

A RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Marijuana Possession Decriminalization Amendment Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the public is invited and that the prohibition on consumption of marijuana in public is not limited by Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014 and to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require the Mayor to revoke the business license, certificate of occupancy, and permits of an entity violating section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Marijuana Decriminalization Clarification Emergency Declaration Resolution of 2015”.

Sec. 2(a) On March 4, 2014, the Council of the District of Columbia approved B20-409, the Marijuana Possession Decriminalization Amendment Act of 2014. On March 19, 2014, the bill was transmitted to the Mayor, who signed the bill on March 31, 2014.

(b) Although the Marijuana Possession Decriminalization Amendment Act 2014 decriminalizes possession or transfer of one or fewer ounces of marijuana, it also makes plain that consumption of marijuana in public spaces, including one where the public is invited, remains subject to criminal penalties.

(c) On November 4, 2014, District of Columbia voters approved the Legalization of

1 Possession of Marijuana for Personal Use Act of 2014, which would legalize the possession and  
2 use of two or few ounces of marijuana use under certain circumstances.

3 (d) When applied together, the Legalization of Possession of Marijuana for Personal Use  
4 Act of 2014 and the Marijuana Possession Decriminalization Amendment Act of 2014 continue  
5 to prohibit consumption of marijuana in public spaces, including spaces where the public is  
6 invited. The measures may leave open the question of what qualifies as a space where the public  
7 is invited. Consequently, it may be unclear as to whether a private club would be treated as a  
8 place where the public is invited.

9 (e) In order to more fully address whether marijuana consumption would be permitted in  
10 private clubs, it is necessary to amend the Marijuana Possession Decriminalization Amendment  
11 Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the  
12 public is invited and that the prohibition on consumption of marijuana in public is not limited by  
13 Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014  
14 and to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require the  
15 Mayor to revoke the business license, certificate of occupancy, and permits of an entity violating  
16 section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014.

17 Sec. 3. The Council of the District of Columbia determines that the circumstances  
18 enumerated in section 2 constitute emergency circumstances making it necessary that the  
19 Marijuana Decriminalization Clarification Emergency Declaration Resolution of 2015 be  
20 adopted after a single reading.

21 Sec. 4. This resolution shall take effect immediately.