

North Carolina Advisory Council on Cannabis

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Tuesday, September 29, 2026



Welcome

Welcome

- Roll Call
- Public Records, Ethics Awareness and Conflict of Interest Reminder
- Approval of August 2026 Minutes

Roll Call

**Public Records,
Ethics Awareness, and
Conflict of Interest Reminder**

Under North Carolina law, “public records and public information compiled by the agencies of North Carolina government or its subdivisions are the property of the people.” N.C. Gen. Stat. § 132-1(b).

- Providing access to government records in accordance with state law is an important part of the everyday duties of office holders, government employees, and appointed and elected members of government boards and commissions.
- The Public Records Act defines public records broadly to include any document that is related to public business.
- Records related to public business that are created or transmitted through non-governmental accounts may nevertheless be public records. Thus, public business conducted using text messages from a Council member’s personal mobile phone or emails from a personal email account may be public records.
- The Governor’s Office General Counsel team provides training on public records for Council members.

In accordance with the State Government Ethics Act, it is the duty of every Council member to avoid both conflicts of interest and the appearance of conflicts of interest.

If any Council member has any known conflict of interest or is aware of facts that might create the appearance of such conflict, with respect to any matters coming before the Council today, please identify the conflict or the facts that might create the appearance of a conflict to ensure that any inappropriate participation in that matter may be avoided.

If at any time, any new matter raises a conflict during the meeting, please be sure to identify it at that time.

Agenda

- Presentations:

Analysis of Public Comments Received

Devon Adams, MPA, Policy and Planning Analyst, NC DPS

Subcommittee Status Update

Market and Regulatory Structure Subcommittee

Public Safety Subcommittee

Revenue and Legal Subcommittee

Smoke is Smoke: Cannabis Impacts on Smokefree Air

Onjewel Smith, Southern States Strategist, Americans for Nonsmokers' Rights

Liz Williams, Project and Policy Manager, Americans for Nonsmokers' Rights

Traci Harr, Midwest States Strategist, Americans for Nonsmokers' Rights

Defining the Line: Public Consumption of Cannabis

Anne Doyle, MS, NC DHHS Division of Public Health

Kaycee Deen, JD, MA, Agency Legal Consultant, NC DHHS Division of Public Health

- Next Steps

Approval of August 2026 Minutes

Thank you!

Mark Ezzell

Director of NC Governor's Highway Safety Program

Cannabis Comments

Devon Adams, MPA

North Carolina Department of Public Safety

Policy and Planning Analyst

Office of Policy, Planning, and Programs



Agenda

- Background
- Cannabis Comments
- AI Tool
- Scale
- Preliminary Findings

Cannabis Comments

- All comments are received and reviewed via the Cannabis Comments inbox
- All comments have been reviewed by two staff members, and sent to all members of the council
- Over 4,000 comments to date
- Latest batch of comments will be ready in October

AI Tool

- Prototype built in-house by the Department of Information Technology's Office of AI and Policy
- Uploaded files auto-delete after 7 days
- Only the body of the comment is uploaded into the AI tool (no names, email addresses, or identifying organizations)
- **All AI output is reviewed by humans**

Scale

1. Prohibition

- Wants ALL forms of marijuana, cannabis, AND hemp to be illegal

2. Decriminalize Only

- Wants reduced criminal penalties (expungement, fewer arrests for possession), but NOT legal sales or medical/recreational use

3. Medical Strict

- Medical cannabis under STRICT conditions only — limited qualifying conditions AND low-THC formulations. Cautious or skeptical of broader use. Choose this over medical_inclusive only when commenter explicitly signals limits ('low-THC', 'just CBD', 'tightly regulated', 'only for severe X').

4. Medical Inclusive

- Comprehensive medical allowance — higher THC, broad list of qualifying conditions — but does NOT use the verb 'legalize' for general use. Purely medical argument (chronic pain, PTSD, anxiety, sleep, cancer, veterans). HARD RULE: if commenter uses 'legalize' / 'make legal' / 'end prohibition' anywhere, choose retail_adult_use_regulated or general_legalization instead, NEVER medical_inclusive.

Scale Continued

5. Preserve Current Hemp

- Defend North Carolina's CURRENT hemp / CBD / THCa / delta-8 law against a proposed ban. Phrases like 'don't ban hemp', 'keep cannabis legal', 'preserve the hemp industry'. Does NOT advocate for new legalization — only preserving existing access.

6. Retail Adult Use Regulated

- Adult-use legalization framed in regulatory terms — 'legal for adults 21 and over', 'adult use', 'recreational adult use', 'regulate and tax', 'license dispensaries', 'follow the model of [other state]', 'no home cultivation'. The defining cue is explicit ADULT-USE or REGULATORY framing. If they ONLY say 'legalize' with no adult-use or regulatory specifics, choose general_legalization instead

7. General Legalization

- Default for any 'legalize' / 'make legal' / 'end prohibition' comment WITHOUT explicit adult-use 21+ framing or specific regulatory model. Includes: bare 'legalize it' comments, general legalization arguments, legalization arguments that ALSO mention medical benefits, comments saying 'legalize recreational' without 21+ framing, comments mentioning home grow / personal cultivation

Examples

Example 1

- Comment: Please legalize marijuana in NC.
- Label: general_legalization

Example 2

- Comment: It's time for NC to catch up with the times and make Recreational Marijuana legal. There are many states to study and copy.
- Label: general_legalization

Example 3

- Comment: It should be legal for adults 21 and over. Alcohol has much worse effects on the body. I am a cancer survivor and I rely on my weed to help me with pain.
- Label: retail_adult_use_regulated

Example 4

- Comment: Please don't let the hemp ban ruin our lives. It helps so many addicts of hard drugs and pain relief. If alcohol is legal then why not marijuana?
- Label: preserve_current_hemp

