

2025 -- H 5249

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

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

Introduced By: Representatives McNamara, J. Brien, Furtado, Donovan, and Noret

Date Introduced: January 31, 2025

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 21-28.11-10.2 of the General Laws in Chapter 21-28.11 entitled "The
2 Rhode Island Cannabis Act" is hereby amended to read as follows:

3 **21-28.11-10.2. Cannabis retail sales.**

4 (a) In addition to the hybrid cannabis retailer certificates that may be issued pursuant to the
5 provisions of this chapter, after issuance of the final rules and regulations, the commission may
6 grant twenty-four (24) retail licenses, subject to the following restrictions:

7 (1) The retail licenses shall be issued pursuant to geographic zones as specified in § 21-
8 28.11-10.3.

9 (2) No more than four (4) retail licenses exclusive of any hybrid cannabis retail certificate
10 shall be permitted in each geographic zone; and

11 (3) Of the four (4) retail licenses in each geographic zone:

12 (i) One shall be reserved for a workers' cooperative applicant; and

13 (ii) One shall be reserved for a social equity applicant.

14 (b) **Minimum qualifications.** To qualify for issuance of a cannabis retail sales license
15 under this section, an applicant shall satisfy all qualifications established by the commission to
16 include, but not be limited to, the following:

17 (1) Apply for a license in a manner prescribed by the commission;

18 (2) Provide proof that the applicant is twenty-one (21) years of age or older and is a resident
19 of the state;

1 (3) Undergo a criminal record background check pursuant to § 21-28.11-12.1 and on any
2 terms established by the commission;

3 (4) Provide proof that the applicant is current and in compliance with all obligations for
4 filings and payments for taxes with the division of taxation;

5 (5) Demonstrate that the proposed location for the retail sale of cannabis complies with
6 provisions of municipal zoning and regulations or has been approved by the municipality;

7 (6) Paid a nonrefundable application fee as determined by the commission and promulgated
8 by rules and regulations; and

9 (7) Prior to issuance of any license and for any period of renewal, the applicant shall pay
10 an annual fee of thirty thousand dollars (\$30,000) to be deposited in the social equity fund
11 established in § 21-28.11-31.

12 (c) **Compliance.**

13 [\(1\) A cannabis retail sales licensee and all agents and employees shall comply with all rules](#)
14 [adopted by the commission and all applicable laws to include, but not limited to, chapter 5 of title](#)
15 [28 \(the “fair employment practices act”\).](#)

16 [\(2\) A cannabis retail sales licensee shall mandate that each dispensary the licensee operates](#)
17 [display signage warning that the consumption of marijuana and THC products during pregnancy](#)
18 [poses risks to infant development.](#)

19 (d) **Inspection.** As a condition of licensing and pursuant to § 21-28.11-20, cannabis
20 retailers shall consent and be subject to inspections by the commission or designated personnel for
21 the purposes of ensuring and enforcing compliance with this chapter, all rules and regulations
22 promulgated pursuant to this chapter and all other applicable law, to include, but not be limited to,
23 the provisions of title 44 (“taxation”), chapter 28 of this title (the “uniform controlled substance
24 act”), and chapter 5 of title 28 (the “fair employment practices act”).

25 (e) **Testing.** No cannabis or cannabis product shall be sold or otherwise marketed pursuant
26 to this chapter that has not first been collected and tested by a cannabis testing laboratory and found
27 to meet the testing protocols issued pursuant to regulations promulgated by the department of health
28 and determined to meet the commission’s testing protocols issued pursuant to § 21-28.11-11.

29 (f) **Minimum requirements.** Persons issued cannabis retail licenses shall be subject to the
30 following:

31 (1) A licensed cannabis retailer shall notify and request approval from the commission of
32 any change in his or her name or address within ten (10) days of the change. A licensed cannabis
33 retailer who fails to notify the commission of any of these changes shall be subject to an
34 administrative fine of no more than one hundred fifty dollars (\$150) or other penalty as determined

1 by the commission;

2 (2) When a licensed cannabis retailer notifies the commission of any changes listed in this
3 subsection, the commission shall issue the licensed cannabis retailer a new license identification
4 document after the commission approves the changes and receives from the licensee payment of a
5 fee specified in regulation;

6 (3) If a licensed cannabis retailer loses his or her license document, he or she shall notify
7 the commission and submit a fee specified in regulation within ten (10) days of losing the
8 document. The commission shall issue a new license document with a new random identification
9 number upon payment of a fee promulgated in the rules and regulations not to exceed one hundred
10 dollars (\$100);

11 (4) A licensed cannabis retailer has a continuing duty to notify the commission of any
12 criminal conviction(s) that occurs after the issuance of a license or registration. A criminal
13 conviction shall not automatically result in suspension or revocation of a license, but shall be
14 subject to the provisions § 21-28.11-12.1;

15 (5) If a licensed cannabis retailer violates any provision of this chapter or regulations
16 promulgated hereunder as determined by the commission, his or her issued license may be
17 suspended and/or revoked.

18 (g) **Immunity.**

19 (1) No licensed cannabis retailer shall be subject to: arrest; prosecution; search or seizure,
20 except as authorized pursuant to §§ 21-28.11-20 and 21-28.11-27 and by subsection (d) of this
21 section; or penalty in any manner, or denied any right or privilege, including, but not limited to,
22 civil penalty or disciplinary action by a business, occupational, or professional licensing board or
23 entity, solely for acting in accordance with this chapter and rules and regulations promulgated by
24 the commission.

25 (2) No principal officers, board members, agents, volunteers, or employees of a licensed
26 cannabis retailer shall be subject to arrest; prosecution; search or seizure, except as authorized
27 pursuant to §§ 21-28.11-20 and 21-28.11-27 and by subsection (d) of this section; or penalty in any
28 manner, or denied any right or privilege, including, but not limited to, civil penalty or disciplinary
29 action by a business, occupational, or professional licensing board or entity, solely for working for
30 or with a licensed cannabis retailer to engage in acts permitted by this chapter and rules and
31 regulations promulgated by the commission.

32 (3) No state employee or commission member shall be subject to arrest; prosecution; search
33 or seizure, except as authorized pursuant to §§ 21-28.11-20 and 21-28.11-27 and by subsection (d)
34 of this section; or penalty in any manner, or denied any right or privilege, including, but not limited

1 to, civil penalty, disciplinary action, termination, or loss of employee or pension benefits, for any
2 and all conduct that occurs within the scope of his or her employment regarding the administration,
3 execution, and/or enforcement of this chapter and rules and regulations promulgated by the
4 commission, and the provisions of §§ 9-31-8 and 9-31-9 shall be applicable to this section.

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

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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 mandate that a cannabis dispensary display signage warning that the
2 consumption of marijuana and THC products during pregnancy poses risks to infant development.

3 This act would take effect upon passage.

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