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Senators Approve Revisions to Strengthen Cannabis Law and Boost Industry Growth

Bill adjusts key definitions and timeline for self-sufficiency, along with proposals to harmonize distance restrictions across the territory

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Members of the 35th Legislature have approved Bill 35-0283, intended to clarify and clean up language in the Virgin Islands Cannabis Use Act.

The bill, introduced during Wednesday's meeting of the Senate Committee on Economic Development and Agriculture, was sponsored by Senator Donna Frett-Gregory, who was Senate President in the 34th Legislature when Act 8680 was originally passed. She told fellow lawmakers that the amendments contained within Bill 35-0283 would ensure "consistency within the legislation to ensure successful implementation of the Cannabis Use Act." It addresses typographical errors and inconsistencies identified by the Office of Cannabis Regulation while

developing policies, rules, and regulations to guide the industry.?

Ms. Frett-Gregory clarified that Bill 35-0283 does not remedy every issue identified by OCR. “There were some that they shared with us that we did not agree with, so we left them on the table,” she noted. Lawmakers anticipate having to update the law regularly to ensure its continued relevance.?

Kye Walker, legal advisor to the Office of the Governor on the Cannabis Use Act, provided an overview of Bill 35-0283. The legislation, she said, “is a comprehensive set of amendments that will strengthen and fill in gaps to correct various oversights within the Act.” It includes amendments to the definition of words like “applicant” and “cardholder” that now include “individuals or entities that were mistakenly omitted.” The words “disqualifying felony offense” and “sacramental use” have also been reviewed for clarity.

Another amendment offers OCR an extension on the previously agreed-upon timeline in which they were expected to become self-sufficient from taxes and fees generated. Instead of two years after the enactment of Act 8680, OCR must now become independent two years after the establishment of [rules and regulations](#) to govern the sector. “This promulgation occurred on May 4, 2024 giving the OCR until May 4, 2026, to become financially self-sufficient,” explained Ms. Walker. “ This is a far more reasonable time frame, considering that licenses and permits have not yet begun to be issued.”

?One notable proposed change, said Ms. Walker, would “reduce the distance requirements of any display or transfer of cannabis from a cruise ship dock in Charlotte Amalie, Havensight or Crown Bay St. Thomas from 1,000 feet to 250 feet.” She issued a recommendation to “harmonize” all such distance requirements within the Act, as Frederiksted and Cruz Bay remain at 500 feet. Further, another proposed amendment would require the OCR to maintain a “confidential list of registered sacramental users, so that law enforcement personnel and or cannabis businesses can easily verify the status of individuals authorized to cultivate under the sacramental use provisions.”?

“I’m happy to see many of those changes,” Senator Marvin Blyden remarked. While several legislators sought clarity on the rationale for amending certain sections of the bill, they largely agreed on its necessity. It eventually received favorable votes from all members of the Committee on Economic Development and Agriculture, and will be considered by the Committee on Rules and Judiciary at an upcoming meeting.