Example 5

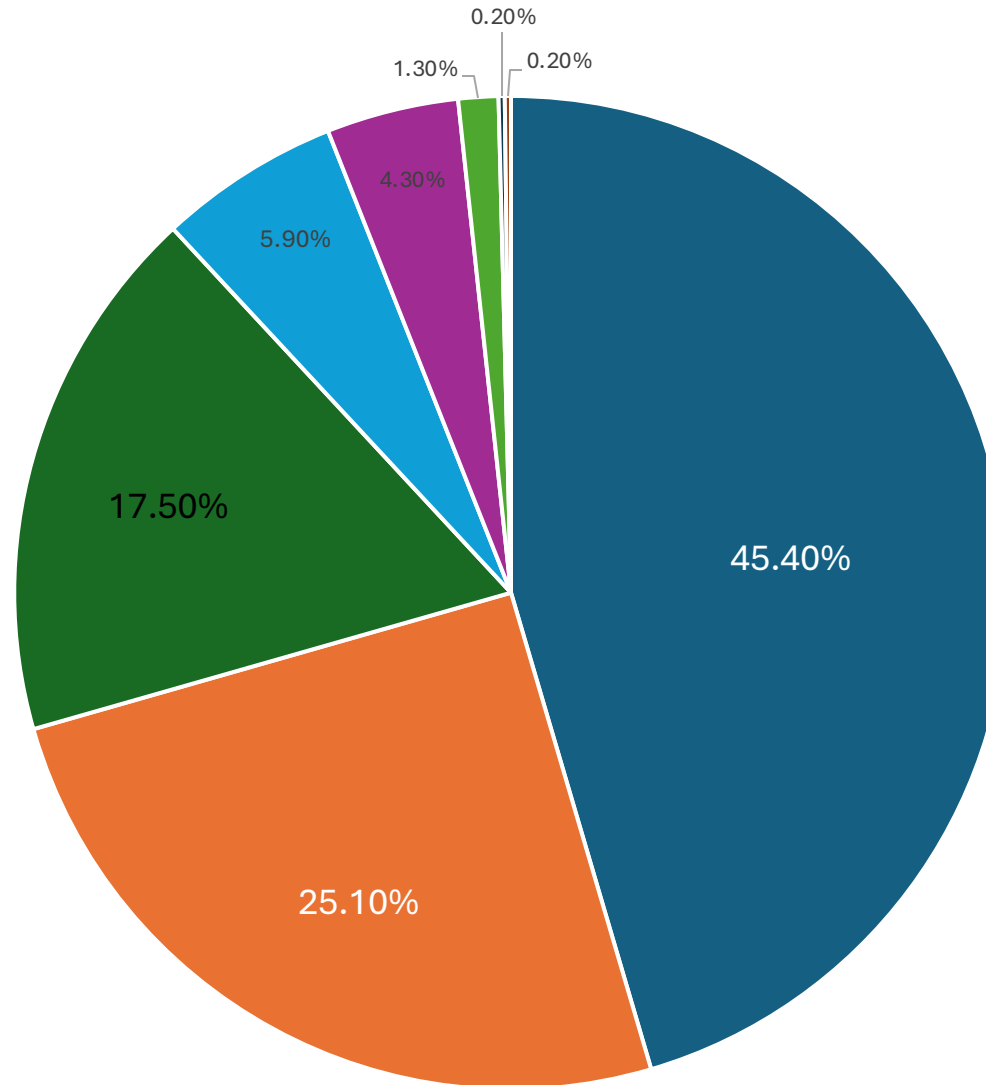
- Comment: It medically helps me after ive had bariatric surgery. Without cannabis I will constantly be sick and I wouldn't be able to function. My husband is a disabled veteran and it helps with his PTSD and depression.
- Label: medical_inclusive

Categorized Column Breakdown

Category	Count	Percentage
General_legalization	1,531	45.4%
Retail_adult_use_regulated	848	25.1%
Medical_inclusive	590	17.5%
Preserve_current_hemp	200	5.9%
Prohibition	146	4.3%
Decriminalize_only	45	1.3%
Medical_strict	6	0.2%
Unmatched/blank	6	0.2%

Sample: N = 3,372

Percentage Breakdown



■ General_legalization ■ Retail_adult_use_regulated ■ Medical_inclusive ■ Preserve_current_hemp ■ Prohibition ■ Decriminalize_only ■ Medical_strict ■ Unmatched/blank

Preliminary Findings

- **Dominant category:** *General_legalization* accounts for a plurality at **45.4%**, nearly double the next-largest category.
- **Pro-access supermajority:** When combining *General_legalization*, *Retail_adult_use_regulated*, *Medical_inclusive*, *Preserve_current_hemp*, and *Decriminalize_only*, approximately **95.2%** of commenters favor some form of legal access or continued access to cannabis/hemp products.
- **Restrictive positions are marginal:** *Prohibition* (4.3%) and *Medical_strict* (0.2%) together represent only **4.5%** of respondents.

Comments/Questions???

Devon Adams, MPA

North Carolina Department of Public Safety

Policy and Planning Analyst

Office of Policy, Planning, and Programs

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Market and Regulatory Structure Subcommittee

Dan Hirschman, JD, Department of Environmental Quality, Co-Chair

Missy Welch, JD, Executive Director, ABC Commission, Co-Chair

Renee Metz, JD, ABC Commission, Lead Staff

Public Safety Subcommittee

Colonel Freddy Johnson, Commander, NC Highway Patrol, Co-Chair

Sheriff Keith Stone, NC Sheriff's Association, Co-Chair

MaryBryan Wolak, NCDPS, ALE Division, Lead Staff

Revenue and Legal Subcommittee

Anca Grosnov, OSBM, Co-Chair

Joy Strickland, JD, Senior Deputy Attorney General, Criminal Bureau of the NC DOJ, Co-Chair



Smoke is Smoke: Cannabis Impacts on Smokefree Air

Traci Harr, Onjewel Smith, & Liz Williams

**North Carolina Cannabis Council
September 29, 2026**

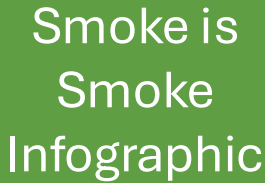
Overview

1. Risks of cannabis/marijuana secondhand smoke
2. Threats to smokefree protections
3. How can you prepare?



1. Risks of Cannabis/Marijuana Secondhand Smoke





Marijuana & Tobacco

- When combusted, both cannabis & tobacco create secondhand smoke
- Secondhand marijuana smoke:
 - Contains many of the **same toxic & cancer-causing chemicals** as secondhand tobacco smoke, including:



