

2026 -- S 2961

=====
LC004962
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

—————
A N A C T

RELATING TO FOOD AND DRUGS -- THE RHODE ISLAND CANNABIS ACT

Introduced By: Senators Bissailon, LaMountain, Mack, and Acosta

Date Introduced: March 04, 2026

Referred To: Senate Judiciary

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 21-28.11-3 of the General Laws in Chapter 21-28.11 entitled "The
2 Rhode Island Cannabis Act" is hereby amended to read as follows:

3 **21-28.11-3. Definitions.**

4 For purposes of this chapter, the following words, terms and phrases shall have the
5 following meanings:

6 (1) "Administrator" means the administrator of the cannabis office appointed by the
7 governor pursuant to the provisions of § 21-28.11-18.1.

8 (2) "Adult use cannabis" or "recreational cannabis" means cannabis which may be legally
9 possessed and consumed for non-medical purposes by a person who is at least twenty-one (21)
10 years of age.

11 (3) "Applicant" means a Rhode Island resident or a business entity with a principal place
12 of business located in Rhode Island to include, but not limited to, a corporation, limited liability
13 company, limited liability partnership or partnership, and in which fifty-one percent (51%) of the
14 equity in the business entity is owned by residents of Rhode Island, and the Rhode Island resident
15 or business entity has made application for issuance of a license or certificate to own or engage in
16 a cannabis business subject to the provisions of this chapter.

17 (4) "Cannabinoid" means any of several compounds produced by cannabis plants that have
18 medical and psychotropic effects.

19 (5) "Cannabinoid profile" means amounts, ~~expressed as the dry weight percentages,~~ of

1 delta-9-tetrahydrocannabinol, cannabidiol, tetrahydrocannabinolic acid and cannabidiolic acid in a
2 cannabis product [expressed in a form and manner determined by the commission](#). Amounts of other
3 cannabinoids may be regulated by the commission.

4 (6) “Cannabis” or “marijuana” or “marihuana” means all parts of any plant of the genus
5 cannabis not excepted herein, and whether growing or not; the seeds thereof; and resin extracted
6 from any part of the plant; and every compound, manufacture, salt, derivative, mixture or
7 preparation of the plant, its seeds or resin including tetrahydrocannabinol; provided, however, that
8 “cannabis” shall not include:

9 (i) The mature stalks of the plant, fiber produced from the stalks, oil, or cake made from
10 the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of
11 the mature stalks, fiber, oil or cake made from the seeds of the plant or the sterilized seed of the
12 plant that is incapable of germination;

13 (ii) Hemp; or

14 (iii) The weight of any other ingredient combined with cannabis to prepare topical or oral
15 administrations, food, drink or other products.

16 (7) “Cannabis accessories” or “marijuana accessories” means equipment, products, devices
17 or materials of any kind that are intended or designed for use in planting, propagating, cultivating,
18 growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing,
19 testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling or otherwise
20 introducing cannabis into the human body.

21 (8) “Cannabis advisory board” or “advisory board” means the cannabis advisory board
22 established pursuant to the provisions of § 21-28.11-6.

23 (9) “Cannabis concentrate” means the resin extracted from any part of the plant of the
24 genus cannabis and every compound, manufacture, salt, derivative, mixture or preparation of that
25 resin but shall not include the weight of any other ingredient combined with cannabis to prepare
26 cannabis products.

27 (10) “Cannabis control commission” or “commission” means the Rhode Island cannabis
28 control commission established by § 21-28.11-4.

29 (11) “Cannabis cultivator” or “marijuana cultivator” means an entity licensed to cultivate,
30 process and package cannabis, to deliver cannabis to cannabis establishments and to transfer
31 cannabis to other cannabis establishments, but not to consumers.

32 (12) “Cannabis establishment” or “marijuana establishment” means a cannabis cultivator,
33 cannabis testing laboratory, cannabis product manufacturer, cannabis retailer, hybrid cannabis
34 retailer or any other type of licensed cannabis-related business.

1 (13) “Cannabis office” means the office established pursuant to § 21-28.11-18.1.

2 (14) “Cannabis product manufacturer” or “marijuana product manufacturer” means an
3 entity licensed to obtain, manufacture, process and package cannabis and cannabis products, to
4 deliver cannabis and cannabis products to cannabis establishments and to transfer cannabis and
5 cannabis products to other cannabis establishments, but not to consumers.

6 (15) “Cannabis products” or “marijuana products” means products that have been
7 manufactured and contain cannabis or an extract from cannabis, including concentrated forms of
8 cannabis and products composed of cannabis and other ingredients that are intended for use or
9 consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

10 (16) “Cannabis retailer” or “marijuana retailer” means an entity licensed pursuant to § 21-
11 28.11-10.2 to purchase and deliver cannabis and cannabis products from cannabis establishments
12 and to deliver, sell or otherwise transfer cannabis and cannabis products to cannabis establishments
13 and to consumers.

