

HOUSE BILL No. 1405

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-5-52.

Synopsis: Study the legalization of recreational marijuana. Establishes the marijuana policy study commission to study the economic and social impacts of legalizing the recreational use of marijuana. Requires the commission to issue a report not later than November 1, 2023.

Effective: Upon passage.

Austin

January 13, 2022, read first time and referred to Committee on Public Policy.



Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1405

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 2-5-52 IS ADDED TO THE INDIANA CODE AS
- 2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
- 3 PASSAGE]:
- 4 **Chapter 52. Marijuana Policy Study Commission**
- 5 **Sec. 1. As used in this chapter, "commission" refers to the**
- 6 **marijuana policy study commission established by section 2 of this**
- 7 **chapter.**
- 8 **Sec. 2. The marijuana policy study commission is established.**
- 9 **Sec. 3. The commission consists of the following fifteen (15)**
- 10 **members:**
- 11 **(1) Four (4) members of the house, appointed as follows:**
- 12 **(A) Two (2) members appointed by the speaker, one (1) of**
- 13 **whom shall serve as the chairperson of the commission in**
- 14 **2022 and as the vice chairperson of the commission in**
- 15 **2023.**
- 16 **(B) Two (2) members appointed by the minority leader of**
- 17 **the house.**



1 **(2) Four (4) members of the senate, appointed as follows:**

2 **(A) Two (2) members appointed by the president pro**
 3 **tempore, one (1) of whom shall serve as the vice**
 4 **chairperson of the commission in 2022 and as the**
 5 **chairperson of the commission in 2023.**

6 **(B) Two (2) members appointed by the minority leader.**

7 **(3) One (1) member appointed by the speaker.**

8 **(4) One (1) member appointed by the minority leader of the**
 9 **house.**

10 **(5) One (1) member appointed by the president pro tempore**
 11 **of the senate.**

12 **(6) One (1) member appointed by the minority leader of the**
 13 **senate.**

14 **(7) The commissioner of the Indiana department of health or**
 15 **the commissioner's designee.**

16 **(8) The executive director of the prosecuting attorneys council**
 17 **of Indiana or the executive director's designee.**

18 **(9) The chairperson of the alcohol and tobacco commission or**
 19 **the chairperson's designee.**

20 **Sec. 4. (a) Eight (8) members of the commission constitute a**
 21 **quorum.**

22 **(b) The affirmative vote of at least a majority of the members**
 23 **appointed to the commission is necessary for the commission to**
 24 **take official action other than to meet and take testimony.**

25 **(c) The commission shall meet at the call of the chairperson.**

26 **(d) The commission is subject to IC 2-5-1.2.**

27 **Sec. 5. All meetings of the commission are open to the public in**
 28 **accordance with and subject to IC 5-14-1.5. All records of the**
 29 **commission are subject to the requirements of IC 5-14-3.**

30 **Sec. 6. The commission shall study the following aspects of**
 31 **marijuana policy:**

32 **(1) The following aspects of marijuana policy in states that**
 33 **have legalized the recreational use of marijuana:**

34 **(A) Licensing.**

35 **(B) Issues relating to the growth, distribution, and retail**
 36 **sale of marijuana and marijuana products.**

37 **(C) The economic and social impact of legalizing the**
 38 **recreational use of marijuana, including the impact on the**
 39 **criminal justice system and on the underage consumption**
 40 **of marijuana and marijuana products.**

41 **(2) The anticipated economic and social impact of legalizing**
 42 **the recreational use of marijuana in Indiana with a particular**



- 1 emphasis on conducting a cost/benefit analysis of the issues
 2 studied under subdivision (1) with respect to states that have
 3 legalized the recreational use of marijuana.
 4 (3) The estimated fiscal impact on state and local government
 5 of legalizing the recreational use of marijuana in Indiana.
 6 (4) The anticipated impact on public health of legalizing the
 7 recreational use of marijuana in Indiana.
 8 (5) Any other issue relating to marijuana policy that the
 9 chairperson of the commission determines should be studied
 10 by the commission.
- 11 **Sec. 7. (a) The commission shall:**
- 12 (1) develop recommendations for the general assembly and
 13 the governor concerning the issues studied under section 6 of
 14 this chapter;
 15 (2) issue a report setting forth the recommendations
 16 developed under subdivision (1); and
 17 (3) not later than November 1, 2023, submit the report to the
 18 following:
- 19 (A) The executive director of the legislative services agency
 20 for distribution to the members of the general assembly.
 21 (B) The governor.
- 22 (b) The report submitted to the executive director of the
 23 legislative services agency under subsection (a) must be in an
 24 electronic format under IC 5-14-6.
- 25 **Sec. 8. The legislative services agency shall provide staff support**
 26 **to the commission.**
- 27 **Sec. 9. This chapter expires July 1, 2024.**
- 28 **SECTION 2. An emergency is declared for this act.**