3 times
the amount of
ammonia



significant levels of **mercury,**
lead, formaldehyde, benzene,
hydrogen **cyanide, & toluene.**

- Some of those chemicals are found in **higher amounts** in cannabis smoke

Secondhand Marijuana Smoke

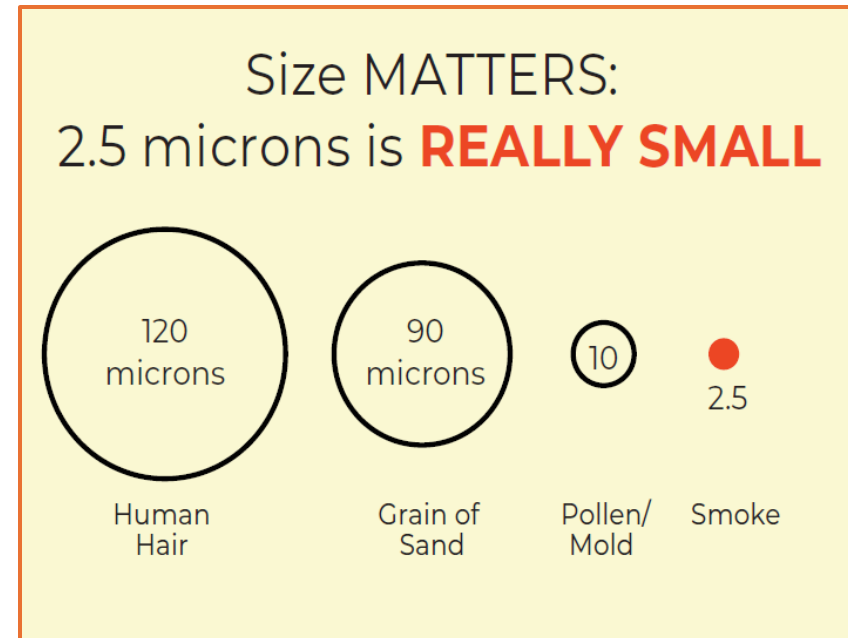
- Secondhand marijuana & tobacco smoke may have **similar harmful health effects** due to similar chemical composition:
 - Especially to lungs & heart
 - Heart attack, stroke, & atherosclerosis
- 2024 Surgeon General's Report:

“Protecting people from exposure to secondhand tobacco smoke, **including exposure to cannabis smoke**, in all indoor settings should remain a priority.”



All Smoke is Harmful

- Breathing **any** type of smoke is harmful to health.
- Smoke – & aerosol from vaping – contains **fine particulate matter** (PM_{2.5}) that poses a health risk to non-smokers.
- **Fine particles** can:
 - Be breathed deeply into lungs
 - Cause lung irritation, asthma attacks, & infections
 - Make breathing problems worse, like asthma, bronchitis, & COPD



Poor Air Quality

Smoked marijuana creates **more** particulate matter than cigarettes.

Research affirms that secondhand smoke from marijuana is a health hazard, including high levels of fine particulate matter that lodge deeply in the lungs.

PM2.5 emission rate
of pre-rolled marijuana
joints was found to be

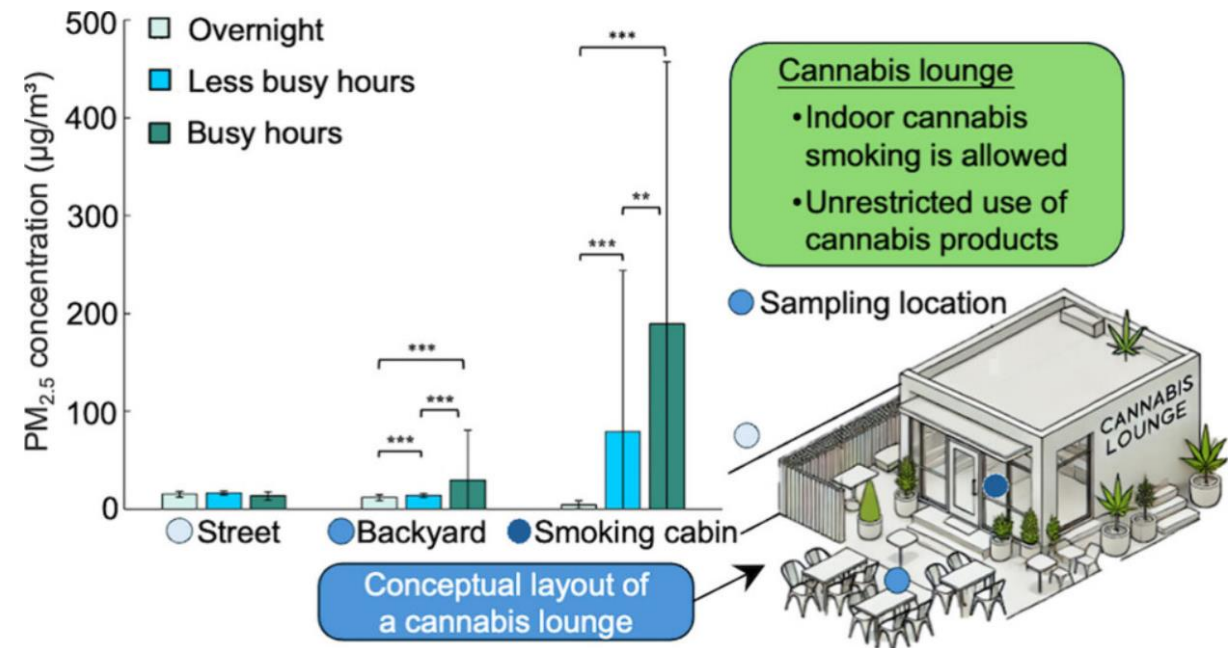
**3.5
TIMES**

the average emission
rate of Marlboro
tobacco cigarettes



Indoor Cannabis Smoking Creates Hazardous Air Quality

- 2025 UCLA study measured air quality at a Los Angeles cannabis lounge
- During busy hours, PM_{2.5} levels inside the lounge were:
 - **10x higher** than overnight
 - **3x higher** than during slow hours



