CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, the following is a concise explanatory statement:

AGENCY: Rhode Island Cannabis Control Commission

RULE IDENTIFIER: 560-RICR-10-15-1

REGULATION TITLE: Caregiver Registration, Medical Home Grows and Personal Cultivation

REASON FOR RULEMAKING: Full Rulemaking, Adoption

In accordance with the 2022 adoption of the Rhode Island Cannabis Act ("RICA") (R.I. Gen. Laws Chapter 21-28.11) and the 2022 amendments to the Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act ("Medical Cannabis Act") (R.I. Gen. Laws Chapter 21-28.6), the Commission has proposed the adoption of 560-RICR-10-15-1 as part of the transition of the cannabis regulatory program from the Department of Business Regulation ("DBR") to the Commission.

This regulation establishes requirements for registered primary caregivers and their registry identification cards. It provides caregiver possession limits and manufacturing prohibitions, and also provides for medical cannabis home grows, home grow certificates and adult use personal cultivation limits.

REGULATORY ANALYSIS:

This regulation is focused on individual use, not businesses. It implements existing statutory requirements and does not impose any additional regulatory burdens or costs for patients, caregivers, or adult use personal cultivation that are not already required by statute.

This regulation benefits existing caregivers and patients by updating existing, applicable provisions to ensure compliance with the medical cannabis program. This regulation also benefits the general public by ensuring clear safety protocols, limiting minors' access to cannabis, and mitigating nuisance odors for medical and personal cultivation locations.

In the development of the proposed regulation consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach would be as effective

and less burdensome as the proposed regulatory language and no duplication or overlap was identified based upon available information.

SUMMARY OF POST-PUBLIC COMMENT CHANGES TO TEXT OF THE RULE:

The following difference exists between the text of the proposed rule as published in accordance with R.I. Gen. Laws § 42-35-2.7 and the rule as adopted. This change is consistent with, and a logical outgrowth of, the proposed regulation in the notice of proposed rulemaking in accordance with R.I. Gen. Laws § 42-35-6.1. In addition to this summary of change, a redlined document showing the exact change is attached.

1. The following technical, non-substantive change was made to correct a formatting issue in the original proposed regulation:

    a. The main heading of the document was edited to comply with formatting requirements.

SUMMARY OF PUBLIC COMMENTS NOT RESULTING IN REGUATORY LANGUAGE CHANGES:

Below is a summary of the public comments received that did not result in changes to the text of the regulation, and a brief description of the Commission's reasons for not making any such changes after due consideration.

1. *§ 1.3.2(A), Registry Identification Card Requirements*. Commentary was received stating that this section should include reference to the "fair chance licensing" statute the General Assembly enacted in 2020.

    The Fair Chance Licensing Act, R.I. Gen. Laws Chapter 28-5.1, is a self-executing statutory provision and does not need to be expressly included or referenced to be effective; indeed § 28-5.1-14(m) only requires a specific reference to the section for exemption purposes, not inclusion purposes.

2. *§ 1.3.2(F)(3), Expiration and Renewal of Registry Identification Cards.* Commentary was received expressing disagreement with the requirement that renewal applications must be received prior to the expiration of the registry identification card, stating that caregiver cards are tied to the patient's application and renewal, and not controlled by the caregiver, therefore if the patient renews their application late, the caregiver who cannot do anything about it is being penalized.

    The identified regulatory language is taken directly from existing law and is not a newly created or implemented requirement of the Commission. The requirement is a common

and standard renewal provision that applies to any type of identification card, including driver's licenses and passports. If a patient is not registered in the medical program then a registered caregiver cannot grow cannabis for that patient until such time that the patient is properly registered. This is a requirement of the medical program, given the strict possession limits contained in the Medical Marijuana Act and the Cannabis Act. Also, there is no penalty, monetary or otherwise, for not renewing a caregiver registration card.

560-RICR-10-15-1

TITLE 560 – CANNABIS CONTROL COMMISSION

CHAPTER 10 – CANNABIS

SUBCHAPTER 15 – MEDICAL CANNABIS PROGRAM AND PERSONAL CULTIVATION

PART 1 – CAREGIVER REGISTRATION, MEDICAL HOME GROWS AND PERSONAL CULTIVATION

1.1 Authority and Purpose

A. The Commission is authorized by R.I. Gen. Laws Chapters 21-28.6 and 21-28.11 to regulate all aspects of the medical cannabis program and to establish guidelines for adult use personal cultivation to fulfill the state obligation to monitor and verify compliance with the statutory requirements related to growing cannabis for medical and personal use, including those responsibilities transferred to the Commission from the Department of Business Regulation. R.I. Gen. Laws §§ 21-28.11-5, 21-28.11-10.1, 21-28.11-22, 21-28.6-4, 21-28.6-5, 21-28.6-6 and 21-28.6-15.

