



## **PUBLIC QUESTION NO. 1**

### **CONSTITUTIONAL AMENDMENT TO LEGALIZE MARIJUANA**

Do you approve amending the Constitution to legalize a controlled form of marijuana called “cannabis”?

Only adults at least 21 years of age could use cannabis. The State commission created to oversee the State’s medical cannabis program would also oversee the new, personal use cannabis market.

Cannabis products would be subject to the State sales tax. If authorized by the Legislature, a municipality may pass a local ordinance to charge a local tax on cannabis products.

### **INTERPRETIVE STATEMENT**

(as it appears on ballot)

This amendment would legalize a controlled form of marijuana called “cannabis”. Only persons at least 21 years of age could use cannabis products legally.

The Cannabis Regulatory Commission would oversee the new adult cannabis market. This commission was created in 2019 to oversee the State’s medical cannabis program. The scope of the commission’s new authority would be detailed in laws enacted by the Legislature.

All retail sales of cannabis products in the new adult cannabis market would be subject to the State’s sales tax. If authorized by the Legislature, a municipality may pass a local ordinance to charge a local tax on cannabis products.

### **Background** (prepared by the League of Women Voters of New Jersey Education Fund)

The interpretive statement outlines the basics of the amendment—legalization for those over 21, regulatory oversight and retail sales subject to sales and use tax. Cannabis is defined as all parts of the plant Genus Cannabis L., but does not include cannabis for medical purposes or hemp. If passed, this amendment authorizes a new industry in New Jersey. Issues around cultivation, manufacturing of products, local authority, possession limits and retail must be detailed in laws to be approved by the legislature.

**Reasons a voter might vote “no”:**

- Some of the increased sales tax revenue may be needed to pay for the cannabis regulatory system, rather than adding to the general fund.
- Legalization may result in increased cannabis use in communities, potentially leading to traffic accidents, cases of overuse or abuse, and unintended access by young people.
- Technology comparable to alcohol breathalyzer currently does not exist.
- The underground cannabis market will still exist—it may be cheaper to buy on the black market which has no regulation or sales tax.
- Cannabis is still illegal at the federal level.

**Reasons a voter might vote “yes”:**

- Legalization will allow economic development, create jobs, increase state sales tax revenue, and may generate local tax revenue.
- Ending prohibition may lead to reduced costs of policing, arresting, prosecuting, and punishing people for cannabis related offenses.
- Training law enforcement to recognize drug effects has been found effective in identifying those driving under the influence.
- Regulation will allow for quality control and best practices, better ensuring a safer product than an unregulated market
- Legalizing cannabis will reduce low level possession arrests and begin to address the harms of racial disparities in cannabis related arrests