Local Government Mandate Statement Kentucky Legislative Research Commission 2023 Regular Session

Part I: Measure Information

Bill Request #: 1037			
Bill #: SB 78			
Document ID #: 2721			
	AN ACT proposing to Kentucky relating to n	o create a new section of the nedical cannabis.	e Constitution of
Sponsor: Senator David Yates			
Unit of Government:		X County X Consolidated Local	Unified Local
Office(s) Impacted:	County Clerks		
Requirement: X	Mandatory Or	ptional	
Effect on Powers & Duties:	Modifies Existing	Adds New H	Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

Section 1 of SB 78 would add a new section to the Kentucky Constitution to legalize the possession and use of cannabis pursuant to a valid prescription issued by a medical professional. It would allow medical professionals to prescribe, dispense, or distribute cannabis for medical purposes, and allow pharmacists to dispense or distribute cannabis for medical purposes. It further states that the General Assembly would be able to regulate and control individuals who obtain, possess, prescribe, dispense, or distribute cannabis for medical purposes.

Should voters ratify this amendment, **Section 5** would direct the General Assembly to propose an amendment to the Kentucky Constitution in the 2025 regular session to provide for the right of an individual over the age of 21 years of age or older to cultivate, harvest, store, possess, use, buy, or sell cannabis and the individual shall not be subject to any criminal sanction.

By the language of the bill and as allowed by Section 256 of the Kentucky Constitution the proposed amendment would be submitted to the voters at the next regular election at which members of the General Assembly are chosen. This means the proposed amendment would be considered in November 2024.

The fiscal impact of requiring local governments to add a constitutional amendment to a ballot would be minimal, though for counties with smaller budgets the impact may be minimal to moderate.

Balloting, programming, and publishing proposed constitutional amendments is a regular duty of county clerks, paid for by the county fiscal court. Ballot printing costs are also a factor in election expenses. If the proposed amendment results in additional pages needed for the ballot, that would be an additional cost to the county clerk's office. It has been estimated that the cost of one extra page for a ballot is \$0.25.

Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II applies to SB 78 as introduced. There is no earlier version for comparison

Data Source(s): <u>LRC Staff</u>

Preparer:Jacob Blevins (WB)Reviewer:KHCDate:2/16/23