

# Cannabis Legalization in Alberta

**Managing Access and  
Public Health  
Roundtable #3**

# Discussion Topics

- Limits on how much cannabis adults and minors can possess in public
- Limits for growing cannabis at home
- Limits for advertising and promotion

# Alberta Policy Priorities

- Keep cannabis out of the hands of children and youth
- Protect public health
- Promote safety on roads, in workplaces and in public spaces
- Limit the illegal cannabis market

## TOPIC:

**Limits on how much cannabis adults and minors can possess in public**

# Possession limits for adults

- Retailers cannot sell more than 30 grams to one person at any given time
- Possession between 30-50 grams may be a ticketable offence
- Can help eliminate the illicit market
- May help promote responsible use

# Possession limits for adults

## Other jurisdictions

|                              | Uruguay    | Colorado | Washington State | District of Columbia | Oregon | Alaska |
|------------------------------|------------|----------|------------------|----------------------|--------|--------|
| Possession limits for adults | 40 g month | 28.5 g   | 28.5 g           | 57 g                 | 28.5 g | 28.5 g |

# Scenario 1: Align with proposed federal legislation

## Pros

- Fairly consistent with other international jurisdictions
- May decrease the risk of illicit market continuing if people can buy and possess enough to meet their needs
- Consistent rules are less confusing for the public

## Cons

- If people can buy more, it may encourage increased use
- May be more accessible to children if there's more cannabis at home

# Scenario 2: Lower possession limit than federal draft legislation (e.g., 15 grams)

## Pros

- May send message that government supports reduced use of cannabis
- Reduced access to cannabis may lower risk of people sharing cannabis

## Cons

- Could create confusion because it's not aligned with federal limit
- Could increase drug impaired-driving to purchase more cannabis
- Requires more sanctions and more involvement with justice system
- If legal market is too restrictive it could increase illicit market activity



# Questions

Does aligning with federal limits meet Alberta's policy goals?

Is 30 grams a reasonable amount for adults to legally possess?

If we set a lower limit, what types of sanctions could be applied and who would manage and enforce provincial sanctions?

Would lowering possession limits create space for the illicit market to continue to operate?

# Possession limits for minors (age 12-18)

- 5 grams or less would not be a criminal offence
- Over five grams = offences under the Youth Criminal Justice Act

# Possession limits for minors

## Other jurisdictions

|                     | Colorado   | Washington State       | District of Columbia                          | Oregon  | Alaska                 |
|---------------------|--|------------------------|---|---|------------------------|
| Limits for Youth    | Up to 28.5 g   | Zero                   | Up to 60 g (over 60 g, youth can be arrested) | Zero  | Zero                   |
| Type                | Unclassified petty offence   | Criminal               | Criminal/<br>Escalating                       | Class A/B<br>Misdemeanor                      | Criminal               |
| Penalties           | Escalating – fines, education, treatment, community service                            | Fines and imprisonment | Seize, fines, arrest                          | Fines   | Fines and imprisonment |
| Additional Elements | Immunity if seeking help; same penalties apply if a youth possesses drug paraphernalia |                        |   | Immunity provisions for reporting a violation |                        |

# Scenario 1: Impose sanctions along the lines of federal limitations

## Pros:

- Consistent with the spirit of the proposed federal legislation
- Sanctions may deter some youths from using cannabis

## Cons:

- Public may be concerned if approach to sanctions for cannabis is not consistent with approach to sanctions for tobacco and alcohol

# Scenario 2: Do not impose sanctions around youth possession limits

## Pros

- Would not penalize youth and children

## Cons

- Would not align with federal intent
- May result in increased use by youth because there are no consequences
- Youth may feel freer to access cannabis through the illicit market

# Questions about imposing sanctions along the lines of federal limitations

Do penalties deter young people from using cannabis?

If so, what types of penalties might deter young people from using cannabis?

Does eliminating sanctions for youth possession go too far in eliminating the illegal aspects of use and possession?

Can education programs be effective enough to dissuade young people from using cannabis?

