

# ● PETITION FOR INITIATIVE MEASURE TO AMEND THE MISSISSIPPI CONSTITUTION ●

## BALLOT INITIATIVE #68

To The Honorable Delbert Hosemann, Secretary of State of the State of Mississippi

We, the undersigned citizens and qualified electors of the State of Mississippi respectfully direct that this petition and the proposed measure known as Initiative Measure No. 68, entitled:

**Should the Mississippi Constitution be amended to legalize the use, taxation, cultivation and sale of cannabis and industrial hemp?**

A full, true and correct copy of which is printed or attached to this petition, be transmitted to the Legislature of the State of Mississippi at its next ensuing regular session, and we respectfully petition the Legislature to adopt the proposed measure; and each of us for himself or herself says: *“I have personally signed this petition, I am a qualified elector of the State of Mississippi in the city (or town), county, and congressional district written after my name, my residence address is correctly stated and I have knowingly signed this petition only once.”*

**Ballot Summary:**

**Initiative Measure No. 68 proposes to legalize the use, taxation, cultivation and sale of industrial hemp and cannabis for persons 18 or older. Cannabis crimes may be punished with a misdemeanor charge and/or fine not to exceed \$500. The initiative requires the Legislature to adopt an expungement process for qualified non-violent cannabis crimes and requires the Governor to pardon non-violent cannabis offenders. The initiative requires the Legislature to return the right to bear arms for non-violent felons and to adopt an expungement process for qualified non-violent felons that have been charged with possession of firearms by a convicted felon and requires the Governor to restore the second amendment rights to non-violent felons immediately. The initiative delegates enforcement authority to the Chancery Courts.**

SIGNATURE <i>(include middle initial)</i>	STREET ADDRESS CITY/TOWN	COUNTY	PRINTED NAME <i>(include middle initial)</i>	DATE SIGNED	PRECINCT	CONG. DIST.

**CERTIFICATE OF PETITION CIRCULATOR:**

**INSTRUCTIONS:** Petition circulators must sign and complete all blanks.

I hereby certify that I am a resident of the State of Mississippi during the time at which this petition is being circulated.

Signature of Circulator \_\_\_\_\_ Printed name: \_\_\_\_\_

Current physical address: \_\_\_\_\_ City, State and Zip: \_\_\_\_\_

\_\_\_\_\_ Email: \_\_\_\_\_

Current telephone number: \_\_\_\_\_ Date signed: \_\_\_\_\_

## HERE IS THE ENTIRE BALLOT INITIATIVE #68

The people of Mississippi declare an end to the prohibition on cannabis. Cannabis shall be fully legalized for adults who are 18 years or older. This would include recreational use, medical use, cultivation, sale of both industrial hemp and cannabis (as defined by the Federal Government) as well as any paraphernalia for the use of cannabis, and other THC products.

### Cannabis Regulations:

- 1) No one under the age of 18 years old may use or possess cannabis or products containing THC. Unless prescribed by a licensed physician.
- 2) No one shall sale cannabis without a Mississippi Cannabis Sales License/Permit.
- 3) Cannabis must be grown in a secure location to prevent illegal harvest; Example: inside a building, inside a fenced enclosure or other secure means. Hemp with less than 8% THC may be grown in normal farming methods and regulations.
- 4) No one shall take possession of someone else's cannabis or hemp plants, including individual personal cannabis and/or any other THC product. Offender may be subject to other local laws.
- 5) No one shall use cannabis in a public location except in designated areas, unless for medical use.
- 6) Mississippi employers may drug test for THC, only using a mouth swab that detects THC use for up to 6 hours after use.
- 7) Business owners shall be able to establish cannabis consumption protocol for their premises.
- 8) Industrial hemp shall be regulated by the Mississippi Department of Agriculture.
- 9) The Mississippi Department of Agriculture shall set up a cannabis exchange in Jackson Mississippi, this is where the harvest will be inspected for quality. After passing a quality control inspection, farmers would be able to sell their harvest to licensed wholesale buyers. Lots of 26 or more plants can be auctioned. Every licensed/permitted Mississippi cannabis farmer shall be a member of the exchange to sell their harvest.
- 10) The Mississippi Department of Health shall provide permits and facilitation testing facilities for ensuring quality of cannabis.
- 11) It shall be legal to manufacture concentrates (shatter, wax, oils, and edibles) in Mississippi with a Mississippi Cannabis Processing License /Permit. The Mississippi Department of Health shall be responsible for quality and cleanliness.
- 12) The Mississippi Department of Health shall be responsible for a state-wide dispensary program and begin the issuing of identification for medicinal cannabis patients within 180 days from enactment.
- 13) Cannabis users (Medical patients or recreational users) shall not lose their 2nd amendment rights to bear arms or be denied for concealed carry permits.
- 14) School nurses shall be able to administer medical THC or CBD oil to students who possess a medical cannabis card.
- 15) There shall be no laws against driving while under the influence of THC.
- 16) There will be no limit on the amount of cannabis a person may possess at any one time.
- 17) Prepackaged cannabis and other THC products may be sold by any retailer that obtains a Mississippi Cannabis Sales License/Permit.
- 18) Only cannabis dispensaries can sell unsealed, not prepackaged cannabis products.
- 19) Packaging of cannabis products must be done by a licensed packaging facility and monitored by the Mississippi Health Department.
- 20) Importing & exporting of Cannabis to other states and countries shall be permitted.
- 21) Only wholesale buyers with the proper permit may be able to bid and purchase cannabis at the Jackson Cannabis Exchange.
- 22) Licensed cannabis dispensaries may grow their own cannabis with a Cannabis Farming License/Permit. Dispensaries may also manufacture concentrates with a Cannabis Processing License/Permit.
- 23) Food preparation facilities shall be allowed to use cannabis in their industry with a Mississippi Cannabis Processing License/Permit.