1.2 Definitions

A. In addition to the terms defined in R.I. Gen. Laws §§ 21-28.11-3, 21-28.6-3, and all the Parts in this Chapter, for this Part the following terms shall have the following meanings:

1. “Cannabis Act” means R.I. Gen. Laws Chapter 21-28.11.

2. "Commercial unit" means a building or other space within a commercial or industrial building, for use by one business or person and that is rented or owned by that business or person.

3. “Home-grow certificate” means a certificate issued to qualified patients and registered caregivers in the medical program, pursuant to R.I. Gen. Laws § 21-28.6-15 and referred to therein as “medical marijuana plant tags,” to allow patients to grow medical cannabis for themselves or for a registered caregiver to grow medical cannabis for a qualified patient or patients.

4. “Immature cannabis plant” means a cannabis plant, rooted or unrooted, with no observable flower or buds.

5. “Mature cannabis plant” means a cannabis plant that has flowers or buds that are readily observable by an unaided visual examination and/or measures at least eight (8) inches in height.

6. “Medical Marijuana Act” means R.I. Gen. Laws Chapter 21-28.6.

7. “Plant set” means one (1) mature cannabis plant and one (1) immature cannabis plant.

8. “Secure structure” means a structure within an indoor residence that satisfies all the following parameters:

    a. An enclosed area with secure four walls and a secure roof as determined by the Commission; and

    b. Is equipped with locks and any other appropriate security devices that limit access to the individual authorized to grow the medical cannabis. Locks must be sufficient to discourage theft and unauthorized entrance.

1.3 Registered Primary Caregivers

1.3.1 Eligibility

A. Pursuant to R.I. Gen. Laws §§ 21-28.6-3 and 21-28.6-4, a registered primary caregiver must be twenty-one (21) years of age or older and apply for and receive a valid registry identification card issued by the Commission. Such applications shall be completed on such forms and through such submission mechanisms as directed by the Commission.

1. There is no fee for the issuance or renewal of a primary caregiver registry identification card by the Commission. R.I. Gen. Laws § 21-28.6-5(d).

2. The Commission shall verify the information contained in the application or renewal and shall approve or deny an application or renewal within thirty-five (35) days of receiving a complete application. R.I. Gen. Laws § 21-28.6-9(b).

3. All primary caregiver registry identification cards issued by the Department of Business Regulation shall remain valid until their expiration date. Renewals and any new caregiver registry identification cards issued after the effective date of this regulation will be subject to this regulation and issued by the Commission.

4. If the Commission fails to respond by issuing a valid registry identification card in response to a valid and complete application submitted pursuant to the Medical Marijuana Act or these regulations within thirty-five (35) days of its submission, provided that the application was not denied, the registry

identification card shall be deemed granted and a copy of the registry identification application shall be deemed a valid registry identification card. R.I. Gen. Laws § 21-28.6-9(b).

5. Applications from eligible primary caregivers appointed by patients who are currently receiving chemotherapy or have been admitted to hospice will be expedited and their applications, if deemed complete, will be issued within seventy-two (72) hours of receipt. R.I. Gen. Laws § 21-28.6-6(e).

6. The Commission may deny an application or renewal if:

   a. The caregiver applicant did not provide the information required pursuant to the Medical Marijuana Act or this Part;

   b. The Commission determines that the information provided was falsified;

   c. The caregiver applicant or designating patient has violated the Medical Marijuana Act, the Cannabis Act or these or prior regulations under their previous registration;

   d. The caregiver applicant or designating patient has otherwise failed to satisfy the application or renewal requirements;

   e. The designating patient has elected to grow medical cannabis for themselves, has obtained a medical cannabis home-grow certificate under their patient registration, or is otherwise growing their own cannabis; or

   f. The designating patient, caregiver applicant, or caregiver cardholder previously failed to satisfy program requirements set forth in R.I. Gen. Laws § 21-28.6-15(a).

1.3.2 Registry Identification Card Requirements

A. In accordance with R.I. Gen Laws § 21-28.6-6(g), all registered primary caregivers will be subject to a national criminal background check prior to the issuance of their registry identification card and any medical home-grow certificate.