14 (17) “Cannabis testing laboratory” means a third-party analytical testing laboratory that is
15 licensed annually by the commission, in consultation with the department of health, to collect and
16 test samples of cannabis and cannabis products pursuant to regulations issued by the commission
17 and is:

18 (i) Independent financially from any medical cannabis treatment center or any licensee or
19 cannabis establishment for which it conducts a test; and

20 (ii) Qualified to test cannabis in compliance with regulations promulgated by the
21 commission pursuant to this chapter. The term includes, but is not limited to, a cannabis testing
22 laboratory as provided in § 21-28.11-11.

23 (18) “Chairperson” means the chairperson of the cannabis control commission established
24 pursuant to § 21-28.11-4.

25 (19) “Close associate” means a person who holds a legally recognized financial interest in,
26 or is entitled to exercise power in, the business of an applicant or licensee and, by virtue of that
27 interest or power, is able to exercise a significant influence over the management or operation of a
28 cannabis establishment licensed under this chapter.

29 (20) “Consumer” means a person who is at least twenty-one (21) years of age, and who is
30 authorized by law to consume or use cannabis.

31 (21) “Controlling person” means an officer, board member or other individual who has a
32 financial or voting interest of ten percent (10%) or greater in a cannabis establishment.

33 (22) “Cultivation batch” means a collection of cannabis plants from the same seed or plant
34 stock that are cultivated and harvested together, and receive an identical propagation and cultivation

1 treatment, including, but not limited to: growing media, ambient conditions, watering and light
2 regimes and agricultural or hydroponic inputs. Every cannabis cultivator licensee shall assign and
3 record a unique, sequential alphanumeric identifier to each cultivation batch for the purposes of
4 production tracking, product labeling and product recalls.

5 (23) “Disproportionately impacted area” means a census tract or comparable geographic
6 area that satisfies at least one of the following criteria as determined by the commission, that:

7 (i) The area has a poverty rate of at least twenty percent (20%) according to the latest
8 federal decennial census;

9 (ii) Seventy-five percent (75%) or more of the children in the area participate in the federal
10 free lunch program according to reported statistics from the Rhode Island board of education;

11 (iii) At least twenty percent (20%) of the households in the area receive assistance under
12 the Supplemental Nutrition Assistance Program (SNAP);

13 (iv) The area has an average unemployment rate, as determined by the Rhode Island
14 department of labor and training, that is more than one hundred twenty percent (120%) of the
15 national unemployment average, as determined by the United States Department of Labor, for a
16 period of at least two (2) consecutive calendar years preceding the date of the application; or

17 (v)(A) The area has disproportionately high rates of arrest, conviction, and incarceration
18 related to the sale, possession, use, cultivation, manufacture, or transportation of cannabis in
19 comparison to other communities and localities in the state; or

20 (B) The area has a history of arrests, convictions, and other law enforcement practices in a
21 certain geographic area, such as, but not limited to, precincts, zip codes, neighborhoods, and
22 political subdivisions, reflecting a disparate enforcement of cannabis prohibition during a certain
23 time period, when compared to the remainder of the state.

24 (vi) The commission shall, with recommendations from the cannabis advisory board and
25 the chief equity officer, issue guidelines to determine how to assess which communities have been
26 disproportionately impacted and how to assess if someone is a member of a community
27 disproportionately impacted.

28 (24) “Final issuance of the commission’s rules and regulations” means the rules and
29 regulations adopted by the commission after compliance with requirements of chapter 35 of title
30 42 (the “administrative procedures act”) and chapter 46 of title 42 (the “open meetings act”) and
31 shall not include any emergency, provisional or interim rules, regulations, requirements, orders,
32 instructions or procedures.

33 (25) “Finished cannabis” means a usable cannabis, cannabis resin or cannabis concentrate.

34 (26) “Hemp” means the plant of the genus cannabis or any part of the plant, whether

1 growing or not, with a delta-9-tetrahydrocannabinol concentration that does not exceed three tenths
2 of one percent (0.3%) on a dry weight basis of any part of the plant of the genus cannabis, or per
3 volume or weight of cannabis product, or the combined per cent of delta-9-tetrahydrocannabinol
4 and tetrahydrocannabinolic acid in any part of the plant of the genus cannabis regardless of moisture
5 content.

6 (27) “Host community” means a municipality in which a cannabis establishment or a
7 medical cannabis treatment center is located or in which an applicant has proposed locating a
8 cannabis establishment or a medical cannabis treatment center.

9 (28) “Hybrid cannabis retailer” or “hybrid compassion center” means a compassion center
10 licensed pursuant to chapter 28.6 of this title that is in good standing with the department of business
11 regulation and that has paid the fee pursuant to § 21-28.11-10 and has been authorized to sell non-
12 medical or adult use cannabis to consumers.

13 (29) “Laboratory agent” means a registered employee of a cannabis testing laboratory who
14 transports, possesses or tests cannabis.

15 (30) “Licensee” means a person or entity licensed by the commission pursuant to the
16 provisions of this chapter. Any business structure recognized under title 7, including, but not limited
17 to, corporations, partnerships, limited partnerships, limited-liability companies, and workers’
18 cooperatives, which is otherwise qualified, is eligible to be considered by the commission as an
19 entity licensee.

