

**To:** Special Committee on Medical Marijuana  
**From:** Spencer Duncan, Government Affairs Director  
**Date:** October 12, 2022  
**RE:** Comments on Medical Marijuana in Kansas

The League of Kansas Municipalities recognizes Kansas may join a growing movement across the United States to institute a legislative framework for medical marijuana. The League encourages that any legislation forms a regulated system that benefits those most in need while ensuring cities are a coordinated partner in enacting these laws.

For a medical marijuana framework to work in Kansas, we respectfully ask this Special Committee to include the following provisions in any legislation:

- A portion of funds collected through sales tax or additional fees and taxes should be remitted to municipalities. This is not unprecedented, as there are several examples of similar programs in Kansas law. Local government will experience significant impacts and revenues are needed to offset costs. This includes additional training for local law enforcement.
- Cities need the right to opt-in to allowing dispensaries within their city limits.
- Cities must retain the authority to regulate the location of retail and production operations, as well as public, workplace, and vehicle consumption of medical marijuana. Cities must continue to retain authority to determine zoning regulations, including the ability to regulate the location of medical marijuana facilities.

It would be appropriate for legislation to include compliance with local zoning as a condition for licensure.

- Legislation should consider apportioning money from state licenses to local governments or clearly outline the right of cities to create local licenses. These revenue sources are necessary to aid in the administration of the act at a local level.

Any medical marijuana legislation should not allow for home-grow operations. The information and data collected from neighboring states that have allowed home grow indicates it poses unnecessary dangers to the community and creates additional problems for cities to regulate.

The League is supportive of provisions that prohibit driving under the influence of marijuana

The League has a policy statement on this issue, which has been approved by our members:

“The Legislature should carefully weigh the impact of medical marijuana on law enforcement and human resources. In addition, medical marijuana should be subject to existing state and local sales tax and cities should be able to levy their own excise fees and receive a portion of any state funds to offset the impact of medical marijuana. Also, cities should have the ability to opt-in to allowing dispensaries in their city. Kansas should only allow the cultivation and processing of medical marijuana and THC in licensed facilities and should not allow residential grow operations of any sort. In addition, Kansas should delay implementation to give time to study any issues that might result from the passage of medical marijuana legislation.”

Thank you for your time and consideration of these issues. I am always available to provide additional information and answer any questions you have.

**Spencer Duncan**

*Government Affairs Director*

*League of Kansas Municipalities*

*785-383-8825*

*sduncan@lkm.org*