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Rhode Island Lawmakers File Psilocybin And Broader Drug Decriminalization Bills While Legal Marijuana Momentum Increases

BUSINESS



Published 4 days ago on March 7, 2022 By Kyle Jaeger

POLITICS

SCIENCE & HEALTH



f Y Rhode Island lawmakers introduced a pair of drug decriminalization bills last week—including one focused on psilocybin and buprenorphine that would authorize doctors to prescribe the psychedelic mushroom. The new legislation comes as momentum to pass marijuana legalization legislation this year increases in the House and Senate.

The first of the bills, sponsored by Rep. Brandon Potter (D), would expand on the state's existing decriminalization policy for marijuana by adding both psilocybin and buprenorphine to list controlled substances that do no carry criminal penalties. Buprenorphine is an opioid often used as a harm reduction tool to help people transition away from more addictive compounds.

Possession of up to an ounce of marijuana in Rhode Island is punishable by a \$150 fine, without the threat of jail time. It does not appear that psilocybin or buprenorphine possession would face a similar civil penalty.

Notably, the legislation also states that a medical professional "in good faith and in the course of his or her professional practice, may prescribe, and dispense psilocybin as a therapeutic." In general, with federally illegal substances like marijuana, doctors have been limited to

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"recommending" cannabis to avoid potential licensing repercussions—so it's not clear how the new psychedelic-focused measure would work in practice if it were to be enacted.

Marijuana Moment is already <u>tracking more than 1,000 cannabis</u>, <u>psychedelics and</u> <u>drug policy bills</u> in state legislatures and Congress this year. <u>Patreon supporters</u> pledging at least \$25/month get access to our interactive maps, charts and hearing calendar so they don't miss any developments.



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The second **bill** filed last week is being sponsored by Rep. Jose Batista (D). It would broadly decriminalize the possession of up to one ounce of any controlled substance, except fentanyl.

While the text of the proposed statutory change does list out various penalties for drugrelated crimes, it ends with this provision: "Nothing contained in this section shall be construed as providing criminal penalties for any person in possession of one ounce (1 oz.) or less of any controlled substances classified in schedules I, II, III, IV, and V except for the drug fentanyl."

Instead, possession of up to one ounce of the drugs would result in a civil violation, with a \$100 fine for a first offense and up to \$300 for subsequent offenses.

Both of the aforementioned bills have been referred to the House Judiciary Committee. But they're far from the only drug policy reform proposals that have come before the legislature this session.

Last week, Rhode Island lawmakers from both chambers <u>unveiled a much-anticipated bill to</u> legalize marijuana in the Ocean State—a move that comes about a month after Gov. Dan McKee (D) included a proposal to end cannabis prohibition as part of his annual budget plan.

Sen. Joshua Miller (D) and Rep. Scott Slater (D) introduced the new legislation, which would create a system of licensed businesses to produce and sell cannabis while allowing adults 21 and older to purchase and possess up to an ounce. They could also grow up to six plants at home, three of which could be mature.

Slater is also a cosponsor of the psilocybin and buprenorphine bill filed last week.

Meanwhile, Miller, who sponsored an earlier legalization proposal <u>that was approved in the</u> <u>Senate last year</u>, said in a press release last week that the "time for Rhode Island to move forward with cannabis legalization is now."

The bill also provides an avenue for expungements for people with convictions of marijuana possession of up to two ounces. People with such convictions would need to submit a request to the courts, after which point the expungement would be automated.

Activists have rallied behind an agenda for reform that emphasizes the need for bold social equity provisions.

Under the new bill, there would be a two-year moratorium on licensing additional cultivators beyond those that are already operating for the medical cannabis market.

Miller previously said that negotiators had <u>reached an agreement</u> to place the temporary moratorium on approving additional cannabis cultivator licenses. Some have protested adding cultivators beyond the existing medical marijuana licensees because they say there's already a sufficient supply to meet demand in the adult-use market.

Ruggerio has said he feels that the legalization bill that has already been approved in the Senate contained "very strong social justice provisions" and the its expedited expungements provisions are "as close to automatic as practical."

He also said in July that he's not disappointed the House hasn't advanced legalization legislation yet and that "what we really wanted to do was send it over and have them take a look at it" when his chamber passed its cannabis reform measure.