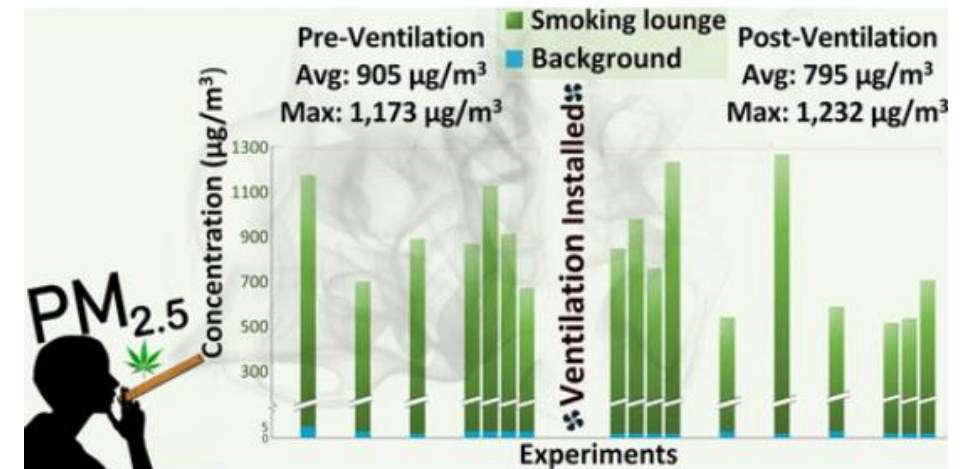
Vaping Marijuana Creates Indoor Air Pollution

- 2021 UCSF study **measured indoor air quality** in a San Francisco cannabis lounge.
- Lounge allowed electric vaporizers, dab rigs, & vape pens but **didn't allow smoking**.
- Vaporizing, dabbing, & vaping marijuana indoors increased PM_{2.5} concentrations to unhealthy levels, **even though** marijuana smoking was not allowed.



Ventilation is Not a Solution

- 2022 UCSF study measured air quality inside a cannabis lounge
- **91%** of consumption was smoking
- Installing a ventilation system led to **only 12% decrease** in PM_{2.5} levels
- **Conclusions:** Smoking cannabis indoors leads to high levels of PM_{2.5} *and* confirms that **ventilation is not a solution** to reduce PM_{2.5} levels



2. Threats to Smokefree Protections



Source: sfttravel.com/article/san-franciscos-most-stylish-dispensaries

PATRONS & WORKERS AT CANNABIS LOUNGES ARE AT RISK

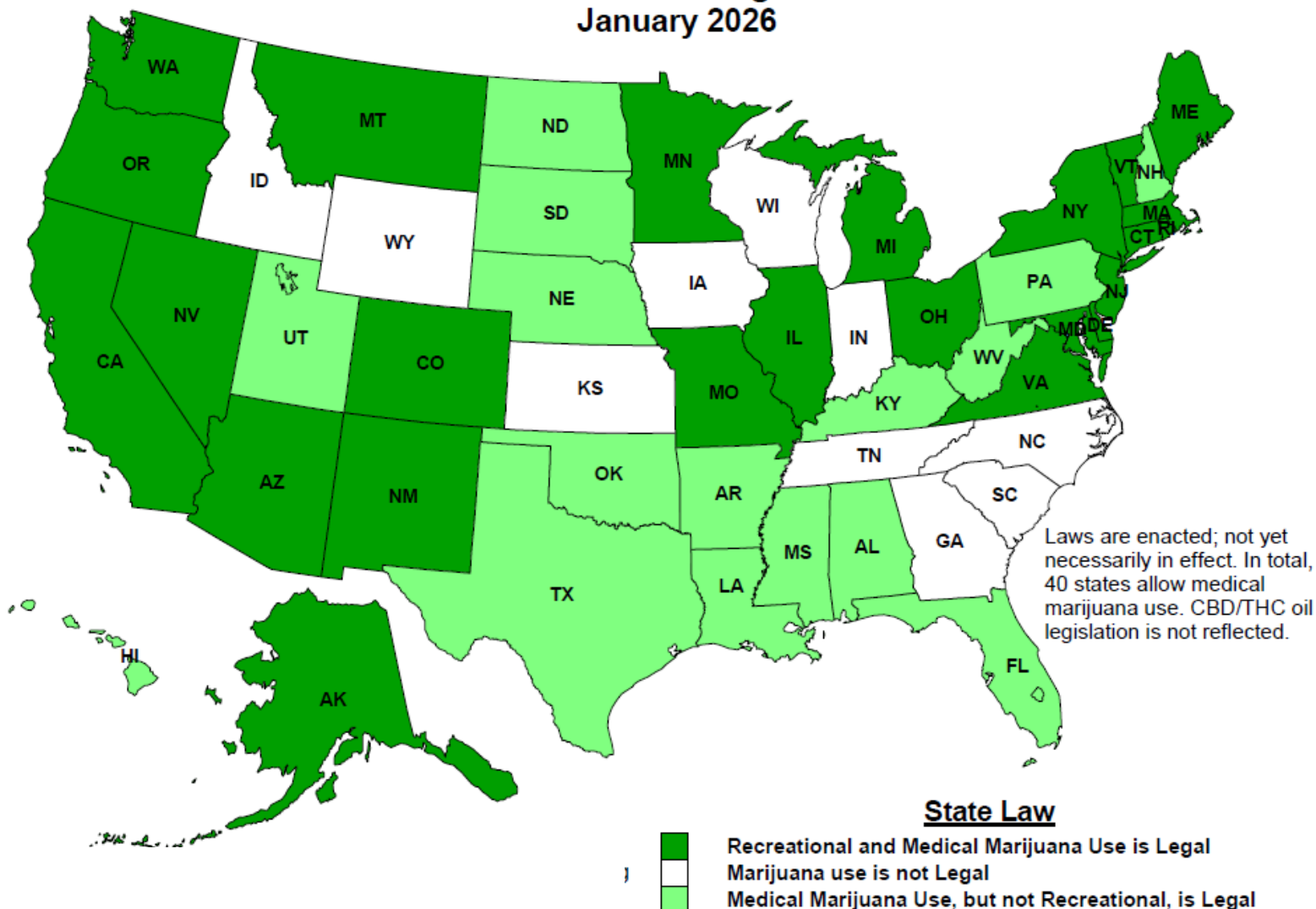


Studies show levels at **10X more PM 2.5** at busy times & dangerous levels even if **ONLY vaping** allowed