### Licensing/Permits:

- 1) Residents of Mississippi may grow up to 25 plants for personal use without a license/permit.
- 2) Only residents of Mississippi may obtain a Mississippi Cannabis License/Permit
- 3) No background checks shall be required for a Mississippi Cannabis License/Permit.
- 4) A Mississippi Cannabis Sales License/Permit shall be obtained at any county clerk's office, for an annual fee of \$1,500.
- 5) A Mississippi Cannabis Processing License/Permit will be required for manufacturing cannabis concentrates and edibles at an annual fee of \$5,000.
- 6) A licensed physician shall prescribe cannabis without obtaining any additional licensing.
- 7) A new application fee of \$5,000 will be accessed at time of filing application for all licenses/permits.
- 8) Mississippi Department of Agriculture shall be in charge of Mississippi Cannabis Farming License/Permits. Farmers growing 26-1,000 plants will pay an annual fee of \$800. Farmers growing 1,001-5,000 plants will pay an annual fee of \$3000. Farmers growing 5,001-10,000 plants will pay an annual fee of \$4,000. Farmers growing 10,001 or more will pay an annual fee of \$5,000.
- 9) All packaging facilities shall be required to obtain a Mississippi Cannabis Packaging License/Permit for an annual fee of \$5,000.
- 10) All wholesale buyers and sellers shall be required to obtain a Mississippi Cannabis Wholesale License/Permit for an annual fee of \$5,000.
- 11) If a petition circulator collects 2,500 certified signatures for this ballot initiative, then they shall only pay for half the cost of a new application fee. If a petition circulator collects 5,000 certified signatures for this ballot initiative, then they shall be exempt from the new application fee.

### Mississippi State Taxes:

- 1) Mississippi state sales tax of 7% on all retail sales of cannabis.
- 2) County sales tax 3.5% on all retail sales of cannabis.
- 3) Municipality sales tax of 7% on all retail sales of cannabis.
- 4) Wholesale buyers shall pay a state tax of 3% on every purchase.
- 5) All prepackaged cannabis products must be sealed and have a Mississippi State Tax Stamp affixed to it at 50 cents per stamp.
- 6) No sales tax should be charged for medical cannabis and other medical THC products.
- 7) Industrial hemp, stems, stalks, and seeds will be subject to a 5% state sales tax only.
- 8) The above sales taxes shall be reviewed in 2032 and 10 years thereafter.
- 9) 30% of state sales tax shall go to the State of Mississippi Department Of Education.
- 10) An import/export tax of 19% shall be added to all cannabis products entering or leaving the state of Mississippi.

### **Cannabis Related Crimes and Punishment:**

- 1) Possession or use of cannabis or THC products and/or paraphernalia by a minor shall be punishable for up to 20 hours of community service.
- 2) Selling Cannabis or THC products without a license, shall be punishable for a fine of up to \$5,000.
- 3) Smoking cannabis in a non-smoking area, shall be punishable for a fine of up to \$75.00.
- 4) Unlawfully harvesting of someone else's crop, shall be punishable for \$3,000 per pound stolen, plus restitution for losses occurred by the victim.
- 5) Cultivating 26 or more cannabis plants without a license/permit, shall be punishable by a fine twice the amount of the required license depending on amount the person has growing at time of infraction. Example, if someone without a license grows 5,010 cannabis plants, then their fine would be \$8,000.

### **Justice Reform:**

- 1) The legislature shall add a process for expunging a criminal record of any person convicted of nonviolent cannabis possession, sales and manufacture against the State of Mississippi.
- 2) The legislature shall also add a process for expunging a criminal record of any person convicted of possession of firearm by felon with non-violent charges and non-violent felons shall be able to get their rights to bear arms immediately.
- 3) Mississippi Courts shall not require test for THC (including drug courts, probation offices, and parole offices).
- 4) The state of Mississippi shall not deny the use of medical cannabis to anyone incarcerated within the state as prescribed by a licensed physician. This includes hemp/CBD vape pens.
- 5) The Chancery Courts of Mississippi shall have the power to enforce this section with injunctive relief.
- 6) The Governor shall pardon persons convicted of nonviolent cannabis violations against the State of Mississippi, both prior and current, within 60 days of receipt of their written request, as long as they meet the qualifications. The Chancery Courts of Mississippi shall have the power to enforce this section with injunctive relief.
- 7) The Governor shall pardon qualified convicted non-violent felons that have been charged with "Possession of firearms by a convicted felon" (Title 45-9-5) and requires the Governor to restore the second amendment rights to non-Violent felon's immediate upon the enactment of this initiative.

