

Overview of Recent Changes to Cannabis Law April 2026

On April 19, 2026, the Governor signed into law Chapter 65 of the Acts of 2026, *An Act Modernizing the Commonwealth's Cannabis Law* (the "Act"). The Act, which took effect immediately, significantly revises marijuana laws in the Commonwealth. Such changes include: the form and structure of the Cannabis Control Commission (the "CCC"), increases to personal possession limits, permitting marijuana delivery throughout the state, the structure of medical marijuana treatment licenses, and increases the number of licenses a marijuana entity may hold.

Restructuring the Cannabis Control Commission

The Act restructures the CCC by terminating the existing Commissioners and reducing the size of the Commission from five to three. The Governor must appoint the three Commissioners and designate the Chair by May 19, 2026. The Chair will serve for the same term as the Governor, with the other two serving four-year terms. Commissioners must have certain public health, safety, business or cannabis experience or expertise, with one appointee required to have social justice background. The Chair will be responsible for running the Commission, and may delegate such authority to an Executive Director, with the Director appointed by the Chair in consultation with the other members

Personal Possession and Use

The Act increases the legal limit for personal possession of marijuana, and the amount that can be given by one individual to another, from one to two ounces. The law also provides that a person who is at least 21 who possesses more marijuana than the legal limit, but has less than three ounces, will be punished by a civil, rather than criminal, penalty.

Licensing and Business Operations

Marijuana Delivery: Pursuant to the Act, "limited delivery" of marijuana to consumers is allowed as of right in all municipalities within the Commonwealth. However, a municipality that prohibits retail marijuana establishments may request a waiver from the CCC to continue to prohibit delivery, which the CCC must grant for a period of not more than two years. Thereafter, a municipality may request a waiver extension for additional two-year increments, however, the issuance of an extension is at the CCC's discretion.

Medical Marijuana Treatment Centers / Medical Marijuana Establishments: The Act replaces and redefines Medical Marijuana Treatment Centers ("MMTC") with Medical Marijuana Establishments ("MME"). Under the Act, MMEs are not required to be vertically and fully integrated (cultivating, processing, and dispensing simultaneously under one license). However, licenses for MMEs that are not fully integrated MMTCs will be limited to social equity businesses for a period of two years from the date the first MME receives notice to

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commence operations. The CCC may extend this exclusivity period if it determines the goals and objectives of the exclusivity period are not being met. Alternatively, if the CCC determines progress is being made, but demand from patients exceeds the supply from social equity businesses, the CCC may allow licensure of: craft marijuana cooperatives, Massachusetts minority business enterprises, women business enterprises, and veteran business enterprises.

Sale of Seeds: The Act deletes cannabis seeds from the definition of marijuana, eliminating restrictions on sales.

Advertising: The Commission may now permit advertising, marketing and branding of sales, discounts and customer loyalty programs within a marijuana establishment, or through an opt-in email list.

Licenses: The Act clarifies that the CCC may issue licenses for on-premises consumption of marijuana at special events in limited areas for limited times and to facilitate scientific research or education. In addition, the Act amends G.L. c. 94G, §16, increasing from three to six the maximum number of retail licenses a single licensee may hold. The Act prohibits a licensee with three fully-integrated MMTTC licenses from holding any additional MME licenses.

Accountability and Studies

The Act requires that the CCC maintain a “complaint” online portal, engage in certain studies, reviews, audits, and then prepare reports, subject to various deadlines, on the following: compliance with the cannabis laws and regulations, sale of hemp, marijuana induced driving impairment, financial impacts to the state healthcare system, public health interventions, workplace safety, and economic analysis of the cannabis market.

New or Amended Regulations

Within two months of the effective date of the Act, the CCC must amend its regulations and begin accepting applications under the new G.L. 94G, §16 license limits. Not later than one year from the effective date of the Act, the CCC must promulgate or amend its regulations to be consistent with the remainder of the Act.

For further information, please contact [Attorney Nicole Costanzo](#) or your KP Law attorney at 617.556.0007.

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