

Is Legal Adult-Use Cannabis Finally Coming to RI in 2022?

Description

Rhode Island House Speaker Joe Shekarchi seems to think so. While he has been quoted in local media saying that while the legislature is “still not there” on a final product, he is at least ready to say that “we’ve worked down to almost one issue that’s left.” That specific issue, it seems, is who will regulate the cannabis market should Rhode Island enact a cannabis legalization measure. The two options seem to be either a new independent commission or the existing state Department of Business Regulation (DBR). Last week, Governor McKee presented his Fiscal Year 2023 Budget Proposal, which included cannabis legalization and gave responsibility for regulating the new industry to the DBR. Legislative leaders have suggested a new department be created specifically to manage cannabis.

While regulatory authority appears to be the key remaining sticking point, there are actually several remaining issues to be worked out before a final bill is put to a vote. Nonetheless, all signs now point to a consensus that the major remaining hurdles are about *how* to regulate the cannabis market, not *whether* there will be one. Legalization in Rhode Island will very likely be brought to a vote and pass in 2022. With just one major provision left to resolve following months of negotiations, and a productive Senate vote in 2021 that indicated a corner had been turned, Shekarchi now says that he expects the matter to be resolved early in 2022.

Shekarchi had previously said that he was open to a compromise on the question of who should regulate Rhode Island cannabis. He now suggests a potential hybrid DBR/cannabis commission, or “some combination thereof.” Despite there being no meeting of the minds yet on a final bill, Shekarchi is willing to say that cannabis law reform in Rhode Island is now “inevitable.”

In the first month of 2022, Rhode Island finds itself becoming ever more of an island, one surrounded by a sea of legalization. Cannabis legalization in neighboring states Massachusetts, Connecticut, New York, New Jersey, Maine, and Vermont has passed. In the entire Northeast, only New Hampshire, Rhode Island, and Pennsylvania have not legalized adult use outside the medical context (and all 3 have existing medical use laws).

The Rhode Island legislature’s negotiations over a potential independent cannabis commission, as well as how to handle potential expungement of marijuana convictions or related criminal justice reform, continue. But all signs really do point to a deal coalescing this year.

The Senate’s most recent legalization bill—which passed overwhelmingly in 2021—included very strong social justice provisions including an expungement provision that Senate President Dominick Ruggerio at the time called “as close to automatic as practical.” It remains to be seen just how the social justice and criminal justice reform aspects of the legalization effort play out in any compromise bill.

But it is looking increasingly like sooner rather than later, legalization will become the law in Rhode Island.

Stay tuned for potential huge changes in 2022!

Partridge Snow & Hahn’s [Cannabis Advisory Practice](#) provides updates on marijuana law and policy, covering some of the risks and opportunities in the industry, and makes recommendations regarding best practices.

Date Created

January 27, 2022
