

1 AN ACT proposing to create a new section of the Constitution of Kentucky relating
2 to the possession of cannabis.

3 WHEREAS, cannabis is a naturally occurring plant that has a number of medical
4 uses; and

5 WHEREAS, far too many citizens of the Commonwealth have been incarcerated for
6 minor crimes involving the possession of small amounts of cannabis and the vast majority
7 of the citizens of the Commonwealth want to have a say on the legality of cannabis;

8 NOW, THEREFORE,

9 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

10 ➔SECTION 1. IT IS PROPOSED THAT A NEW SECTION BE ADDED TO
11 THE CONSTITUTION OF KENTUCKY TO READ AS FOLLOWS:

12 **(1) The right of an individual twenty-one years of age or older to possess, use,**
13 **buy, or sell one ounce or less of cannabis shall be guaranteed in this state and shall not**
14 **be subject to any criminal sanction.**

15 **(2) The right of an individual twenty-one years of age or older to cultivate,**
16 **harvest, or store up to five cannabis plants for personal use shall be guaranteed in this**
17 **state and shall not be subject to any criminal sanction.**

18 **(3) The General Assembly may by general law regulate and control the**
19 **production, processing, and sale of cannabis and cannabis-derived products.**

20 ➔Section 2. This amendment shall be submitted to the voters of the
21 Commonwealth for their ratification or rejection at the time and in the manner provided
22 for under Sections 256 and 257 of the Constitution and under KRS 118.415. The
23 following shall be printed on the ballot:

24 "Are you in favor of amending the present Constitution of Kentucky to add a new
25 section of the Constitution of Kentucky to allow individuals twenty-one years of age or
26 older to possess, use, buy, or sell one ounce or less of cannabis, to cultivate, harvest, or
27 store up to five cannabis plants for personal use, and for the production, processing, and

1 sale of cannabis to be regulated and controlled by the General Assembly?

2 **Proposed New Section**

3 **(1) The right of an individual twenty-one years of age or older to possess, use,**
4 **buy, or sell one ounce or less of cannabis shall be guaranteed in this state and shall not**
5 **be subject to any criminal sanction.**

6 **(2) The right of an individual twenty-one years of age or older to cultivate,**
7 **harvest, or store up to five cannabis plants for personal use shall be guaranteed in this**
8 **state and shall not be subject to any criminal sanction.**

9 **(3) The General Assembly may by general law regulate and control the**
10 **production, processing, and sale of cannabis and cannabis-derived products."**

11 ➔Section 3. Notwithstanding any language in KRS 118.415 to the contrary, the
12 Secretary of State shall cause the entirety of the proposed amendment to the Constitution
13 of Kentucky contained in Section 1 of this Act to be published at least one (1) time in a
14 newspaper of general circulation published in this state, and shall also cause to be
15 published at the same time and in the same manner the fact that the amendment will be
16 submitted to the voters for their acceptance or rejection at the next regular election at
17 which members of the General Assembly are to be voted for. The publication required by
18 this section and KRS 118.415 shall be made no later than the first Tuesday in August
19 preceding the election at which the amendment is to be voted on.

20 ➔Section 4. Notwithstanding any language in KRS 118.415 to the contrary, the
21 Secretary of State, not later than the second Monday after the second Tuesday in August
22 preceding the next regular election at which members of the General Assembly are to be
23 chosen in a year in which there is not an election for President and Vice President of the
24 United States, or not later than the Thursday after the first Tuesday in September
25 preceding a regular election in a year in which there is an election for President and Vice
26 President of the United States, shall certify the entirety of the proposed amendment to the
27 Constitution of Kentucky contained in Section 1 of this Act to the county clerk of each

1 county, and the county clerk shall have the entirety of the amendment, as so certified,
2 indicated on the ballots provided to the voters in paper or electronic form as applicable to
3 the voting machines in use in each county or precinct.