



## Texas NORML Policy 010: Guidelines to Legalizing and Regulating Marijuana in Texas

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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 including delivery
  - Cultivation facilities
  - Product manufacturers
  - Transporters - (optional license)
  - 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