States with Legalized Smoking and/or Vaping of Marijuana

American Nonsmokers' Rights Foundation

January 2026

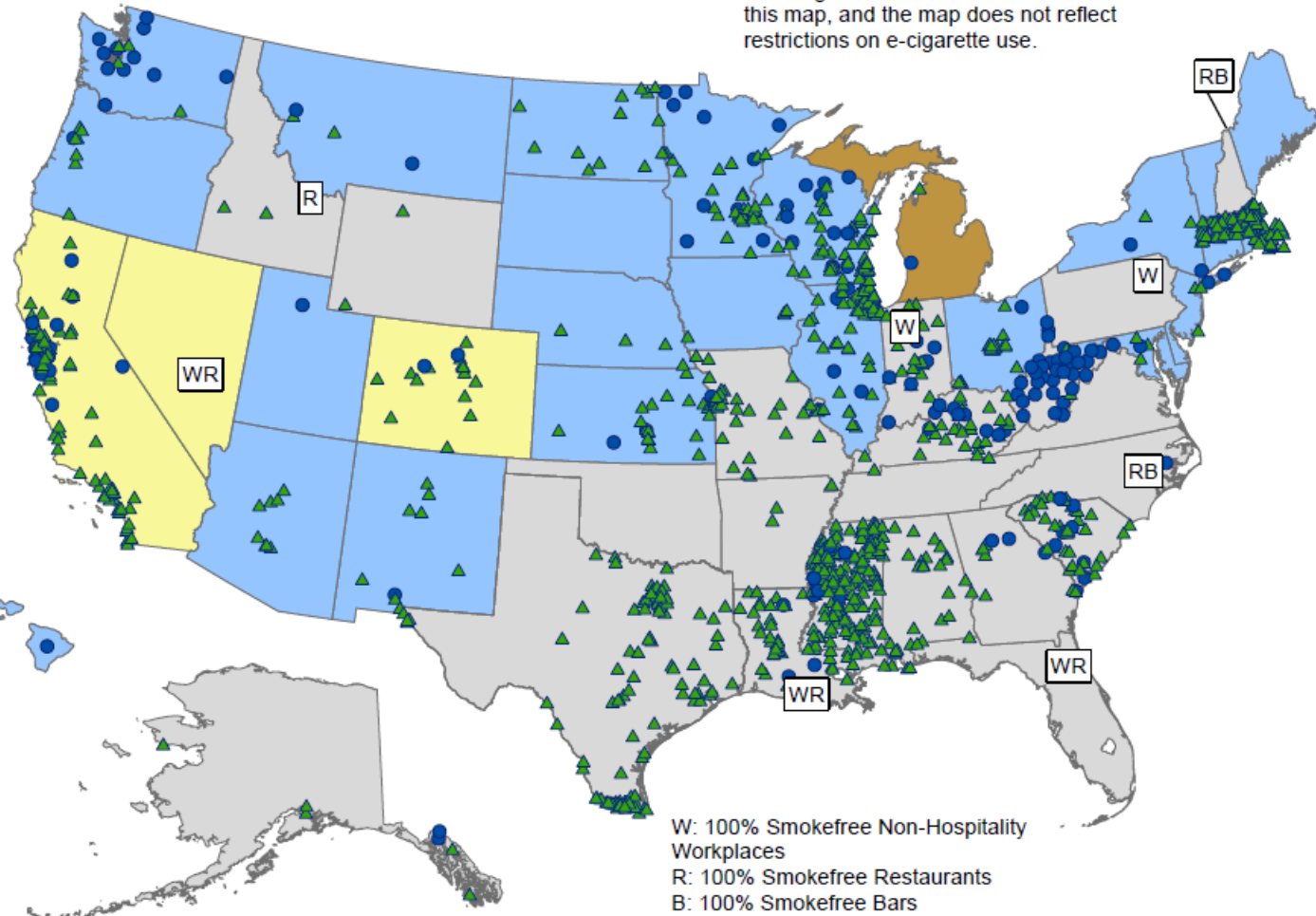


U.S. 100% Smokefree Laws in Non-Hospitality Workplaces AND Restaurants AND Bars

American Nonsmokers' Rights Foundation, www.no-smoke.org

As of January 1, 2026

Note: American Indian and Alaska Native sovereign Tribal laws are not reflected on this map, and the map does not reflect restrictions on e-cigarette use.



