2019 Snapshot

Municipal Regulations of Medical Marijuana in Rhode Island

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8/19/2019
Medical Marijuana Across the Nation

The usage and distribution of medical marijuana are issues that have become central to discussions of American politics today. Medical marijuana, as prescribed by doctors, provides relief for pains and illnesses for patients, and is being increasingly sought after as a less harmful alternative to opioids.

However, there is a large disconnect between federal and state legislation regarding the legality of medical marijuana. While it is still officially illegal under federal law, 33 states and the District of Columbia have legalized its sale, distribution, and usage within their respective jurisdictions. Rhode Island, since 2011, has been among these 33 states and Washington D.C. that have fully legalized medical marijuana. Despite this, there are still discrepancies within the state, as Rhode Island’s cities and towns have responded differently, since this is an issue of land usage.
Medical Marijuana in Rhode Island

In 2009, Rhode Island legalized the usage of medical marijuana under the Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act (RI General Laws § 21-28.6). However, as was mentioned earlier, there have been many different responses to this legislation across Rhode Island. Over the past few weeks, upon the request of the Rhode Island League of Cities and Towns, the Division of Statewide Planning gathered information on all 39 cities and towns within Rhode Island to see how each municipality was dealing with the issues of medical marijuana legalization and implementation. This was primarily done through consulting each city or town’s zoning ordinance, reading local newspapers, and contacting the town planners themselves. Research showed that 28 out of the 39 cities and towns in Rhode Island have officially addressed the issue, while 11 have not dealt with the issue, or are planning to address it in the near future.
It must be noted that there are three distinct aspects of medical marijuana legalization. There are compassion centers, emporiums, and the process of cultivation itself. A compassion center, as defined by Rhode Island’s Medical Marijuana Act, is “a not-for-profit corporation that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies, or dispenses marijuana, and/or related supplies and educational materials, to patient cardholders and/or their registered caregiver cardholder or authorized purchaser”. Essentially, it is a place that provides medical marijuana to registered patients. Currently, there are three registered Compassion centers in the state with plans for another six locations next year. An emporium is similar to a compassion center, in the sense that it serves as a dispensary of medical marijuana, but patients are also free to consume in these areas, much like a vape lounge. Lastly, cultivation is the process of growing the cannabis plant, whether for personal usage or to provide to a compassion center; both require the possession of a license to grow cannabis. Because of this, cities and towns vary vastly in their respective levels of legalization of medical marijuana. For example, while 28 cities and towns have outlined their policies in ordinances, only 18 allow for some form of personal cultivation, only 15 have made compassion centers legal, and only 2 towns have legalized the construction of emporiums. This shows the complexity of the issue; some cities will prohibit compassion centers and emporiums,
while permitting personal cultivation, and vice versa. Other cities will permit compassion centers and/or emporiums and prohibit personal cultivation.

With medical (and recreational) marijuana increasingly coming to the forefront of American political discussions, it will be important to track how cities and towns within the state continue to respond to the issue.

Sources:

- **CHAPTER 21-28.6 - The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act**

- **12 things to know about RI’s growing medical marijuana industry**, WPRI News (02/20/2019)

- **Change gives legislators final say over medical marijuana dispensary regs**, Providence Journal (08/07/2019)