B. In accordance with R.I. Gen. Laws § 21-28.6-6(h)(3), a registry identification card shall contain:

   1 The name of the person applying as a primary caregiver;

   2. The date of issuance and expiration date of the registry identification card;

   3. A random registry identification number;

4. A photograph; and

5. Any additional information as required by the Commission.

C. Registry identification cards shall not be transferable to another cardholder.

D. A primary caregiver cardholder must notify the Commission:

1. Of any change in the cardholder's status of appointing patient, or if their appointing patient ceases to have their debilitating medical condition, within ten (10) days of such change;

2. Of any changes related to the appointing patient's information contained on the registry identification card;

3. If a patient cardholder has ceased to suffer from a debilitating medical condition, their appointed caregiver's card and registration shall be deemed null and void and the former caregiver shall be subject to any penalties that may apply to the person's non-medical production, manufacture, distribution or use of cannabis; or

4. Of a lost or stolen card. If a cardholder loses their registry identification card, the cardholder shall notify the Commission within ten (10) business days of losing the registry identification card.

a. Upon receipt of the notice, the Commission will issue a replacement registry identification card within five (5) days. R.I. Gen. Laws § 21-28.6-6(i)(6).

E. Duty to Notify the Commission of Disqualifying Criminal Information

1. A registered caregiver shall notify the Commission of any disqualifying criminal convictions as defined in R.I. Gen. Laws § 21-28.6-6(g). Such notification must be made in writing within ten (10) business days.

F. Expiration and Renewal of Registry Identification Cards

1. Registry identification cards shall expire one year after issuance.

2. Renewal applications shall be on such forms and through such submission mechanisms as directed by the Commission.

3. Renewal applications must be received by the Commission prior to the expiration of the registry identification card.

4. Any renewal of a registry identification card shall be subject to the same provisions and requirements covering issuance and denial of any card as originally issued.

G. Termination of a Registry Identification Card

1. If a cardholder violates any provisions of the Medical Marijuana Act, the Cannabis Act, these regulations or applicable DOH regulations, their registry identification card may be suspended or revoked by the Commission pursuant to § 1.4 of Subchapter 5 Part 1 and R.I. Gen. Laws §§ 21-28.6-6(g) and 21-28.6-6(i)(8).

    a. When a qualifying patient cardholder changes their primary caregiver or authorized purchaser, the Commission shall notify the primary caregiver cardholder within ten (10) days. The primary caregiver cardholder's protections as provided in the Medical Marijuana Act as to that patient shall expire ten (10) days after notification by the Commission. If the primary caregiver cardholder is connected to no other qualifying patient cardholders in the program, the caregiver must return their registry identification card to the Commission. R.I. Gen. Laws § 21-28.6-6(i)(5).

H. In accordance with R.I. Gen. Laws § 21-28.6-4(r), every registered caregiver prior to growing medical cannabis must:

1. Submit documentation that they own the premises where they will grow medical cannabis and register their growing location in accordance with § 1.4 of this Part; or

2. Submit documentation on forms issued by the Commission that shows they have the permission of the landlord/owner of the property to grow medical cannabis on the premises and register the grow location in accordance with § 1.4 of this Part.

1.3.3 Registered Caregiver Possession Limits

A. Pursuant to R.I. Gen. Laws §§ 21-28.6-4(f) and 21-28.6-4(g), no primary caregiver cardholder shall possess, for each patient cardholder to whom they are connected through the Commission's registration process, an amount of cannabis which exceeds:

1. Twelve (12) mature and twelve (12) immature cannabis plants that are accompanied by a valid medical cannabis home-grow certificate issued by the Commission; and

    a. Two and one-half (2.5) ounces of dried cannabis or its equivalent amount pursuant to § 2.4 of Subchapter 10 Part 2; or

    b. A combination that does not exceed the usable cannabis limit of two and one-half (2.5) ounces pursuant to R.I. Gen. Laws § 21-28.6-4(f).

B. Pursuant to R.I. Gen. Laws § 21-28.6-4(p), regardless of the number of patients a primary caregiver is registered with, no primary caregiver cardholder shall possess an amount of cannabis in excess of:

1. Twenty-four (24) mature and twenty-four (24) immature cannabis plants that are accompanied by valid medical cannabis home-grow certificates issued by the Commission; and

    a. Five (5) ounces of dried cannabis or its equivalent amount pursuant to § 2.4 of Subchapter 10 Part 2; or

    b. A combination that does not exceed the usable cannabis limit of five (5) ounces pursuant to R.I. Gen. Laws § 21-28.6-4(p).