Changed status on
100% smokefree maps

State WRB Status

100% Smokefree Non-Hospitality Workplace, Restaurant, & Bar Law

Law doesn't cover 100% Smokefree Non-Hosp. Workplaces & Restaurants & Bars

Law has certain exemptions for marijuana smoking in smokefree restaurants

Law has certain exemptions for marijuana smoking in smokefree restaurants & bars

Locality Type

County/Parish/Borough
City

Increased Cannabis Use

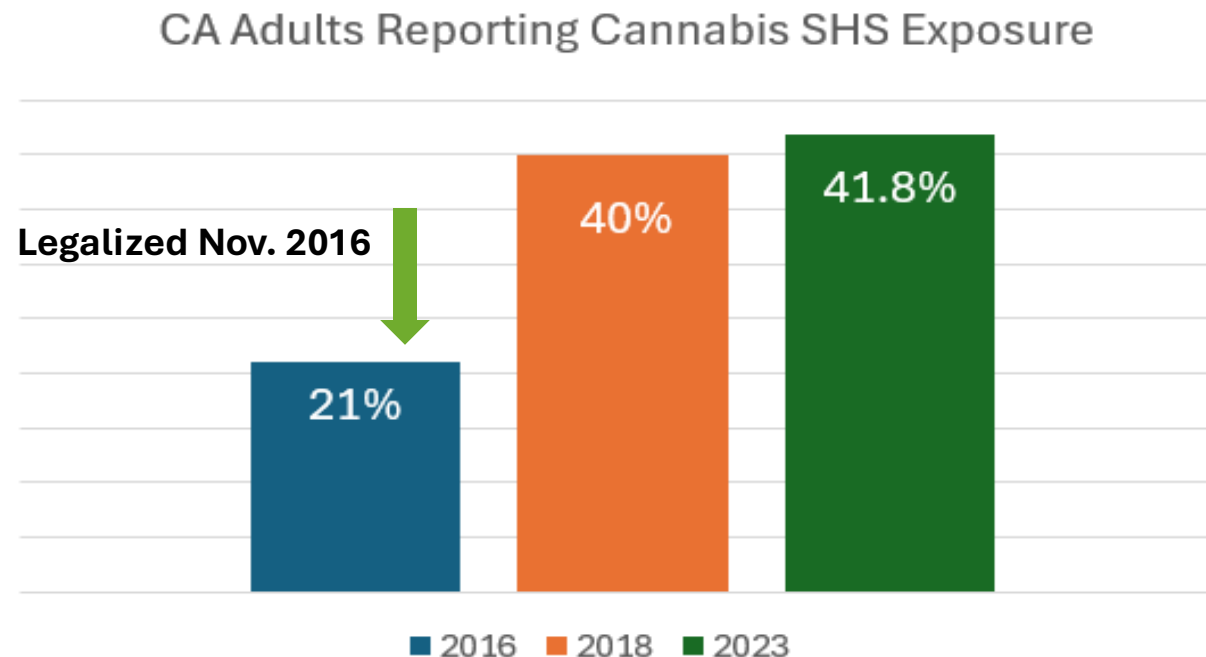
Cannabis use has increased dramatically between 1992 – 2022:

- **5x more** people used marijuana in the prior month (8 million to 43 million)
- **20x more** people used marijuana daily/near-daily (0.9 million to 18 million)
- In 2022, more people used **marijuana than alcohol** daily/near-daily
 - In 1992, **10x** more people used alcohol than marijuana on daily/near-daily basis
- **~80%** of cannabis consumption is by people who use it daily/near-daily

Source: Caulkins, Jonathan P. (2024). Changes in self-reported cannabis use in the United States from 1979 to 2022. *Addiction*. 119:1648-1652

Increased Cannabis SHS Exposure

- Legalization is increasing exposure to cannabis secondhand smoke
- Surveys, reports, calls to health departments & community partners
- Example: California exposure has doubled



Cannabis Threats to Smokefree Air

Push to weaken smokefree laws to expand where marijuana smoking & vaping is allowed:

- **On-site use in retailers:** Lounges, mixed-use buildings
- **Social consumption spaces:** Restaurants, cafés, events
- **Multi-unit housing:** Exempt from existing/proposed laws



Source: sessionsbythebay.com

What's at Stake?

- Even strong, longstanding smokefree laws are at risk
- Exempting marijuana smoking/vaping = increased drifting smoke, exposure, & inequities
- Smoking & vaping may be re-normalized



Maintain the gain: Let's not weaken hard-won smokefree protections

Who May Be Impacted?

Workers:

- Risk to workers in NC worksites that do not currently prohibit smoking
- Don't want to create new class of workers who are breathing SHS on the job

Public:

- Risk to community in NC public places that do not currently prohibit smoking

MUH residents:

- People living in multi-unit housing already deal with drifting secondhand smoke from tobacco & cannabis, which could increase

Increasing Challenges

- Challenges for tobacco prevention to address marijuana
- Tobacco control supporters may be pro-marijuana
- Power: Industry's growing financial & political influence
- Misinformation & messaging:
 - Lack of education about risks of use & exposure
 - Vocal & influential proponents
 - Co-opting messaging on rights & social justice



Example: California

Prop 64 legalized cannabis (2016)

- “Marijuana smoking not allowed where tobacco smoking not allowed”
- California already prohibits tobacco smoking & vaping inside workplaces & public places

Prop 64 allows jurisdictions to decide:

- a) whether to allow cannabis retailers at all,
- b) if retailers can have a consumption lounge, &
- c) if smoking, vaping, and/or consumables allowed in lounges



Source: sftravel.com/article/san-franciscos-most-stylish-dispensaries

What's allowed in California?

AB1775 Cannabis Café Bill (eff. 1/1/2025)

- Jurisdictions can now decide **d)** to allow food & events at retailers



Allows lounges to operate as cafés, restaurants, clubs, & hospitality venues with indoor smoking & vaping

- Governor vetoed a prior bill:

“Protecting health & safety of workers is paramount”

- Responsibility to protect workers & public lies with locals



Source: redfalcon.com

Example: Colorado

Marijuana Hospitality Establishments law (2019)

- Jurisdictions can allow marijuana smoking & vaping in hospitality businesses, including restaurants
- Denver, Aurora, & Arvada:
 - Allow smoking/vaping in hospitality venues
- Silverthorne:
 - Does not allow hospitality venues
- Telluride, Durango, Boulder, etc.:
 - Decided to not take up the issue in short term
 - Ongoing discussions & attempts
- **Good news:** Bill for cannabis special events died this session



Source: tetralounge.com/events

What's Working in Colorado?

- Intense lobbying by industry & proponents
- Community pushback to weakening smokefree law
- Policymaker education & 1-on-1 meetings
- Educate, debate, & delay
- Personal stories resonate



3. How can you prepare?



Considerations for Legalization

Start strong:

- Prohibit smoking/vaping in public places & workplaces within cannabis legalization legislation

Expand protections:

- Encourage jurisdictions to strengthen local smokefree laws to include cannabis

Prioritize education:

- Educate policymakers & public about risks of cannabis use and exposure to SHS & need for smokefree protections

Enforcement: Goal is to educate & protect, not penalize

- Enforcing tobacco and cannabis smoking laws should be complaint-based system, with health departments or similar, not with law enforcement

Protecting Smokefree Spaces

Get organized & plan ahead

- Cannabis is a reality
- Anticipate opposition's push for exemptions
- Stay alert & plan how to respond
- Strengthen laws to include cannabis
- Exempting cannabis = dealbreaker?



