Retail Marijuana Legalization – the Basics!
Spring, 2018

How was recreational marijuana use legalized in Massachusetts?
The 2016 ballot petition known as “Question 4” legalized retail sales and home-growing of marijuana for recreational use by adults 21 and over in Massachusetts. The ballot question also led to the creation of the Cannabis Control Commission (CCC), which created additional regulations. The CCC will oversee businesses for recreational and medical use of marijuana.

When will marijuana businesses open?
The CCC began accepting applications from businesses that want to cultivate, produce, process, or sell marijuana or marijuana products on April 1, 2018. Retail stores are allowed to open on July 1. But first, they have to have “community host agreements” completed with the town and be ready to open, including complying with all local laws and regulations.

Will there be marijuana businesses in our local area?
Yes. There are already a few possible businesses in the planning phases, including Patriot Care’s planned expansion from medical marijuana to retail sales at the former site of the American Legion on Wells Street in Greenfield and Happy Valley Compassion Center’s grow facility in Bernardston. There are also businesses hoping to open in Montague, Athol, and other nearby towns. We anticipate there will be quite a few.

How much marijuana can adults have in their homes?
Adults may possess up to 10 ounces of marijuana in their homes. Any amount of marijuana or marijuana products over one ounce kept within a place of residence must be secured by a lock.

Can adults grow their own marijuana at home?
Adults can have up to 6 plants in their homes or up to 12 plants if there are two or more adults in the home. The plants must be grown in an area that is equipped with a lock or security device. The plants cannot be visible from a public place, like the street or a park.

What about landlord and Section 8 Rules?
Private landlords, condo associations, and housing authorities can restrict use of marijuana on their properties. Section 8 and other federally-subsidized housing do not allow residents to have any marijuana, marijuana products, or plants in their homes. Residents can permanently lose their federally-subsidized housing if in violation.

How much marijuana can adults carry with them?
Adults 21 years and over may have up to one ounce of marijuana on them, although not more than five grams of it may be in the form of marijuana concentrate.
No consuming marijuana in public places or anywhere that smoking is banned.
Recreational marijuana use, including consuming edibles, is not allowed in public places. Smoking marijuana is not allowed any place where smoking tobacco is not allowed.

Driving while using marijuana is still illegal.
The legalization of adult use of marijuana does not change the existing penalties for operating a car while impaired by the use of marijuana or marijuana products. Everyone is strictly prohibited from consuming marijuana while driving or driving under the influence.

Can adults have marijuana in a car at all?
Like alcohol, it is illegal have an open container of marijuana or marijuana products in the passenger area of the car or other motor vehicle. Any open containers have to be in the trunk or a locked glove compartment. An “open container” includes a package with its seal broken or a package from which the contents have been partially removed.

Can adults use marijuana at work now that it’s legal?
Not usually. An employer may restrict the consumption of marijuana in the workplace. Each workplace has its own rules. Most workplaces do not allow people to be under the influence of marijuana or any other substance at work.

No “social consumption” or home delivery for now
There will be no cannabis cafés or other places to use marijuana inside a business until at least next year. Marijuana delivery services will also wait until next year at the earliest. The CCC will make decisions about these issues by February, 2019, after they have more information from the first few months of legalization.

What shapes are allowed for marijuana/THC candies?
Candies or foods that contain THC (the main psychoactive component of marijuana) cannot be made into gummy bears or other shapes that look like animals, people, or fruit. However, lozenges and other candies that are a plain or geometric shape can be produced with THC. These may only be sold by licensed marijuana businesses to adults 21 and over.

What other questions do you have?
Feel free to contact Ilana at the Partnership for Youth: ilana@frcog.org

The Cannabis Control Commission is online at https://mass-cannabis-control.com/

Communities That Care Coalition is online at http://www.communitiesthatcarecoalition.org/