



This measure amends the Missouri Constitution by adding Section 54 to Article IV. This amendment implicitly repeals, in part or in whole, and amends various statutes and subsections including but not necessarily limited to RSMo 105.1105, 105.1108, 105.1112, 195.010.(10)(b)c, 195.010.(10)(d), 195.010.(17)(m)(b), 195.010.(17)(g), 195.010.(17)(l), 195.010(24), 195.015.4, 195.017.2(4)(r), 195.017.2(4)(z), 195.017.2(4)(ii), 195.140.2(2), 195.202.2, 195.202.3, 195.211.2, 195.211.3, 195.211.4, 195.222.7, 195.223.7, 195.223.8, 263.250.1.

*Be it resolved by the people of the state of Missouri that the Constitution be amended:*

One new section is adopted to be known as Article IV, Section 54 and to read as follows:

- 1) Cannabis shall immediately be removed from the Missouri list of controlled substances and shall no longer be listed among Missouri's drug schedules.
- 2) Definitions: cannabis and cannabis hemp refer to Cannabis, Marijuana, Cannabis Sativa, Cannabis Indica, Cannabis Ruderalis or any variety of cannabis, including any derivative, concentrate, extract, flower, leaf, particle, preparation, resin, root, salt, seed, stalk, stem, or any product thereof.
  - a. Medical cannabis refers to physician recommended use.
  - b. Personal use refers to any use not recommended by physician.
  - c. Cannabis accessories means any equipment, products or materials of any kind that are used or intended for use planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, or containing cannabis or for ingesting, inhaling, vaporizing, smoking or otherwise introducing cannabis into or onto the human body.
  - d. Establishment refers to a cannabis cultivation facility, a cannabis manufacturing facility or retail store or other entity that cultivates, prepares, manufactures, packages, transports, or sells cannabis products or accessories.
  - e. Minor refers to anyone under the age 18.
- 3) Cannabis or its products shall not be sold to anyone under the age 18.

Anyone under the age of 18 shall have access to cannabis through physician recommendation or consent from parent/legal guardian.

  - a. No minor shall be criminally prosecuted for possession of cannabis or its products.
- 4) The following acts are not unlawful and shall not be an offense under Missouri law
  - a. Possession of cannabis for personal or medical use.
  - b. Cultivating cannabis for personal or medical use, to obey zoning restrictions.
  - c. Cultivating, harvesting, processing, manufacturing, packaging, distributing, transferring, displaying or possessing cannabis, cannabis accessories, and cannabis products for commercial purposes, provided the person has current applicable licenses to run a business in Missouri.
  - d. Providing cannabis, cannabis accessories and products for sale to consumers. Any product to be sold to public must be tested for purity and weight.
  - e. Leasing or otherwise allowing the use of property owned, occupied or controlled by any person, corporation or other entity for any of the activities conducted lawfully in accordance with paragraphs (a) through (e) of this section.
  - f. The use and/or possession of cannabis is not to be the sole reason for issuing a D.U.I (driving under the influence), arrest or fines when operating a motor vehicle.
- 5) Patient rights: Cannabis shall be available to all patients regardless of age, without taxation when physician recommended.
- 6) All prisoners that have been incarcerated for nonviolent cannabis related crimes shall immediately be released and all charges for cannabis crimes expunged.
  - a. Within 60 days of passage of this act, the attorney general's office shall develop and make available to the public a legal document ordering the immediate destruction of all cannabis related non-violent civil and criminal records in Missouri, to be distributed to all circuit court judges within the state.
- 7) No state or federal funds shall be used to enforce federal laws which are no longer illegal in the state of Missouri.
  - a. Any person who willfully impedes the lawful exercise of these provisions is guilty of a class A misdemeanor.
- 8) Cannabis farmers, manufacturers, processors, and distributors shall not be subject to any special zoning requirements, licensing fee that is discriminant, prohibitive, or in any way contrary to that which is relative to any other commercial or agriculture farmer, manufacturer, processor or distributor.
- 9) Pursuant to the ninth and tenth amendments to the Constitution of the United States, the people of Missouri hereby repudiate and challenge federal cannabis prohibitions that conflict with this act.
- 10) All provisions of this section are self-executing and severable and, except where otherwise indicated in the text of this document, shall supersede conflicting city, county, state or federal statutory, local charter, ordinance or resolution.
- 11) If any rival or conflicting initiative regulating any matter addressed by this act receives the higher affirmative vote, then all non-conflicting parts shall become operative.
- 12) The dictates of this Initiative shall be implemented no later than April 20th following the election that placed this initiative before the people.