

Senate Joint Resolution 2003 - Introduced

SENATE JOINT RESOLUTION 2003
BY BOLKCOM, PETERSEN, TRONE
GARRIOTT, DOTZLER, LYKAM,
JOCHUM, WAHLS, CELSI, and
J. SMITH

SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to cannabis.
3 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 Article XI of the Constitution of the State of Iowa is
4 amended by adding the following new section:

5 Sec. 9. **Cannabis.** The possession, growth, cultivation,
6 processing, manufacture, preparation, packaging, transferal,
7 consumption, and retail sale and purchase of cannabis, or
8 products created from or including cannabis, by persons
9 21 years of age or older, shall be lawful and subject to
10 regulation by the alcoholic beverages division or its successor
11 agency, except for cannabis purchased for medical use pursuant
12 to the recommendation of a medical professional as provided
13 for by law. "Cannabis" means all parts of the plant genus
14 Cannabis L., whether growing or not, the seeds thereof, and
15 every compound, manufacture, salt, derivative, mixture, or
16 preparation of the plant or its seeds.

17 The receipts from retail purchases of cannabis or products
18 created from or which include cannabis, other than cannabis
19 purchased for medical use pursuant to the recommendation of a
20 medical professional as provided for by law, shall be subject
21 to taxation by the state at a rate to be determined by the
22 general assembly by law not to exceed twenty percent and shall
23 be credited to the general fund of the state.

24 The receipts from retail purchases of cannabis, other
25 than cannabis purchased for medical use pursuant to the
26 recommendation of a medical professional as provided for by
27 law, shall be subject to a supplemental tax at a rate to be
28 determined by the general assembly by law not to exceed three
29 percent. Revenue from this tax shall be apportioned to the
30 municipality overseeing the location generating the receipt or,
31 in the case of an unincorporated area, to the county overseeing
32 that location.

33 The general assembly shall provide by law for the
34 implementation of this section.

35 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed

1 amendment to the Constitution of the State of Iowa is referred
2 to the general assembly to be chosen at the next general
3 election for members of the general assembly, and shall be
4 published as provided by law for three consecutive months
5 previous to the date of that election.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 This joint resolution proposes an amendment to the
10 Constitution of the State of Iowa relating to cannabis. The
11 joint resolution makes the possession, growth, cultivation,
12 processing, manufacture, preparation, packaging, transferal,
13 consumption, and retail sale and purchase of cannabis, or
14 products created from or including cannabis, by persons 21
15 years of age or older, lawful and subject to regulation by the
16 alcoholic beverages division. The joint resolution prohibits
17 the possession, growth, cultivation, processing, manufacture,
18 preparation, packaging, transferal, consumption, and retail
19 sale and purchase of cannabis, or products created from or
20 including cannabis, by persons under 21 years of age. The
21 joint resolution defines "cannabis" to include all parts of the
22 plant genus Cannabis L., the seeds thereof, and all derivatives
23 thereof. The joint resolution does not apply to cannabis
24 purchased for medical use pursuant to the recommendation of a
25 medical professional as provided for by law.

26 The receipts from retail purchases of cannabis, other
27 than cannabis purchased for medical use pursuant to the
28 recommendation of a medical professional as provided for by
29 law, are subject to a tax to be determined by law not to exceed
30 20 percent, revenue from which shall be credited to the general
31 fund of the state. The joint resolution also imposes a tax on
32 the receipts from retail purchases of cannabis to be determined
33 by law not to exceed 3 percent, other than cannabis purchases
34 for medical use pursuant to the recommendation of a medical
35 professional as provided for by law, revenue from which shall

1 be apportioned to the municipality overseeing the location
2 generating the receipt or, in the case of an unincorporated
3 area, to the county overseeing that location.

4 The general assembly shall provide by law for the
5 implementation of the joint resolution.

6 The joint resolution, if adopted, would be published and
7 then referred to the next general assembly (90th) for adoption,
8 before being submitted to the electorate for ratification.