### **AMOUNT AND SOURCE OF REVENUE REQUIRED TO IMPLEMENT BALLOT INITIATIVE:**

The estimated gross income from the 7% cannabis sales tax is \$50 million dollars for the first 7 months of sales.

**INTENT:** It is the intent of this Amendment to the Mississippi Constitution to legalize the use, cultivation and sale of cannabis and industrial hemp for adults 18 and older. And the reform of Mississippi prison system with full pardons to all cannabis offenders

### **Definitions:**

- 1) **Non-Violent Felon-** a person charged with a felony that does not involve the use or threat of force or infliction of injury against the victim.
- 2) **THC-** Tetrahydrocannabinol, a crystalline compound that is the main active ingredient of cannabis
- 3) **CBD-** A non-intoxicating cannabinoid found in cannabis.
- 4) **Dispensary-** A business that shall be able to distribute recreational and medical sealed or unsealed (not prepackaged) cannabis products. They may also provide sampling of products on site. Also they may provide a smoking lounge.
- 5) **Cannabis Exchange-** A place located in Jackson, MS for registered cannabis and hemp farmers and registered wholesale buyers to meet to exchange cannabis and hemp. The Mississippi Department of Health shall inspect the cannabis prior to the exchange.
- 6) **Retail Stores with Cannabis Sales License/Permit-** Stores that have bought cannabis legally from a wholesale distributor. Purchased products must be prepackaged and have a Mississippi State tax stamp affixed to it and are ready for resale.
- 7) **Processing Facility-** A facility where concentrates and edibles are made and packaged.
- 8) **Packaging Facility-** A place where registered wholesale buyers take their product from the cannabis exchange to get packaged, sealed, and get tax stamped.
- 9) **Food Preparation-** A business that prepares cannabis edibles for onsite consumption. I.e. restaurants and food trucks

**Contact Information:**

Mississippi Cannabis Coalition, 7607 Rockingham Drive Southaven, MS 38671. Cell: 901-422-2308

Channingstull16@gmail.com

Supportive Facebook Group Page: Mississippi Cannabis Coalition

SS09-11 **WARNING:** Every person who knowingly sign this petition with any other than his or her true name, signs more than one of these petitions relating to the same initiative measure, signs this petition when he or she is not a qualified elector or makes any false statement on this petition may be punished by fine, imprisonment, or both.

**INSTRUCTIONS FOR THOSE CIRCULATING PETITIONS:**

1. When duplicated, this Mississippi Ballot Initiative #68 petition must be copied onto both sides of legal sized paper. This petition can be downloaded at Mississippi Cannabis Coalition Facebook group. Or by contacting JC Stull @ Channingstull16@gmail.com
2. Only Mississippi registered voters are able to legibly fill out and sign this petition, (and only once) using **BLACK INK** and using the same name listed on their current voter registration card and their current address.
3. Please try to CORRECTLY indicate your precinct and district (the last 2 boxes). 86,185 total number of signatures are required, of which 17,237 signatures should be obtained from voters within each of the five congressional districts.
4. Petition signers may not sign the name of any person other than themselves onto this petition.
5. Separate petition pages must be used for petition signers who live in different counties. Turn in signed petitions to the Mississippi Circuit Clerk in the County where the petition signer(s) live, in order to certify the signatures.
6. Once the signatures are certified by the Circuit Clerk, retrieve and mail the petitions with certified signatures to J.C. Stull, 7607 Rockingham Drive Southaven, MS 38671. We are trying to complete the ballot initiative process before May 20th, 2020. Include your phone number & email at the bottom if you want to be contacted in case something is wrong with your signature you submitted.
7. All expenses associated with Ballot Initiative #68 must be reported to the Secretary of State. Mail all expense receipts to Mississippi Cannabis Coalition to declare any monies you spend on this initiative for our monthly report.

**SIGNING BELOW DOES NOT PUT YOUR NAME ON THE BALLOT INITIATIVE. THIS IS ONLY FOR CONTACT INFORMATION, IN CASE FOR SOME REASON YOUR NAME IS MARKED OUT BY THE CIRCUIT CLERK WE MAY CONTACT YOU TO GET YOUR SIGNATURE AGAIN OR GET YOUR VOTING RIGHTS RESTORED.**

1) Name: \_\_\_\_\_

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**DO NOT TURN THIS PAGE INTO THE CIRCUIT CLERK. THIS IS FOR US TO KEEP TO AVOID  
LOSING SIGNATURES IF THEY ARE SCRATCHED OUT.**