A coalition of 10 civil rights and drug policy reform advocacy groups—including the Rhode Island chapters of the ACLU and NAACP—had demanded that lawmakers move ahead with enacting marijuana reform in the state before the end of 2021. But that did not pan out.

Lawmakers have noted that neighboring states like <u>Connecticut and Massachusetts have</u> enacted legalization, and that adds impetus for the legislature to pursue reform in the state.

In June, the House Finance Committee <u>held a hearing on an earlier legalization measure that</u> Slater introduced.

The governor previously told reporters that while he backs legalization it is "not like one of my highest priorities," adding that "we're not in a race with Connecticut or Massachusetts on this issue."

"I think we need to get it right," he said, pointing to ongoing discussions with the House and Senate.

The House Finance Committee discussed the governor's proposal to end prohibition at an earlier hearing in April.

Both the governor and the leaders' legalization plans are notably different than the proposal that former Gov. Gina Raimondo (D) had included in her budget in 2020. Prior to <u>leaving office</u> to join the Biden administration as commerce secretary, she <u>called for legalization through a</u> state-run model.

McKee gave initial insights into his perspective on the reform last January, saying that "it's time that [legalization] happens" and that he's "more leaning towards an entrepreneurial strategy there to let that roll that way."

House Speaker Joseph Shekarchi (D), meanwhile, has said he's <u>"absolutely" open to the idea of</u> cannabis legalization and also leans toward privatization.

In late 2020, the Senate Finance Committee <u>began preliminary consideration of legalization</u> in preparation for the 2021 session, with lawmakers generally accepting the reform as an inevitability. "I certainly do think we'll act on the issue, whether it's more private or more state," Sen. Ryan Pearson (D), who now serves as the panel's chairman, said at the time.

Meanwhile, the governor in July signed a historic bill to allow safe consumption sites where people could use illicit drugs under medical supervision and receive resources to enter treatment. Harm reduction advocates say this would prevent overdose deaths and help destigmatize substance misuse. Rhode Island is the first state to allow the facilities.

The Senate Judiciary Committee also held a hearing last year on legislation that would end criminal penalties for possessing small amounts of drugs and replace them with a \$100 fine.

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Kyle Jaeger is Marijuana Moment's Sacramento-based senior editor. His work has also appeared in High Times, VICE and attn.



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Congressional Democrats Elevate Marijuana Equity Issues At Retreat Panel Focused On Legalization



Published 2 hours ago on March 11, 2022 By **Kyle Jaeger**



Democratic congressional lawmakers convened for a policy retreat in Philadelphia on Thursday that featured a panel on advancing marijuana reform with a focus on promoting equity, multiple sources familiar with the closed-to-press session told Marijuana Moment.

Rep. Barbara Lee (D-CA) moderated the cannabis panel, which largely centered on the need to ensure that those most impacted by prohibition can benefit from federal legalization. The Marijuana Opportunity, Reinvestment and Expungement (MORE) Act, sponsored by House Judiciary Chairman Jerrold Nadler (D-NY), was specifically discussed as advocates push for a floor vote on the proposal this month.

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Washington State Legislature Approves \$200,000 In Psilocybin Research Funding In Budget



Published 6 hours ago on March 11, 2022 By **Kyle Jaeger**



The Washington State legislature on Thursday sent a budget bill to the governor's desk that includes a proposal to direct \$200,000 in funding to support a new workgroup to study the possibility of legalizing psilocybin services in the state, including the idea of using current marijuana regulatory systems to track psychedelic mushrooms.

If the legislation is signed by Gov. Jay Inslee (D), the Psilocybin Wellness Workgroup will be charged with developing a "report on psilocybin services wellness and opportunities in consultation with stakeholders," the relatively short section of the 864-page budget proposal for Fiscal Year 2023 states.

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New Orleans City Council Urges End To Marijuana Testing For Government Employees



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New Orleans is the latest city to take a step toward ending drug testing for marijuana as a condition of employment, with the City Council approving a resolution on Thursday recommending a policy change.

The resolution, sponsored by Council President Helena Moreno (D), requests that the Civil Service Commission to "evaluate and amend its rules and regulations to eliminate cannabis testing as a pre-employment screening requirement and as a basis for termination in the absence of clear evidence of impairment or intoxication."

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