**TOPIC:**

**Limits on growing cannabis at home**

# Growing cannabis at home

## Other jurisdictions

|              | Colorado   | Washington State | District of Columbia   | Oregon                       | Alaska             |
|--------------|--|------------------|--|------------------------------|--------------------|
| Grow at home | Up to 6 plants per adult (maximum of 12 plants in a residence) | Not permitted    | Up to 6 plants per adult (maximum of 12 plants in a residence) | Up to 4 plants per residence | Up to 6 plants     |
| Location     | Indoor and outdoor (must be a locked area)                     | N/A              | Indoor only (within a house or rental unit)                    | Indoor and outdoor           | Indoor and outdoor |



# Scenario 1: Allow growing at home without further regulation

## Pros

- Could reduce risk of drug-impaired driving as cannabis would already be in the home, so no need to drive to a retail location
- May decrease the need for buying from the illicit market
- Would increase access for people in more rural and remote areas

## Cons

- Youth and children could have increased access to cannabis if it's grown in the home, especially if there are no restrictions on indoor or outdoor growing
- Lack of regulation on storage and packaging could lead to higher rates of accidental ingestion

# Scenario 2: Introduce provincial regulations on one or more of the following:

- The number of plants
- Where plants can be grown (indoors or outdoors)
- Regulation on storage and packaging of home grown cannabis

# Scenario 2: Introduce provincial regulations

## Pros

- May decrease accessibility for youth and children if restrictions are in place on indoor/outdoor growing and/or requirements around storage
- Could limit the amount of cannabis readily available, which could lead to decreased use

## Cons

- May not be consistent with federal legislation or with other provincial jurisdictions that adopt federal legislation
- With lower quantities available at home, people might be more inclined to drive while impaired to buy more cannabis at a retail outlet

# Questions about introducing provincial regulations

Do existing federal regulations around personal cultivation do enough to achieve Alberta's policy goals for legalization?

Do the federal limitations create too many gaps in safely managing personal cultivation activities?

How do we best work with our municipal partners to develop and enforce additional regulations?

**TOPIC:**

# Limits on advertising and promotion

# Limits on advertising and promotion

Cannot:

- Target young people
- Be deceptive
- Present a false impression of health effects or risks of cannabis
- Be involved in sponsorship, testimonials or endorsements
- Use the depiction of a person, celebrity, character or animal

# Limits on advertising and promotion

## Other jurisdictions

|                       | Colorado   | Washington State  | District of Columbia   | Oregon                 | Alaska   |
|-----------------------|--|---|------------------------|------------------------|--|
| Restrictions In Place | Yes  | Yes   | Yes                    | Yes                    | Yes  |
| Additional Elements   | Allows for tv, radio, internet and other advertising, but the market cannot be more than 30 per cent youth | Allows for TV, radio, internet and other advertising, with restrictions | Restricted advertising | Restricted advertising | Limits placed on marketing proximity to youth (e.g. schools, bus shelters) |

# Scenario 1: Do not establish restrictions in addition to federal government's

## Pros

- Federal restrictions on promotion and packaging are expected to be comprehensive
- No need to develop additional legislation or regulation
- Retailers would only have to follow a single set of restrictions

## Cons

- Federal minimum standards may not adequately achieve or be tailored to Alberta's policy priorities and/or demographics



# Scenario 2: Develop enhanced restrictions in addition to fed govt's

## Pros

- May send a message that government supports reduced use
- Packaging and information could be tailored to Alberta's demographic and policy priorities
- Opportunity to mandate additional health and safety information for packaging and marketing

## Cons

- Need to develop legislation if Alberta goes beyond federal minimum restrictions
- Could create confusion if federal and provincial rules intersect
- Retailers may increase the price of cannabis if extensive restrictions make it difficult to comply, sending buyers to the illegal market

# Questions

Are there gaps in the proposed federal legislation?

Can public education properly fill any gaps left by the federal legislation, rather than creating Alberta-specific regulations?

**Thank you!**