

HOUSE JOINT RESOLUTION NO. HJ0011

Cannabis authorization.

Sponsored by: Representative(s) Byrd and Baker

A JOINT RESOLUTION

for

1 A JOINT RESOLUTION proposing to amend the Wyoming  
 2 Constitution to permit the cultivation, manufacture, use,  
 3 possession and sale of cannabis for persons twenty-one (21)  
 4 years of age or older and to provide for the taxation,  
 5 regulation and inspection thereof.

6

7 *BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING,*  
 8 *two-thirds of all the members of the two houses, voting*  
 9 *separately, concurring therein:*

10

11 **Section 1.** The following proposal to create Wyoming  
 12 Constitution, Article 19, Section 12 is proposed for  
 13 submission to the electors of the State of Wyoming at the  
 14 next general election for approval or rejection to become  
 15 valid as a part of the Constitution if ratified by a  
 16 majority of the electors at the election:

1

2           **Article 19, Section 12. Cannabis.**

3

4           (a) On and after the first day of July, 2019, the use  
5 and possession of up to three (3) ounces plant or five  
6 hundred (500) milligrams extracted cannabis, the  
7 cultivation in the home of up to six (6) plants, up to  
8 three (3) of which may be mature, and the possession in the  
9 home of all cannabis derived from such plants shall be  
10 allowed in the state of Wyoming for persons twenty-one (21)  
11 years of age and older.

12

13           (b) As used in this article, "cannabis" shall include  
14 all parts of the plant of the genus cannabis whether  
15 growing or not, the seeds thereof, the resin extracted from  
16 any part of the plant, and every compound, manufacture,  
17 salt, derivative, mixture, concentrate or preparation of  
18 the plant, its seeds or its resin, as well as products such  
19 as food, beverages, extracts and tinctures derived from or  
20 containing cannabis.

21

22           (c) On or before the first day of July, 2019, the  
23 liquor division shall begin licensing cannabis

1 establishments, including cultivation, production,  
2 distribution, sales and consumption facilities and  
3 independent testing laboratories. The liquor division shall  
4 have rulemaking authority consistent with implementation  
5 of this article and implementing legislation.

6

7 (d) The legislature shall pass any laws necessary and  
8 proper to implement this article. No laws or regulation  
9 shall prohibit the operation of cannabis establishments,  
10 either expressly or by making their operation unreasonably  
11 impracticable. The legislature shall provide for:

12

13 (i) A system of inspection and such other  
14 regulations as may be necessary for the oversight and  
15 quality assurance of independent cannabis testing  
16 laboratories and all other establishments;

17

18 (ii) The protection of individual freedom and  
19 privacy with respect to the use, cultivation and other  
20 noncommercial conduct;

21

22 (iii) The prohibition of underage use and  
23 vehicular operation under the influence;

1

2 (iv) The implementation of standards for  
3 quality, packaging, labeling and advertising, including  
4 provisions designed to ensure cannabis is not targeted to  
5 or accessible to minors;

6

7 (v) The imposition of civil penalties for  
8 failure to comply;

9

10 (vi) The exemption of employers from  
11 accommodating any use other than certain medical use;

12

13 (vii) The separate regulation of industrial  
14 hemp; and

15

16 (viii) Geographic diversity of cultivation and  
17 other facilities.

18

19 (e) The legislature shall provide by law for an  
20 excise tax on cannabis sold or otherwise transferred by any  
21 licensed facility. Such tax shall be in addition to any  
22 other excise, severance or ad valorem tax. The first twenty  
23 million dollars (\$20,000,000.00) in proceeds annually from

1 such excise tax shall be used for the support of public  
2 schools in the state, and any proceeds thereafter annually  
3 shall be credited to the state general fund. The  
4 legislature shall provide for separate taxation for medical  
5 cannabis and for industrial hemp.

6

7 **Section 2.** That the Secretary of State shall endorse  
8 the following statement on the proposed amendment:

9

10 The adoption of this amendment would permit the  
11 cultivation, manufacture, use, possession and sale of  
12 cannabis for persons twenty-one (21) years of age or older  
13 and would provide for the taxation, regulation and  
14 inspection of cannabis facilities. It provides the first  
15 twenty million dollars (\$20,000,000.00) in annual proceeds  
16 from the excise tax on cannabis shall be used for the  
17 support of public schools.

18

19

(END)