



NEWS:

New Bill Would Legalize Recreational Marijuana

MARCH 31, 2017 – Rumored for months, a bill seeking to make Delaware the [ninth state](#) to legalize the recreational use of marijuana was introduced in the State House of Representatives Thursday.

[House Bill 110](#), also known as the Delaware Marijuana Control Act, would regulate and tax marijuana in the same manner as alcoholic beverages.

However, the act prohibits alcohol retailers from engaging in marijuana sales. Rather, the legislation would create a parallel framework for licensing, regulating, and monitoring the marijuana industry.

The new Division of Marijuana Control and Enforcement would be charged with establishing regulations and licensing requirements for retail marijuana stores, testing facilities, cultivation, and product manufacturing.

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Other stipulations of the proposal include:

- Marijuana products would require special labeling and packaging.
- The use of marijuana in public, or by anyone operating or riding in a vehicle, would be prohibited.
- Smoking marijuana in any venue where smoking tobacco or using e-cigarettes is currently illegal would be barred.
- Recreational marijuana would be limited those over the age of 21, who could not purchase, transport or possess any more than one ounce of the substance.
- Residents would not be permitted to grow their own plants.
- Delaware has a medical marijuana law and the bill provides for a transition of businesses already operating under that statute.
- Localities would have the ability to license and set rules for marijuana establishments.

The NAACP Delaware State Conference was quick to support the legislation, issuing a statement a day before the bill was officially introduced. The group's executive committee adopted a resolution recommending that state lawmakers "enact legislation to tax and regulate cannabis ... to raise much needed revenue and help bring an end to the known social, economic and racial injustices created by the War on Drugs!"

The Delaware Marijuana Control Act would impose an excise tax on the drug. Any revenue generated by the law would first be used to pay for the activities of state regulators. Of the remainder, 20-percent would be earmarked for the Department of Education, and a total of 30-percent would be dedicated to the Department of Health and Social Services for various initiatives including public education and substance abuse treatment.

Thus far, 14 lawmakers -- 13 Democrats and one Republican -- have signed the bill as sponsors or co-sponsors.

At public appearances in community meetings around the state, Gov. John Carney has repeatedly indicated he is opposed to legalizing recreational marijuana. Gov. Carney said that with Delaware's medical marijuana law not yet fully implemented, it would be premature to move ahead at this time.

The state's medical marijuana law authorized three dispensaries or "compassion centers," one for each county. New Castle County's compassion center has been operational for about a year-and-a-half. The Sussex County facility, located west of Lewes, is expected to open in the next several weeks. The Kent County center, based in Dover, is anticipated to begin operations later this year.