

# Pot in Every Pot: RI Legalizes Recreational Cannabis

Recreational cannabis will be legal in RI under a new bill that will be signed into law at a ceremony later today (Wed, May 25) announced by Gov. Daniel McKee for 3:15pm on the south plaza of the State House. *Motif* plans to live-stream the ceremony - [facebook.com/motifri/videos](https://www.facebook.com/motifri/videos) - on Facebook. RI joins 18 other states, including Massachusetts and Connecticut, that have also legalized.

Sponsored in the Senate (S.24300Aaa) by Sen. Joshua Miller (D-28, Cranston and Providence) and in the House (H.7593Aaa) by Rep. Scott A. Slater (D-10, Providence), the new Cannabis Act is the culmination of a decade of effort to regulate and tax adult recreational cannabis usage similarly to alcohol. Both chambers passed textually identical versions late yesterday (Tue, May 24) afternoon by overwhelming votes, 32-6 in the Senate and 55-16 in the House, largely along party lines with Democrats supporting and Republicans opposing the bill, sending it to the governor for his signature. The approvals were widely expected after favorable committee reports last week (Wed, May 18): although the Senate took only a half-hour to debate and vote, the House engaged in a more contentious debate that consumed two hours before voting.

CALENDAR			
ITEM 8		2022-S 2430 SUB A	
Miller		JUDICIARY	
RELATING TO FOOD AND DRUGS -- THE RHODE ISLAND CANNABIS ACT			
Passage as Amended			
Yea 32		Nay 6	
Y Acosta	N de la Cruz	Y Lombardo	Y Quezada
Y Algiere	Y DiMario	Y Mack	N Raptakis
Y Anderson	N DiPalma	Y McCaffrey	Y Rogers
Y Archambault	Y Euer	Y Mendes	N Seveney
Y Bell	Y Felag	Y Miller	Y Sosnowski
Y Burke	Y Gallo	N Morgan	Y Valverde
Y Calkin	Y Goodwin	Y Murray	Y Zurier
Y Cano	Y Kallman	N Paolino	Y Mr. President
Y Ciccone	Y Lawson	Y Pearson	
Y Coyne	Y Lombardi	Y Picard	

RI Senate passes Cannabis Act (H.2430) by vote of 32-6, May 24, 2022.

CALENDAR  
 ITEM 2                    2022-H 7593 SUB A  
 Slater                      Finance  
 RI CANNABIS ACT  
 PASSAGE  
 AS AMENDED

Yea: 55

Nay: 16

Y ABNEY	N CASEY	Y FOGARTY	Y MCGAW	N QUATROCCHI
Y ACKERMAN	Y CASIMIRO	Y GIRALDO	N MCLAUGHLIN	Y RANGLIN-VASSELL
Y AJELLO	Y CASSAR	Y HANDY	Y MCNAMARA	ROBERTS
Y ALZATE	N CHIPPENDALE	Y HAWKINS	Y MESSIER	Y RUGGIERO
Y AMORE	Y CORTVRIEND	Y HENRIES	Y MORALES	N SERPA
AZZINARO	N CORVESE	Y HULL	N MORGAN	Y SHALLCROSSSMITH
Y BAGINSKI	COSTANTINO	Y KAZARTAN	Y NARDONE	Y SHANLEY
Y BARROS	Y CRAVEN	N KENNEDY	Y NEWBERRY	Y SLATER
Y BATISTA	N DIAZ	Y KISLAK	N NORET	Y SOLOMON
Y BENNETT	Y DONOVAN	Y KNIGHT	Y O'BRIEN	Y SPEAKMAN
Y BIAH	Y EDWARDS	N LIMA C	N PEREZ	Y TANZI
Y BLAZEJEWSKI	Y FELIX	N LIMA S	Y PHILLIPS	TOBON
Y CALDWELL	Y FELLELA	Y LOMBARDI	Y PLACE	N VELLA-WILKINSON
Y CARDILLO	N FENTON-FUNG	Y MARSZALKOWSKI	Y POTTER	Y WILLIAMS
Y CARSON	Y FILIPPI	Y MCENTEE	N PRICE	Y MR. SPEAKER

RI House passes Cannabis Act (H.7593) by vote of 55-16, May 24, 2022.

For adults at least age 21, possession of personal use quantities of cannabis was decriminalized by RI in 2013, but the new legislation expands that to decriminalize both sale and possession of up to one ounce, and up to 10 ounces for personal use may be kept at a primary residence. Small amounts up to three plants can be grown by those for whom possession is allowed.