Protecting Smokefree Spaces

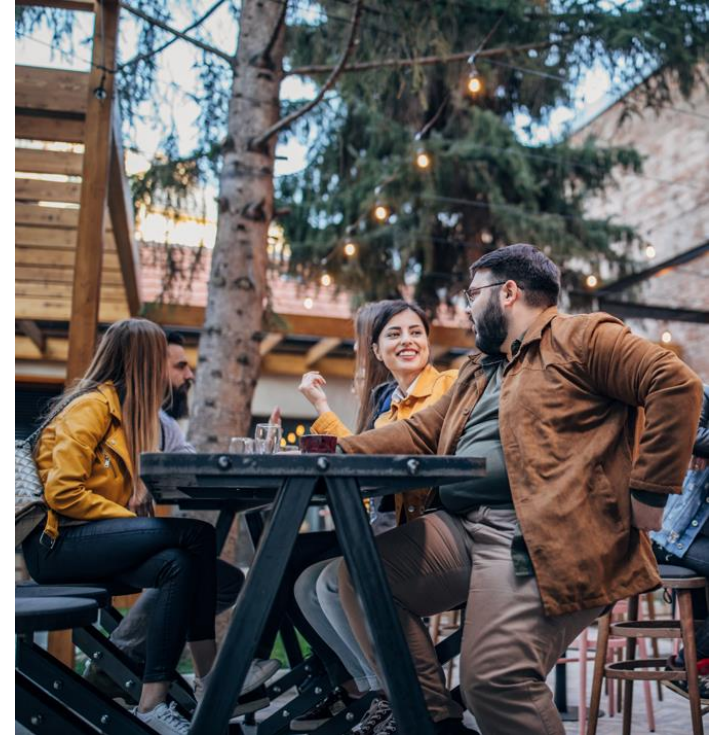
- Educate policymakers & public about cannabis SHS
- Decide on messaging & messengers
- Engage workers & public on smokefree protections
- Consider outdoor use spaces out of public view



Marijuana On-Site Use Policy Guidance

If community allows cannabis lounges:

- No smoking or vaping indoors
- Provide **outdoor** space for smoking/vaping that's unenclosed & out of public view
- If not restricted to outdoors: must be a stand-alone, single-occupant building
- Do not allow food & alcohol sales or consumption



Policy Guidance
Document

Resources

- Smoke is Smoke infographic
- Secondhand Marijuana Fact Sheet
- FAQ about CA's Cannabis Hospitality Law
- On-Site Use Policy Guidance
- Latest maps & lists

In a dispensary that allowed marijuana/cannabis smoking, research scientists discovered that patrons and workers were exposed to air pollution that **EXCEEDED THE HAZARDOUS LEVEL** on the EPA's Air Quality Index

ANY KIND OF
SMOKE
IS STILL
SMOKE



**ANRF Cannabis
Resources**

**Advocacy
Education**



AMERICANS FOR NONSMOKERS' RIGHTS
AMERICAN NONSMOKERS' RIGHTS FOUNDATION



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Break

Defining the Line: Public Consumption of Cannabis

Policy Considerations for North Carolina

Anne Doyle, MS, PhD Candidate, NC DHHS Division of Public Health

Kaycee Deen, MA, JD, NC DHHS Division of Public Health

NC Advisory Council on Cannabis | September 29, 2026

Why cannabis consumption policy requires its own framework: **Cannabis is not tobacco, and it's not alcohol.**

Cannabis occupies an unusual policy space: It shares alcohol's impairing potential and tobacco's smoked-product public exposure concerns while also having some accepted medical uses.

What Other States Show

Most mature adult-use states regulate public use of cannabis directly in cannabis statutes.

The operative rule is often broader than smoking and vaping: It covers consumption *regardless of form*.

Approach for North Carolina

Use NC tobacco and alcohol laws as useful background, but not the template.

This gives NC a cleaner statutory structure than trying to integrate with tobacco and alcohol laws.

Start with a cannabis-specific public-use prohibition, not with the tobacco and alcohol frameworks.

The Common State Patterns

Virginia

Public consumption is prohibited.

Civil penalties with escalating consequences.

Washington

Public-place, public-view consumption is prohibited.

Class 3 civil infraction.

Oregon

Use in a public place is prohibited.

Class B violation.

California

Smoking or ingesting in public is prohibited.

Local exceptions do exist.

Colorado

Open/public consumption is prohibited.

Applies across product forms.

Across these states, the baseline is: legal possession does not mean a right to consume in public.

The important policy design choice: regulate consumption, not just smoke.

- A smoking/vaping-only prohibition leaves a major category of THC consumption outside the rule.
- Washington prohibits opening a cannabis package or consuming cannabis, cannabis-infused products, or concentrates in public.
- Oregon prohibits “use” of marijuana items in a public place.
- Colorado guidance describes the public-consumption prohibition as applying regardless of form: smoking, eating, vaping, etc.
- California prohibits smoking or ingesting in public, subject to statutory exceptions.

Policy question for NC:

Is there a reason to treat an edible or beverage differently from smoking or vaping when consumed in public?

Draft Recommendation 1: Prohibit public consumption of THC.

- Prohibit consumption of *all THC products* in *any public place*. (Potential exemption: THC beverages.)
- Define “public place” broadly enough to cover indoor and outdoor locations.
- Examples: restaurants and bars; sidewalks and streets; parks; beaches; public transit; event venues; public buildings; common areas of hotels and multi-unit housing; and other places open or accessible to the public.
- The goal is to make the rule intuitive: if the public can access the place, consumption is not permitted unless the statute expressly creates an exception.

Legal possession can be broad; legal *consumption* should have a clearly defined place boundary.

A clear definition makes enforcement easier.

Clearly Public

Restaurants, bars and other businesses open to customers

Sidewalks, streets, parks, beaches and public rights-of-way

Concerts, festivals and other public events

Public transit and transit facilities

Public buildings and facilities

Common areas of apartment/condominium buildings

Private / Potentially Private

A private residence, subject to landlord/condominium association rules

A genuinely private area not open or accessible to the public

Licensed premises (only if the statute affirmatively creates a consumption exception)

Avoid relying on “private event” labels to turn a public business into a consumption site

**The statute should answer: “Where can an adult legally consume?”
without requiring an officer to make a judgment call about a venue's business model.**

Possible Special Considerations: THC beverages

Options for Discussion

Allow licensed restaurants/bars to sell THC beverages for on-premises consumption.