1.3.4 Reimbursement Requirements and Documentation

A. Reimbursement Requirements – R.I. Gen. Laws § 21-28.6-4(i)

1. A registered primary caregiver cardholder may only receive reimbursement for the actual costs of goods, materials, services and utilities for which they have incurred expenses.

2. A registered primary caregiver may not receive reimbursement or compensation for their time, knowledge, or expertise.

B. Documentation Requirements – R.I. Gen. Laws § 21-28.6-4(i)

1. All registered primary caregiver cardholders shall maintain records of and document:

    a. All actual costs of goods, materials, services or utilities for which they have incurred expenses while assisting their registered patient(s) with the medical use of cannabis;

    b. All reimbursements, contributions, or considerations received from their registered patient(s) for expenses incurred as their caregiver;

    c. The amount of medical cannabis plant material cultivated, harvested, and/or manufactured through the course of their caregiver activities; and

    d. A transfer log which must include the amount of medical cannabis supplied and transferred to their qualified/appointing patient(s), the date of each transfer and the reimbursement amount the caregiver received. Each transfer must be initialed and dated by the receiving patient.

2. Registered primary caregivers shall maintain all logs, records and documentation of medical cannabis produced and/or manufactured, expenses, reimbursements, and patient transfers for the entire period that they provide medical cannabis to and are associated with their registered patient(s) and for a period of at least one year thereafter.

3. Caregivers must produce for review all logs, records, and documentation of their expenses, reimbursements, cannabis production and patient transfers to their registered/appointing patient(s), or to the Commission, upon request.

1.3.5 Confidentiality Provisions

A. Applications and supporting information submitted by qualifying patients, including information regarding their primary caregivers, are confidential and protected in accordance with the Medical Marijuana Act.

B. Any list(s) of the persons to whom DOH and/or the Commission have issued registry identification card shall be maintained confidentially.

1. Individual names and other identifying information on the list:

a. Shall be confidential and not be considered a public record pursuant to R.I. Gen. Laws § 38-2-2(4); and

b. Shall not be subject to disclosure, except to authorized employees of DOH and the Commission as necessary to perform official duties of these agencies and pursuant to the Medical Marijuana Act.

2. Pursuant to R.I. Gen. Laws § 21-28.6-6(l), the Commission or its designee shall verify to law enforcement personnel whether a Commission issued caregiver registry identification card and/or medical cannabis home-grow certificate is valid.

3. Pursuant to R.I. Gen. Laws § 21-28.6-6(l), the Commission or its designee may notify law enforcement personnel about falsified or fraudulent information submitted to the Commission, violations of the Medical Marijuana Act, the Cannabis Act and/or this Part.

1.4 Medical Cannabis Home-Grow Certificate Program

A. Registration is required for all medical home-grows for patients and caregivers.

1. Qualified Rhode Island patients and registered Rhode Island primary caregivers who have a valid registry identification card issued by DOH or the Commission must apply to the Commission for a medical cannabis home-grow certificate to grow medical cannabis.

2. One certificate will be issued for all plant sets grown by a single eligible registered patient or caregiver.

3. There is no fee for the issuance of a medical home-grow certificate to patient cardholders and/or registered caregivers by the Commission. R.I. Gen. Laws § 21-28.6-15(a).

B. Medical Home-Grow Registration Requirements

1. Qualified Rhode Island patients and registered primary caregivers shall register their selected cannabis grow location with the Commission prior to beginning cultivation.

2. Registrations shall be on such forms and through such submission mechanisms as directed by the Commission. Required registration information shall include, but is not limited to:

   a. The registry identification number of the person applying, and, if that person is a caregiver, the registry identification number(s) of the patient(s) the caregiver is authorized to grow for;

   b. Identification of the single grow location selected by the person applying;

   c. Current contact information for the qualified Rhode Island patient or registered Rhode Island primary caregiver overseeing the cultivation; and

   d. Documentation confirming that the person applying owns the premises where they will grow medical cannabis, or that the person has obtained the permission of the landlord/owner of the property to grow medical cannabis on the premises.

   e. The number of plants that will be grown shall not exceed the limits for medical home-grows pursuant to R.I. Gen. Laws § 21-28.6-4(a), (f) & (g).

