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Rules to Govern Medicinal Marijuana in USVI, Including Licensing Categories and Costs, Released; March 30th is Final Day to Submit Comments

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March 30th will be the final day for residents to submit comments on the draft rules and regulations proposed by the Office of Cannabis Regulations (OCR) to govern medical marijuana in the U.S. Virgin Islands. The draft document was opened for public scrutiny on Tuesday — one day after the OCR held a town hall meeting to introduce the regulations to the public.

The [55-page document](#) covers definitions and terms used in the cannabis industry relative to licensing, including the process of revoking licenses for individuals or businesses that violate regulations.

The proposed rules and regulations are currently not legally binding but will reach that stage once the V.I. Department of Justice gives it legal sufficiency. “Upon receipt of approval from the Department of Justice for sufficiency... the [Cannabis Advisory Board] will meet to approve proposed rules and regulations and then a press release will be issued to the public,” said Hannah Carty, who was [selected as the executive director](#) of the OCR by the advisory board in September.

Established by Act Number 8167, the mission of the OCR, which began operations on January 3 is to allow for the beneficial use of medical cannabis in a regulated system for alleviating symptoms caused by debilitating medical conditions.

“We envision a future dedicated to protecting and ensuring access for medical patients with qualifying conditions and ensuring products are safe, quality-tested and accurately labeled,” reads a description on the OCR’s [website](#).

The proposed rules and regulations among other things explain that if a qualifying patient is authorized to cultivate cannabis plants, then the designated caregiver’s registry identification card must indicate that the designated caregiver is authorized to possess and cultivate cannabis plants for the qualifying patient’s medicinal use.

Regarding fees, the cost for initial card application for residents will be \$50, while non-resident identification cards will be temporary, and will cost between \$50 and \$100. A five-day non-resident card will cost \$50; a ten-day card \$75; and a 30-day card will cost \$100, according to the draft rules and regulations.

A cultivation license will also vary depending on the size of the farm. An applicant whose farm will have under 100 plants will pay \$500 if the applicant is an existing farmer, however a first-time farmer will have to pay \$1000.

A level 2 farm will be one with under 500 plants and the licensing application fee will cost \$2,500 as a newcomer, while an existing farmer will pay \$2,000. The highest category of farmers will be level 3 and that license will cost \$5,000 for new farmers while an existing farmer will have to pay \$4,500. Dispenser and or manufacturer license applications will cost \$5,000 each.

The new rules also forbids a dispensary from being located within 1,000 feet of a school, or within 500 feet of a church in existence at the time of submission of an application for a dispensary license. It further forbids a dispensary from being located within 1,000 feet of any cruise ship dock in Charlotte Amalie, within 500 feet of the primary cruise ship dock in Frederiksted, and within 500 feet of a primary cruise ship tender in Cruz Bay, St. John.

Medical cannabis was legalized in the territory in January 2019 after Governor Albert Bryan [signed a long-awaited bill into law](#). The Virgin Islands Medical Cannabis Patient Care Act, which was approved by lawmakers in 2018 allows qualified patients to obtain, possess and consume marijuana for therapeutic purposes. It also establishes legal dispensaries and facilities to cultivate, test, and manufacture cannabis products.

The legislation gave effect to a Virgin Islands community-wide referendum held in 2014 that approved the introduction of the medical-use sale of cannabis products by a majority of the voters.

Patients suffering from several serious medical conditions including cancer, HIV/AIDS, and chronic pain will be able to receive a recommendation for medical marijuana from a licensed medical practitioner. Qualifying residents can possess up to four ounces of cannabis at a time and

possession for non-residents will be capped at three ounces.

In November 2021, lawmakers from the territory [visited Colorado](#) to learn what's working and what's not with regards to the recreational use of marijuana. The delegation of three dozen, including 11 of the territory's 15 senators and Governor Albert Bryan, learned about some of the most common pitfalls, and they got a clear view of the potential revenue a recreational marijuana industry can generate.

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