



Legislative Briefing Marijuana Legalization




May 24, 2021

Question - 1 - Legalize Marijuana - Ballot Issue

100 % Precincts Reporting

Feb. 23, 2021 11:16 am

NJ

Party	Name	Votes	Vote %	
Yes	Yes 	2,737,746	67.08%	
No	No	1,343,637	32.92%	

 Incumbent **R** Runoff  Winner

Madison



Classes of Licenses

- Class 1 – Cannabis Cultivator
- Class 2 – Cannabis Manufacturer
- Class 3 – Cannabis Wholesaler
- Class 4 – Cannabis Distributor
- Class 5 – Cannabis Retailer
- Class 6 – Cannabis Delivery Service

Opt-Out Ordinance

- **August 22, 2021** - 180 days from February 22, 2021
- Prohibiting all or one or more types of cannabis businesses
- Otherwise:
 - Certain activities (Classes 1 to 4 + Class 6 would be a permitted use in all industrial zones
 - Retail selling of cannabis (Class 5) conditional use in all commercial zones or retail zones
- No 5 year moratorium to Opt-In if you initially Opt-Out
- Must Opt-Out by Ordinance

Opt-In Ordinances

- May enact ordinances that:
 - Govern times of operation, location, manner & number of type of cannabis businesses
 - Establish civil penalties for ordinance violations
 - Permit consumption areas for retail licenses with municipal endorsement
 - Set license fees
- Cannot prohibit cannabis delivery services
(Class 6 Licenses)
- Nulls and voids any ordinance previously enacted prohibiting cannabis related activities

Local Cannabis Tax

- By Ordinance
- Cannot Exceed:
 - 2% Cannabis Cultivator
 - 2% Cannabis Manufacture
 - 1% Cannabis Wholesaler
 - 2% Cannabis Retailer
- Percentage based on receipts on each sale
- Paid directly to each municipality (CFO)
- Delinquencies same as property taxes

Applications

- Must include, amongst other items:
 - Quality control & quality assurance
 - Recall plans
 - Water management & waste disposal plans Odor mitigation practices
 - Safety & security plan
 - Community impact, social responsibility & research statement

License Process

- Submitted to Cannabis Regulatory Commission
- Required to forward a copy of the application to the municipality within 14 days
- Municipality must determine whether the application complies with local restrictions on time of operation, location, manner, and the number of cannabis businesses



Limitations of Location

- Grocery Stores
- Delis
- Indoor food markets
- Other stores engaging in retail food
- Premises licensed for retail sales of alcohol beverages
- Minimum distances, to be determined by the Cannabis Regulatory Commission, include:
 - Schools
 - Parks
 - Day Care Centers
 - Houses of Worship
 - Public Facilities

Questions?