3. A Rhode Island registered patient or caregiver may not grow cannabis at more than one location. R.I. Gen. Laws § 21-28.6-4(r).

4. A registered patient who has been appointed a caregiver to grow on the patient's behalf is not permitted to register a home grow for themselves.

5. Before issuing a medical cannabis home-grow certificate, the Commission will verify the validity of the applying person's registry identification card and, if that person is a caregiver, the validity of the registry identification card(s) of the patient(s) for whom the caregiver is authorized to grow.

6. Once an application has been approved, the home-grow certificate will be issued by the Commission to the qualified patient or registered primary caregiver.

7. Each home-grow certificate shall only be used by the individual to whom, and at the location for which, it was issued. Home-grow certificates shall not be transferred or assigned.

8. Home-grow certificates shall not be altered or duplicated.

9. The home-grow certificate shall be printed and posted clearly and conspicuously in any room that holds medical cannabis plants associated with the home-grow certificate.

10. Home-grow certificates do not authorize transport of cannabis plants or cannabis outside the borders of the state of Rhode Island under any circumstances.

11. As a continuing condition of holding a home-grow certificate, home-grow certificate holders may not pursue any cannabis transaction or activity that is in violation of the Cannabis Act, the Medical Marijuana Act, and/or these regulations, including pursuing any transaction through online advertising.

C. The medical home-grow certificate shall display, be electronically embedded with, or otherwise contain the following data:

1. Unique numerical, serial or alpha-numerical identifiers.

2. A patient's registration ID number and, if applicable, the registered primary caregiver's registration ID number.

    a. For a qualified patient cardholder who is growing individually, the identifier shall correspond to their DOH patient registry identification card number.

    b. For a registered primary caregiver cardholder, the identifier shall correspond to their Commission issued caregiver registry identification card number and the DOH patient registry identification card number(s) of the qualified patient cardholder(s) they are registered to grow for.

    c. Expiration date of the medical cannabis home-grow certificates.

    d. Grow location.

    e. The number of plant sets the qualified Rhode Island patient or primary caregiver has lawfully obtained plant tag certificates for.

f. Any other information the Commission deems appropriate that is not subject to the patient privacy provisions of the Medical Marijuana Act.

D. Medical Home-Grow Location Requirements

1. Home-grow certificates will only be issued under the express and continuing condition that they will only be used for plants that are grown at a registered location and stored in a secure structure.

2. At the grow location reasonable efforts must be taken to:

a. Ensure that cannabis is not visible from the street or other public areas; and

b. Prevent cannabis plant odors from exiting the grow location to an extent that would significantly alter the environmental odor outside.

E. Medical Home-Grow Maximum Number of Plant Sets

1. A qualified Rhode Island patient cardholder may receive a medical cannabis home-grow certificate for no more than twelve (12) plant sets. The total number of plant sets shall be displayed on the medical cannabis home-grow certificate.

2. A registered primary caregiver connected with one (1) qualified patient cardholder through the Commission's registration process may receive a certificate for no more than twelve (12) plant sets. The total number of plant sets shall be displayed on the home-grow certificate and correspond to the possession limits set by R.I. Gen. Laws §§ 21-28.6-4(f) and 21-28.6-4(g), respectively.

3. A registered primary caregiver cardholder connected with more than one (1) qualified Rhode Island patient cardholder through the Commission's registration process may receive a certificate for no more than twenty-four (24) plant sets. The total number of plant sets shall be displayed on the medical cannabis home-grow certificate and correspond to the possession limits set by R.I. Gen. Laws §§ 21-28.6-4(f) and 21-28.6-4(g), respectively.

4. For qualifying patient cardholders and primary caregiver cardholders who are authorized to grow, no more than twenty-four (24) plant sets, inclusive of any adult-use plant sets, shall be grown or otherwise located at any one dwelling unit or commercial unit. The number of qualifying patients or registered primary caregivers residing, owning, renting, growing or otherwise operating at a dwelling or commercial unit does not affect this limit. R.I. Gen. Laws § 21-28.6-4(r).

F. Duty to Update Information

1. The medical cannabis home-grow certificate holder has a continuing obligation to update all application information in a timely manner including but not limited to legal name, physical and mailing address, phone number, e-mail address and grow location.

G. Replacement of Medical Home-Grow Certificate

1. Any stolen or lost medical cannabis home-grow certificate must be reported to the Commission within ten (10) business days.

