



What Exactly Would Prop 207 Do?

- 1. Creates a statutory right to grow, produce, manufacture, sell, and use.** (Proposed ARS §§ 36-2852(A); 36-2858(A))
- 2. Legalizes Marijuana and Hashish.** (Current: ARS § 13-3401; Proposed: ARS § 36-2850)
 - Current law defines resin (cannabis) as a narcotic drug.
 - The Act defines marijuana to include cannabis and legalizes both.
- 3. Puts no limit on amounts of marijuana to be grown, produced, and manufactured by licensees.** (Proposed ARS § 36-2858)
- 4. Legalizes large amounts of marijuana for personal possession and use for ages 21 and older.** (Proposed ARS § 36-2852(c))
 - Up to one ounce of marijuana. This equals roughly 60-200 leafy marijuana cigarettes or approximately 2,830 doses of pure THC.
 - Up to 5 grams of marijuana concentrate (for example, hashish), a narcotic drug.
- 5. Allows home grows and home production labs.** (Proposed ARS § 36-2852)
 - One-adult household: up to 6 plants
 - Two-adult household: up to 12 plants
- 6. Does not allow HOAs to ban or regulate marijuana home grows in neighborhoods.** (Proposed ARS § 36-2852)
- 7. Addresses potency, forms, and methods of ingestion.**
 - Permits edibles, including candy and concentrates that can be inhaled, vaped, or “dabbed.”
 - Permits ADHS to limit potency on “edible marijuana products” only (Proposed ARS § 36-2854)
 - Does not limit potency of concentrates that are inhaled, vaped, or dabbed
 - Permits vaping and marijuana consumption in public, only prohibiting smoking. (Proposed ARS § 36-2851(8))
 - Bans marijuana products that “resemble the form of a human, animal, insect, fruit, toy, or cartoon.” Does not ban gummies or edibles in other shapes or forms (e.g. stars, moons, sports equipment, cars, or other foods.) (Proposed ARS § 36-2860(A)(2))
- 8. Allows marijuana businesses to advertise on all platforms.** (Proposed ARS § 36-2850, 36-2859)
 - Advertising must come from a marijuana establishment and advertising entity must be disclosed.
 - Only restrains advertising to youth or teens when advertising is “direct, individualized communication or dialogue.”
 - Marijuana advertising may fall under the purview of ADHS to regulate, although it is not explicitly delineated.
- 9. Allows home delivery of marijuana products** beginning 01/01/23. (Proposed ARS § 36-2854(D))
- 10. Creates an early monopoly on licenses** (Proposed ARS § 36-2850, 36-2854)
 - Limits the number of retail marijuana shops to 1/10 the number of licensed pharmacies in AZ
 - Awards “marijuana establishment” license first to existing medical marijuana business owners.
 - Grants 26 licenses to entities that qualify under “social equity” programs.
- 11. Allows certain medical marijuana businesses to convert to for-profit** becoming “dual licensees.” (Proposed ARS § 36-2854, 36-2858)
- 12. Exempts “dual licensee” medical marijuana businesses from rules and regulations of the voter-approved Arizona Medical Marijuana Act.**
 - Exempt from employing a medical director
 - Exempt from complying with any regulation deemed “unduly burdensome”
- 13. Reduces penalties for underage possession/use** significantly less than penalties for underage drinking. (Proposed ARS § 36-2853)
 - First offense: Civil penalty, discretionary 4 hours of drug education



- Second violation: Petty offense, discretionary 8 hours of drug education
- Three or more violations: Class one misdemeanor

14. Reduces penalties for illegal adult use primarily to petty offenses. (Proposed ARS § 36-2853) Penalties cover:

- Possession of an amount of marijuana greater than amount permitted
- Possession of cannabis or other concentrates greater than amount permitted
- Smoking marijuana in a public or open space
- Violating requirements (not visible to public view, enclosed, equipped with security to make inaccessible to minors) for home growing and manufacturing marijuana products. Second and subsequent violations would be a class 3 misdemeanor.

15. Changes current drug testing law (Current: ARS §23-493; Proposed: ARS §36-2851, 36-2852)

- Possession or use of allowable amounts of marijuana “cannot serve as the sole basis for...imposing penalties of any kind under the laws of this state”
- Allows employers to generally “restrict” its employees’ consumption of marijuana and cannabis, but not to prohibit it.
- Provides no guidance on what types of restrictions by employers are allowed
- Says nothing about employees using marijuana outside the workplace and coming to work with marijuana or impairing metabolites in their system

16. Changes current DUI laws (Current: ARS §23-1381; Proposed: ARS §36-2852)

- Weakens DUI laws by repealing current law that bases DUI charge on the presence of impairing metabolites.
- No roadside breath test exists to gauge marijuana impairment.
- Will prohibit authorities from establishing a per se THC level as a basis for driving while-impaired prosecution.
- Will allow Arizona legislature to “enact a per se law for the presumption of marijuana impairment” only when science is conclusive and when in agreement with and recommended by the National Highway Traffic Safety Administration.

17. Does not allow localities to ban marijuana stores if they have a medical marijuana establishment or establish rules more restrictive than those the locality imposes on medical dispensaries. (Proposed ARS § 36-2857)

18. Caps marijuana tax at 16% regardless of cost to Arizona and would lower that tax in the event combined federal and state taxes exceed 30%. (Proposed: ARS §36-2864, 42-5452)

19. Allocates revenues to state agencies to pay costs of enforcement, community college districts, law enforcement and fire departments, the Highway Users Fund, and Justice Reinvestment Fund. Sweeps the Medical Marijuana Fund to fund/create new social equity, public health, and DUI enforcement programs.

20. Brings additional costs to the state which are still to be determined, but would likely stem from potential increased treatment, rehabilitation, counseling, traffic and workplace accidents, insurance cost increases, enforcement, criminal violations, education deficits, suspensions and expulsions, homelessness, welfare, and litigation from other states.

21. Enables marijuana users to illegally purchase firearms. The expungement provisions in the Act would require Arizona to erase from the database marijuana convictions even though federal law prohibits the purchase or possession of guns by drug users, including marijuana. (Proposed: ARS §36-2862)

22. Renders useless Arizona’s drug-sniffing dogs. The odor of marijuana cannot constitute reasonable articulable suspicion of a crime. (Proposed: ARS §36-2852)

23. Voter-protected. This means no changes can be made by the state legislature unless there is a 75% majority and it is to further the original intent of the initiative. The only way to enact any changes not fitting those parameters, whether they are needed or not, would be through another voter-approved ballot initiative. (Arizona Constitution, Art. 4 Pt 1.)