of the state or political subdivisions or require a person to violate federal law.

It shall be lawful to possess, consume, cultivate, harvest, process, manufacture, package, distribute, transfer, display, or possess marijuana, marijuana accessories, or marijuana products for commercial purposes, provided the person has current applicable licensing to operate a commercial establishment with no other special licensing required.

Marijuana farmers, manufacturers, processors, and distributors shall not be subject to any special zoning requirement or licensing fee more restrictive than that which is relative to any other commercial or agricultural farmer, manufacturer, processor, or distributor.

Law enforcement and its courts shall protect marijuana users and their property without discrimination. No personnel or state funds shall be used to assist or aid in enforcement of federal marijuana laws which are no longer illegal in this state. All persons incarcerated for nonviolent, marijuana-only offenses that are no longer illegal shall be immediately released and not subject to supervision for those offenses. Within 60 days of the passage of this section, a legal document shall be developed and made available to the public ordering the immediate destruction of all marijuana-related, nonviolent civil and criminal records in

Missouri including immediate expugement of such records.

A tax shall be levied on the suggested retail sale price of marijuana at a rate of 12% for personal use and 4% for medical use. Moneys collected shall be distributed to the "Smarter and Safer Missouri Fund" which is created in this bill, and distributed to the Missouri Veterans Commission, the Missouri Department of Transportation, and to the expansion of broadband and drug treatment programs, including drug treatment courts.

Article XIV Section 1 of the Missouri Constitution relating to the right to access medical marijuana is removed.