

Legalization of Marijuana Gaining Momentum in Connecticut



Steven P. Katkov

Member

skatkov@cozen.com
Phone: (612) 260-9037
Fax: (214) 462-3299

Industry Sectors

- Cannabis

Connecticut state lawmakers are advancing legislation legalizing recreational use of marijuana on the heels of a recent poll conducted by the Institute for Public Policy at Sacred Heart University (SHU) of Fairfield, Connecticut. The SHU poll asked 1,000 Connecticut residents about a variety of topics, including marijuana legalization, and determined that 64 percent support legalization of both cannabis use and possession, while only 18 percent oppose legalization. The SHU poll also revealed that 76.3 percent of residents believe marijuana has fewer or about the same health effects as alcohol and 70 percent of residents believe marijuana has fewer effects on people than other (so-called, “hard”) drugs. Connecticut first enacted a medical marijuana program in 2012, and calls for legalization of recreational use in the state have increased in recent years.

House Majority Leader Jason Rojas leads the legalization effort and has promoted a reform bill that appears to have the support of Governor Lamont’s administration. Lawmakers and the governor have competing reform bills and the issue of addressing social equity in a legalization bill is at the heart of the disagreement. To complicate matters further, House Labor Committee Chair Representative Robyn Porter has authored a competing bill that emphasizes protection of the communities who suffered most as a result of the criminalization of marijuana and law enforcement’s arrest and incarceration practices during the “war on drugs.” In Porter’s bill, “equity” applicants would, for a time, receive preference in the award of marijuana dispensary licenses. While not explicitly stated in news outlets, the emphasis with creating a system that would help repair the damage the war on drugs inflicted on people of color may be driven by the New York state legislation that has taken the most aggressive position in advancing this community in the adult use legislation there.

A bill to legalize recreational marijuana use proposed by Governor Lamont, Senate Bill 888, cleared the state judiciary committee in April on a 22-16 vote. SB888 would permit adult residents of the state age 21 and over to possess up to 15 ounces of marijuana and would take effect on January 1, 2022, with sales to follow in May 2022. Under the governor’s proposal, a commission on social equity would be formed and charged with developing recommendations by November 15, 2021, to define the qualifications for an equity applicant and earmarking a minimum amount of tax revenues to support residents in communities disproportionately harmed by enforcement of the Controlled Substances Act to use and possession of marijuana. The competing bills promoted by Representative Rojas and Representative Porter each provide greater emphasis on assuring protections for disenfranchised communities.

Several years ago, Connecticut decriminalized possession of marijuana and now state lawmakers may be feeling the pressure of successful efforts at legalization of recreational marijuana use in surrounding states. Massachusetts, New Jersey, New York, (see our April 1, 2021 alert on NY state legalization) and Vermont have each legalized adult use of marijuana in recent years. State lawmakers will reportedly meet with Governor Ned Lamont on June 1 to press for passage of a bill legalizing marijuana before end of the legislative session on June 9. House Speaker Matt Ritter has stated publicly his support for a special session given the short runway remaining for this legislative term.