Legislative Proposals: 2027 Regular Session

Presented for the Joint Commission to Oversee the Transition of the Commonwealth into a Retail Cannabis Market on November 16, 2026

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COMMONWEALTH OF VIRGINIA
DIVISION OF LEGISLATIVE SERVICES

Legislative Proposal 1 - Public Consumption Civil Penalty

- Reduce the public consumption civil penalty that is set to take effect July 1, 2027.
- Currently, the penalty is **$25** and is set to increase to **$250**.

Legislative Proposal 2 - Prosecution of Certain Offenses

- Clarify that no person shall be prosecuted for **both**: (i) a violation of § 4.1-1108 (public consumption of marijuana or marijuana products) and (ii) § 4.1-1109 (consumption of marijuana or marijuana products in or on public school grounds) **for the same act**.

Legislative Proposal 3 - Local Authority

- Clarify the authority of localities to adopt local ordinances related to marijuana and marijuana product sales:

  a. **Minimum distance requirements** - allow an ordinance to decrease the distance between a retail marijiana store or microbusiness from at least 1,000 feet from any hospital; public, private, or parochial school or institution of higher education; or child day program
     - However, no such ordinance shall increase such minimum distance beyond 1,000 feet.

  b. **Business Hours** - Local ordinances shall neither (i) fix the hours of sale for any period of time less than eight consecutive hours per day nor (ii) limit the days of sale to less than seven days a week.

Legislative Proposal 4 - General Assembly; prohibited ownership interests

- Add language to the Cannabis Control Act to **prohibit** members of the General Assembly or any member of his immediate family from **holding a direct or indirect ownership interest in the marijuana industry in Virginia**.
- Applicability:
  - During General Assembly membership;
  - After such public service? If so, for how many years should the prohibition last?
    - SB 1352 (2023, Norment) - would have applied during the legislator's service as a legislator and for the five years immediately following the termination of such service
- Penalty
  - SB 1352 (2023, Norment) - would have been punished as a Class 6 felony

Legislative Proposal 5 - Technical Amendments

- Technical amendments in §§ 4.1-1101.1, 4.1-1105, 18.2-248.1, and 18.2-255 related to the increase of personal possession from one ounce to two ounces.
- There are set to be repealed and/or become effective July 1, 2027; these changes may not be necessary if the repeal and delayed effective date continues to be July 1, 2027.