H. Termination of Medical Home Grow

1. A patient shall notify the Commission and confirm the destruction of any remaining plants within ten (10) business days of any of the following occurrences:

   a. Election to no longer grow medical cannabis for themselves;

   b. Voluntary surrender of the registry identification card; or

   c. Revocation of the registry identification card.

2. A registered primary caregiver shall notify the Commission and confirm the destruction of any remaining plants within ten (10) business days of any of the following occurrences concerning that patient:

   a. Death;

   b. Termination of the relationship with the registered primary caregiver;

   c. Voluntary surrender of the registry identification card; or

   d. Revocation of the registry identification card.

3. If a registered primary caregiver stops growing for one patient but then starts growing for another patient, the caregiver must apply for a new/updated home-grow certificate within ten (10) business days of any change.

I. Manufacturing Prohibitions

1. Patients and primary caregiver cardholders are prohibited from engaging in any cannabis manufacturing or extraction process using a solvent extraction process that includes the use of a compressed, flammable gas as a solvent. R.I. Gen. Laws § 21-28.6-4(t).

1.5 Commission Monitoring Process for the Medical Home-Grow Program

A. If the Commission has reasonable grounds to believe that a medical cannabis home-grow certificate holder, a registered primary caregiver or a Rhode Island qualified patient cardholder who has made an election to grow but who has not obtained or renewed a home-grow certificate may be in violation of the home-grow certificate requirements and/or plant possession limits set forth in the Medical Marijuana Act, the Cannabis Act and/or these regulations, the below steps may be taken to verify compliance or to prompt the person to come into compliance.

1. Written Notice: A written notice may be sent to the person explaining the home-grow certificate requirements and plant possession limits set forth in the Medical Marijuana Act, the Cannabis Act and these regulations, why the Commission has reason to believe the person may be out of compliance, and outlining the information the person may provide and/or the action(s) the person may take to verify or come into compliance.

2. Nothing herein shall prohibit the Commission from notifying law enforcement of suspected violations in accordance with § 1.4 of Subchapter 5 Part 1 or from scheduling or conducting a reasonable onsite inspection in collaboration with law enforcement should the nature of the suspected violation require an immediate response.

B. Revocation

1. Failure to comply with the medical cannabis home-grow certificate requirements may result in revocation pursuant to R.I. Gen. Laws § 21-28.6-15(c) and § 1.4 of Subchapter 5 Part 1.

1.6 Adult Use Personal Cultivation

A. Personal cultivation outside the medical cannabis program is permitted in accordance with R.I. Gen. Laws § 21-28.11-22 and the requirements set forth in this Part.

B. In accordance with R.I. Gen. Laws § 21-28.11-22(a)(2), persons who are twenty-one (21) years of age or older may, indoors within any residence, possess, cultivate or process not more than a total of three (3) mature cannabis plants and up to a total of three (3) immature cannabis plants per dwelling unit for personal use, provided that:

1. The location of the cannabis plant(s) within the dwelling unit is equipped with locks and any other appropriate security devices that limit access to the area, including but not limited to individuals under the age of twenty-one (21).

2. Reasonable efforts must be taken to:

   a. Ensure that cannabis is not visible from the street or other public areas; and

   b. Prevent cannabis plant odors from exiting the grow location to an extent that would significantly alter the environmental odor outside.

C. Adult Use Personal Cultivation: Requirements and Restrictions

1. No more than three (3) adult use plant sets shall be grown or otherwise located within any one dwelling unit. The number of individuals residing at a dwelling does not affect this limit. R.I. Gen. Laws § 21-28.11-22(a)(2).

2. Growers of adult use cannabis are not required to register their home grows with the Commission but must comply with all applicable state laws, including but not limited to the Cannabis Act and the Rhode Island Controlled Substances Act, R.I. Gen. Laws Chapter 21-28-1.01.

3. Growers of adult use cannabis for personal use are prohibited from engaging in any cannabis manufacturing or extraction process using a solvent extraction process that includes the use of a compressed, flammable gas as a solvent.

1.7 Penalties

A. Administrative penalties for violations of the Cannabis Act, the Medical Marijuana Act, or any associated rules and regulations promulgated thereunder may be imposed by the Commission pursuant to those acts and Subchapter 5 Part 1.

1.8 Severability

A. If any section, term, or provision of these regulations should be adjudged invalid for any reason, that judgment should not effect, impair, or invalidate any remaining section, term, or provision, which shall remain in full force and effect.