20 (31) “Manufacture” means to compound, blend, extract, infuse or otherwise make or
21 prepare a cannabis product.

22 (32) “Medical cannabis” means cannabis and cannabis products that satisfy the
23 requirements of chapter 28.6 of this title and have been given the designation of “medical cannabis”
24 or “medical marijuana” due to dose, potency and form. Medical cannabis products are only
25 available for use by patient cardholders, and may only be sold to or possessed by patient
26 cardholders, or their registered caregiver, or authorized purchaser in accordance with chapter 28.6
27 of this title. Medical cannabis may not be sold to, possessed by, manufactured by, or used by any
28 person except as permitted pursuant to chapter 28.6 of this title.

29 (33) “Medical cannabis treatment center” or “Medical marijuana treatment center” includes
30 a compassion center, a medical marijuana emporium, or marijuana establishment licensee who
31 operates a treatment center, as defined in § 21-28.6-3.

32 (34) “Member of an impacted family” means an individual who has a parent, legal
33 guardian, child, spouse, or dependent, or was a dependent of an individual who, prior to the
34 effective date of this chapter, was arrested for, charged with, convicted of, or adjudicated delinquent

1 for any offense that is eligible for expungement under this chapter.

2 (35) “Ownership and control” means ownership of at least fifty-one percent (51%) of the
3 cannabis establishment, and control over the management and day-to-day operations of the
4 cannabis establishment, and an interest in the capital, assets, and profits and losses of the cannabis
5 establishment proportionate to percentage of ownership.

6 (36) “Process” or “processing” means to harvest, dry, cure, trim and separate parts of the
7 cannabis plant by manual or mechanical means, except it shall not include manufacture as defined
8 in this section.

9 (37) “Production batch” means a batch of finished plant material, cannabis resin, cannabis
10 concentrate or cannabis-infused product made at the same time, using the same methods, equipment
11 and ingredients. The commission shall require licensees to assign and record a unique, sequential
12 alphanumeric identifier to each production batch for the purposes of production tracking, product
13 labeling and product recalls. All production batches shall be traceable to one or more cannabis
14 cultivation batches.

15 (38) “Residual solvent” means a volatile organic chemical used in the manufacture of a
16 cannabis product and that is not completely removed by practical manufacturing techniques.

17 (39) “Social equity applicant” means an applicant that has been disproportionately
18 impacted by criminal enforcement of marijuana laws, including individuals convicted of nonviolent
19 marijuana offenses, immediate family members of individuals convicted of nonviolent marijuana
20 offenses and individuals who have resided in disproportionately impacted areas for at least five (5)
21 of the last ten (10) years, as determined by the commission after consultation with the cannabis
22 advisory board, and further specified in the rules and regulations that shall identify factors and other
23 considerations to be evaluated in certifying applicants as social equity applicants, provided that
24 such applicants shall at a minimum meet one of the following criteria:

25 (i) An applicant with at least fifty-one percent (51%) ownership and control by one or more
26 individuals who have resided for at least five (5) of the preceding ten (10) years in a
27 disproportionately impacted area.

28 (ii) An applicant with at least fifty-one percent (51%) ownership and control by one or
29 more individuals who:

30 (A) Have been arrested for, convicted of, or adjudicated delinquent for any offense that is
31 eligible for expungement under this chapter; or

32 (B) Is a member of an impacted family.

33 (iii) For applicants with a minimum of ten (10) full-time employees, an applicant with at
34 least fifty-one percent (51%) of current employees who:

1 (A) Currently reside in a disproportionately impacted area; or
2 (B) Have been arrested for, convicted of, or adjudicated delinquent for any offense that is
3 eligible for expungement under this chapter or is a member of an impacted family.

4 (iv) Can demonstrate significant past experience in or business practices that promote
5 economic empowerment in disproportionately impacted areas.

6 (v) Had income which does not exceed four hundred percent (400%) of the median income,
7 as defined by the commission, in a disproportionately impacted area for at least five (5) of the past
8 ten (10) years.

9 (40) “Terpenoid” means an isoprene that are the aromatic compounds found in cannabis,
10 including, but not limited to: limonene, myrcene, pinene, linalool, eucalyptol, Δ-terpinene, β-
11 caryophyllene, caryophyllene oxide, nerolidol and phytol.

12 (41) “Unreasonable and impracticable” means that the measures necessary to comply with
13 the rules and regulations adopted pursuant to this chapter subject licensees to unreasonable risk or
14 require such a high investment of money, time or any other resource or asset that a reasonably
15 prudent businessperson would not operate a cannabis establishment.

16 (42) “Workers’ cooperative” means an applicant organized and operated pursuant to the
17 provisions of chapter 6.2 of title 7.

18 SECTION 2. This act shall take effect upon passage.

=====
LC004962
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO FOOD AND DRUGS -- THE RHODE ISLAND CANNABIS ACT

- 1 This act would update the Rhode Island cannabis act to remove the current requirement to
- 2 express cannabinoids as the dry-weight percentages.
- 3 This act would take effect upon passage.

=====
LC004962
=====