



Texas NORML Policy 014: Guidelines to Legalizing and Regulating Marijuana in Texas

Effective Date: 6/16/20 | Approval Date: 6/16/20

Texas NORML supports legalizing marijuana in Texas. These are the regulatory policies that Texas NORML supports.

I. Adult Cultivation and Possession Limits

- Adults who are 21 or older may:
 - Possess up to four ounces of marijuana
 - Possess 28 grams of concentrate
 - Possess marijuana-infused products containing up to 100 milligrams of THC per package
 - Cultivate up to twelve marijuana plants (six plants can be in the flowering stage) in a secure location that is not visible from outside the property and that is not accessible to minors
 - Possess marijuana produced from those plants in the same location that the plants were grown
 - Gift up to one ounce of marijuana to another person
- Possession of marijuana by minors under the age of 21 will be a civil offense so as to remove any collateral consequences for the minor's future
- The purchase limit at a licensed retailer for a single transaction should be one ounce
 - Marijuana equivalency standards for purchase limits should be as follows:
 - One ounce of flower = eight grams of concentrate
 - One ounce of flower = 800 milligrams of edibles

II. State Regulation and Licensing

- There will be six types of licensed marijuana businesses:
 - Retail sales
 - Cultivation facilities
 - Product manufacturers
 - Transporters - (optional)
 - Laboratories
 - On-site consumption establishments
- The department that is charged with regulating marijuana will develop comprehensive rules, including security requirements, laboratory testing, packaging, labeling, recordkeeping, advertising, and inspection protocols



- The department charged with regulating marijuana will prohibit dangerous pesticides and additives and specify those prohibited products

III. Taxation and Fees

- Tax rates should not be so high that purchasing marijuana becomes cost prohibitive for consumers and results in consumers returning to the illicit market
- Licensing fees must be fair to ensure that small business owners have fair access to the market
- Counties must participate in the program in order to receive tax revenue disbursements

IV. Employers and Private Property

- Landlords can prohibit the growing and smoking of marijuana at their rentals
- Landlords cannot prohibit the consumption of non-smoked marijuana products such as edibles and oils
- Other property owners may prohibit the consumption and display of marijuana
- Employers may prohibit consumption and possession of marijuana at work
- The state should consider eliminating workplace drug testing for marijuana of governmental employees

V. Expungement and Resentencing

- Parole and probation may not be revoked based on marijuana consumption
- Prior arrests and convictions based on possession of marijuana within the parameters of the new law should be expunged or re-sentencing should be initiated

VI. Prohibited Conduct and Penalties

- Smoking marijuana in public would be punishable by a civil fine of \$100 or up to ten hours of community service
- Driving under the influence of marijuana would be subject to current DUI laws
- The department charged with regulating retail sales of marijuana may suspend or revoke the license of any establishment that violates any state law and regulatory guidance