



# Summary of Measure 5: North Dakota's 2024 Cannabis Initiative

## Adult-Use Possession

Adults who are 21 and older would be allowed to:

- Possess up to one ounce of cannabis, four grams of concentrated cannabis, and infused products with no more than 300 milligrams of THC.
- Securely and discreetly cultivate three plants with a limit of six plants per household.

## Prohibited Conduct and Penalties

- Adult-use cannabis could not be used:
  - in any place that is open to the public
  - on public transportation
  - in a motor vehicle
- Adult-use cannabis could not be possessed:
  - on school property, a school bus, or a place with a school event
  - in a correctional facility
  - on state or federal property
- Cannabis plants must be secure and cannot be visible to the public.
- The measure does not allow anyone to use cannabis when doing so would constitute negligence or professional malpractice.
- No one can use cannabis where the smoke or vapor would be inhaled by a person under 21 years of age.
- No one can drive under the influence of cannabis, or operate an aircraft, train, snowmobile, or motorboat while under the influence of cannabis.
- Regulators could suspend or revoke cannabis licenses for violating rules.

## State Regulation and Licensing of Cannabis Businesses

- The legislature would determine which agency will license and regulate cannabis businesses — Health and Human Services or another entity.
- Regulators would license up to 18 retailers and seven manufacturing facilities.
- Applicants will pay a nonrefundable application fee of up to \$5,000.
- Licensing fees are up to \$90,000 for a dispensary and up to \$110,000 for a manufacturing facility. Manufacturers that grow more than 1,000 plants must pay a \$7,500 fee for each 500 additional plants. Their total plants may not exceed 10,000.
- Licenses must be renewed every two years.
- Cannabis businesses would have to comply with rules, including requirements for inventory control, recordkeeping, limited access areas, a security alarm system, other security and safety measures, employee training, audits, labeling, lab testing, packaging, and advertising.
- Cannabis establishments could not be located within 1,000 feet of a school.

## **Limited Civil Protections**

- A person could not be denied child custody, gun rights, or public assistance benefits based on state-legal, responsible cannabis conduct that does not endanger the minor.

## **Timeline**

- The law takes effect 30 days after approval, which would be December 5, 2024.
- Rules governing cannabis businesses are due by October 2025.