Do not allow the sale of THC-infused foods prepared by restaurants or bars.

Consumption would still be prohibited in public unless the statute creates a narrowly defined exception.

Higher price and controlled service could create a more limited access model.

Questions to Resolve

Would the beverage be a cannabis product subject to the same packaging/testing rules?

Could a restaurant serve a THC beverage to a visibly intoxicated patron?

How would service interact with alcohol service and current dram-shop law?

Would there be restrictions on polysubstance consumption?

This is a policy choice, not a necessary component of the public-consumption rule.

Draft Recommendation 2: Brightline Vehicle Rule

Prohibit consumption of THC in a moving motor vehicle, by drivers and passengers.

Extend the prohibition to vehicles parked on public roads/rights-of-way and public parking areas. This prevents a loophole created by simply stopping the vehicle.

Prohibit an open THC container in the passenger area, subject to a sealed-container/inaccessible-storage rule.

The vehicle rule is separate from impaired-driving law: *it does not require proving impairment.*

In Washington, consumption in a motor vehicle on a public highway is a traffic infraction. Virginia separately prohibits use/consumption while a vehicle is driven on a public highway.

Draft Recommendation 3: Do not authorize consumption lounges.

Reasons to Exclude Public Consumption Lounges

They create a second regulatory system where consumption is allowed.

They complicate enforcement around intoxication, ventilation, youth access and neighboring properties.

They create pressure to add food, beverage, entertainment and event permissions.

They make the public/private boundary harder to communicate.

What the States Illustrate

California allows licensed/local-authorized consumption premises, a significant exception to its public-place rule.

Washington expressly prohibits cannabis clubs/public places maintained for cannabis consumption outside licensed exceptions.

Oregon continues to prohibit public consumption and treats liquor-licensed locations as public.

North Carolina can choose a simpler baseline even if other states permit exceptions.

Recommendation for discussion: no general consumption-lounge license in the initial North Carolina framework.

Draft Recommendation 4: Preserve private housing authority.

Make clear in statutory language that private multi-unit housing can adopt rules restricting smoking/vaping or other cannabis use in *individual units and on the property*.

Condominium declarations, bylaws, leases and house rules should remain able to establish stricter private-property restrictions.

Common areas - lobbies, hallways, shared amenities and other areas open to residents, generally - can be addressed through the public/private framework and/or property rules.

Avoid language that accidentally creates a statutory right to consume cannabis in a private residence.

Objective: the state establishes where public consumption is prohibited, but private housing documents can establish *additional restrictions*.

Draft Recommendation 5:

Use civil infractions and fines as the default enforcement mechanism.

Use civil infractions/fines as the default enforcement mechanism.

Give local law enforcement the authority to issue citations.

Make the first violation straightforward and proportionate.

Consider an escalating structure for repeated violations.

Virginia provides a useful model: first offense civil penalty; second offense civil penalty plus an order for education and/or substance use treatment; third or subsequent offense becomes a misdemeanor.

The policy objective is deterrence and a workable enforcement tool, not creating a new pathway into the criminal system.

Potential NC model: civil infraction → higher civil consequence → limited misdemeanor for repeated noncompliance.

Who enforces the public-use rule?

Primary Enforcement

Local law enforcement is the practical enforcement point for public-place violations.

Citation authority should be clear in statute.

Enforcement should focus on observable conduct and location.

Separate public-use citations from impaired-driving investigations.

Role of Other Agencies

Cannabis regulator: licensees, retailers, licensed premises and regulated businesses.

ABC/alcohol regulators: only where alcohol-license requirements are implicated.

Property owners/housing associations: private rules and lease/condo enforcement.

Public health/education: signage, consumer education and prevention.

Question: which agency owns which violation — and what evidence is required for a citation?

What can we borrow or leave from other states?

Useful Models

Virginia: escalating civil enforcement.

Washington: form-neutral public-use ban + vehicle/open-container rules.

Oregon: broad public-place definition and clear prohibition on public use.

California: explicit private-property restrictions and a clear public-use baseline.

Colorado: form-neutral public consumption concept.

Recommend Against

Tobacco law as the primary statutory architecture.

California's local consumption-lounge exception.

Criminal penalties for ordinary first-time public consumption.

A definition that covers only smoking/vaping and leaves edible/beverage use ambiguous.

The goal is a coherent NC cannabis framework, not a patchwork of other states' provisions.

A Proposed NC Policy Package

- 1 Public consumption.** Ban form-neutral THC consumption in public places, indoor and outdoor. A possible exception is THC beverages served at licensed restaurants and bars.
- 2 Vehicles.** No THC consumption by drivers and passengers in moving vehicles or vehicles parked on public roads/public parking areas; restrict open containers in passenger areas.
- 3 Lounges.** Do not create a general consumption-lounge exception in the initial framework.
- 4 Private housing.** Expressly preserve landlord/condo association authority to impose stricter private-use rules.
- 5 Enforcement.** Civil infractions and fines; escalating consequences for repeat violations; criminal penalty only as a narrow repeat-offender backstop.

Questions for the Council

- Should NC prohibit all public THC consumption, regardless of product form?
- Should restaurants/bars be exempted to sell THC beverages for on-premises consumption?
- How should NC define “public place” to capture indoor + outdoor spaces without unintended private-property consequences?
- Should NC prohibit consumption lounges, or create a tightly limited licensed exception?
- What penalty structure creates meaningful deterrence without unnecessary criminalization?

References

Virginia Code §§ 4.1-1107 and 4.1-1108 (public consumption; vehicles; penalties), current through Sept. 2026.

Washington RCW 69.50.445 (public consumption) and RCW 46.61.745 (vehicle/open-container rule).

Oregon Revised Statutes § 475C.377 (public use) and ORS 475C definitions of “public place”; Oregon OLCC/OHA guidance.

California Health & Safety Code § 11362.3; California Department of Cannabis Control and Department of Alcoholic Beverage Control guidance.

Colorado legislative guidance on public consumption and open marijuana containers; Colorado regulatory materials.

North Carolina G.S. 20-138.7 (alcohol open-container law), used as the structural analogy for vehicle/open-container drafting.

Discussion

Next Steps

Thank You