Unified Regulatory Plan of the Cannabis Control Authority for State Fiscal Year 2023

Prepared on October 3, 2022

Description of Agency or Boards

The Virginia Cannabis Control Authority is responsible for the regulation of legal cannabis in the Commonwealth, including potential regulation of any future adult-use retail market created by the General Assembly and, starting in Fiscal Year 2024, regulatory oversight and control of the Commonwealth's existing medical cannabis program currently administered by the Virginia Board of Pharmacy. The Authority is an independent political subdivision of the Commonwealth, exclusive of the legislative, executive, or judicial branches of state government. A five-person Board of Directors guides and is ultimately responsible for the governance of the Authority. In the event the General Assembly creates an adult-use retail market, the CCA currently is empowered to prescribe and enforce regulations and conditions under which retail marijuana and retail marijuana products are possessed, sold, transported, distributed, and delivered.

Title of Proposed Regulatory Action or Guidance Document

Guidance Document Regarding Safe and Compliant Home Cultivation of Cannabis

Brief Overview

Section 4.1-604(31) of the Code of Virginia states that the Board of Directors for the Cannabis Control Authority shall have the power and duty to develop and make available on its website guidance documents regarding compliance and safe practices for persons who cultivate marijuana at home for personal use. The guidance document prepared by the CCA will address the statutory requirements for cannabis plants cultivated in the home and suggest practices to promote personal and public safety.

Regulatory	□ NOIRA	□ Emergency Rule
Stage (check one box)	□ Proposed Rule □ Final Rule	□ Fast-Track Rule
Additional Description	□ Expedited Rule □ Exempt Rule	x Guidance Document
Legal Authority	\Box Action required by federal statute x Action required by state statute	□ Discretionary action
Deregulatory Component		
Expected Date	October 2022	

Title of Proposed Regulatory Action or Guidance Document

Creation of Initial Cannabis Control Authority Regulations, Including Adoption of Public Participation Guidelines and Establishing Amounts of Marijuana Products Equivalent to Marijuana

Brief Overview

The Cannabis Control Authority's initial regulations will consist of regulations to meet statutory requirements, including adopting public participation guidelines pursuant to section 2.2-4007.02 of the Code of Virginia and establishing amounts of marijuana product that are equivalent to statutory limits of marijuana plant material pursuant to section 4.1-1100 of the Virginia Code. This regulatory action will result in amendments to 3 VAC 10.

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(check one box)	□ Final Rule	
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Description	x Exempt Rule	
Legal Authority	\Box Action required by federal statute	□ Discretionary action
	x Action required by state statute	
Deregulatory		
Component		
Expected Date	December 2022	