A late amendment provides for automatic expungement of criminal convictions, changed from earlier versions of the bill that would have required individual petitions to the courts. (See “ExSPONGing Away Criminal Records: Fighting for automatic expungement in RI”, by Kristen Dansereau, Apr 6, 2022.) Convictions eligible for expungement include any prior civil violation, misdemeanor, or felony conviction for possession of cannabis that would be decriminalized by the new law. Automatic expungement by July 1, 2024, will occur without requiring affected individuals to file a request, pay a fee, or have a hearing, but those who choose not to wait may request an expedited process to have their records expunged sooner.

Municipalities not already hosting medical compassion centers may by referendum opt out of allowing sales. Municipalities currently hosting licensed cultivators or testing laboratories may opt out for the future, but existing facilities will be grandfathered in. A procedure is provided that allows communities to revisit their decision to opt out in later years, should they choose to do so. Municipalities may by local ordinance ban use of cannabis in public places.

In addition to the regular sales tax of 7%, new excise taxes will be imposed on cannabis sales of 10% to the state and 3% to the municipality in which the sale occurs. The new law eliminates fees for patients and caregivers in the RI medical cannabis program, including for identification cards and plant tags, effective Dec 1.

The general assembly said in a statement the law creates a new three-member Cannabis Control

Commission whose members are appointed by the governor with input from the Speaker of the House and approval from the Senate, assisted by a new Cannabis Advisory Board. The existing administrative Office of Cannabis Regulation within the Department of Business Regulation will handle the transition to legal recreational use, including issuing hybrid licensing to existing compassion centers and cultivators.



RI Sen. Joshua Miller (D-28)

In the statement Miller, who chairs the Senate Health and Human Services Committee, said, “The reality is that prohibition does not stop cannabis use. Since Rhode Islanders can already access cannabis just across the state border or on the illicit market, we experience all the challenges without any of the safeguards or resources that our neighboring states have. With this bill, we are ending prohibition in a way that is safe, keeps revenue in Rhode Island, and is as fair and equitable as we can possibly make it. This bill has been years in the making, and is a collaborative effort to address concerns about protecting medical use, ensuring fair governance and recognizing that we cannot make this transition without taking action to make whole the communities and individuals who have been punished for decades under prohibition.”



RI Rep. Scott A. Slater (D-10)

In the statement Slater, who is first vice chair of the House Finance Committee, said, “Social equity has been a top concern for us throughout this whole process. Senator Miller and I represent some of the communities that have suffered disproportionate harm from prohibition for decades, resulting in generational poverty and mass incarceration. The starting line isn’t the same for people in poor, urban and minority communities, and they deserve support to ensure they get the full benefit of participating in legalization. I am grateful to my colleagues in the General Assembly for recognizing the importance of expungement of criminal records and equity in licensing, because they are absolutely critical to ending prohibition fairly.”

Rep. K. Joseph Shekarchi (D-23, Warwick), the speaker of the House, said in the statement, “I thank all the advocates, stakeholders, staff and especially Representative Scott Slater, who has worked tirelessly on this issue for the past decade. The bill represents a strong foundation from which to build the safe, equitable regulation of cannabis for adult use. We are proud that this legislation prioritizes the participation of people most impacted by the past enforcement of cannabis laws both through automatic expungement and the creation of a licensing structure based on social equity.”

Sen. Michael J. McCaffrey (D-29, Warwick), the majority leader, said in the statement, “This is a truly momentous day for Rhode Island. I’m deeply grateful to Senator Miller for his years of hard work and leadership on this issue, and I’m incredibly proud to have been part of reaching this point. I also want to thank President Ruggiero for his support throughout this process. Ending cannabis prohibition helps us right past wrongs while creating new opportunities for all Rhode Islanders. This is the right move, at the right time, for our state.”



Jared Moffat of Regulate RI and the Marijuana Policy Project

Jared Moffat, long active in the RI legalization effort since his days as a Brown University student and now state campaigns manager for the national Marijuana Policy Project, said in a press release, “We are grateful to Rep. Scott Slater and Sen. Josh Miller for their years of leadership on this issue. Rhode Islanders should be proud of their lawmakers for passing a legalization bill that features strong provisions to promote equity and social justice. We’re also thankful to Rep. Leonela Felix who advocated tirelessly for the inclusion of an automatic expungement provision that will clear tens of thousands of past cannabis possession convictions.”

In addition to Miller, the Senate bill was co-sponsored by Sens. McCaffrey, Goodwin, Ruggiero, Coyne, Pearson, Acosta, Kallman, Archambault, and Murray. In addition to Slater, the House bill was co-sponsored by Reps. Hull, Williams, Kazarian, Solomon, McNamara, O’Brien, Potter, Bennett, and

Morales.

*Motif* has made available the portions of the full House and Senate sessions relevant to the Cannabis Act:

**video and audio audio only** Senate (34m) (38.5MB) (4.1MB)  
House (2h02m) (138.5MB) (14.6MB)