

Prop 207 Smart and Safe Arizona Act

Descriptive Title

THE LAW WOULD ALLOW LIMITED MARIJUANA POSSESSION, USE, AND CULTIVATION BY ADULTS 21 OR OLDER; AMEND CRIMINAL PENALTIES FOR MARIJUANA POSSESSION; BAN SMOKING MARIJUANA IN PUBLIC; IMPOSE A 16% EXCISE TAX ON MARIJUANA SALES TO FUND PUBLIC PROGRAMS; AUTHORIZE STATE/LOCAL REGULATION OF MARIJUANA LICENSEES; AND ALLOW EXPUNGEMENT OF MARIJUANA OFFENSES.

Background

Arizona voters approved a medical marijuana law in 2010, making marijuana legal for those medically qualified. Thirty-four states have legalized the use of medical marijuana. Arizona citizens last voted on legalizing recreational marijuana in 2016, which failed 48.23% to 51.77%. The recreational use of cannabis is legalized in 11 states.

Provisions

This measure legalizes the possession and use of marijuana for persons 21 years or older up to one ounce of marijuana; allows cultivation for personal use, not more than six marijuana plants; bans smoking marijuana in public; amends criminal classification and penalties; allows retail sale at licensed establishments; imposes a 16% excise tax on sales of marijuana; allows courts to vacate and expunge certain

marijuana-related charges; and requires the Arizona Dept. of Health and Human Services to develop rules to regulate marijuana. The ballot initiative would make the Arizona Department of Health Services (DHS) responsible for adopting rules to regulate marijuana, including the licensing of recreational marijuana retail stores, cultivation facilities, and production facilities. Revenue from the 16% excise tax would be divided between community college districts, municipal police, sheriff, fire departments, fire districts, the state's Highway User Revenue Fund, and a new Justice Reinvestment Fund.

Impact

A YES would adopt the legalization of recreational marijuana use in Arizona with the above provisions.

A NO vote would leave Arizona law as it is now with only medical marijuana being legal.

Links:

Certified Proposition 207 ballot language: <https://apps.arizona.vote/electioninfo/assets/18/0/Ballot-Measures/I-23-2020%20Certification%20&%20Text.pdf>

Publicly-filed arguments:

For: https://azsos.gov/sites/default/files/I-23-2020_Smart_and_Safe_For_Arguments.pdf

Against: https://azsos.gov/sites/default/files/I-23-2020_Smart_and_Safe_Against_Arguments.pdf

Those in favor of Prop 207 say:

Legalizing marijuana would end the costly enforcement of marijuana laws and free up police resources. The costs of arresting people for marijuana possession are between \$1 billion and \$6 billion nationwide annually. Incarcerating marijuana offenders costs the US an estimated \$600 million per year. These costs would be significantly reduced and would free up police resources to be used elsewhere. Former Gov. Fife Symington III, "Today the evidence is overwhelmingly clear: criminalizing law-abiding citizens who choose to responsibly consume marijuana

Those opposed to Prop 207 say:

Legalized marijuana creates steep costs for society and taxpayers that far outweigh its tax revenues. Societal costs of marijuana use include: paying for increased emergency room visits, medical care, and addiction treatment for the uninsured; more victims of drugged driving accidents; increased crime; and a negative impact on health from secondhand smoke. Legalizing marijuana would put one more harmful substance in our society that costs more than the revenue it generates.

Those in favor of Prop 207 say:

is an outdated policy that wastes precious government resources and unnecessarily restricts individual liberty. A far more logical approach would be to respect the right of adults to choose to consume marijuana while regulating and taxing its production and sale.”

Legalizing marijuana would result in decreased teen marijuana use. Despite the fact more US states are legalizing or decriminalizing marijuana use, the rates of marijuana use by young people between the ages of 12 and 17 are falling. One study of Colorado teens reports a nearly 12% drop. Based on several studies in Colorado, the rate of decrease has remained steady since 2011. Another similar study conducted in 2018 found that marijuana use among adolescents was similar to the national average.

Legal marijuana is regulated for consumer and public safety. Once marijuana is legalized, the government can enforce laboratory testing and regulations to ensure that marijuana is free of toxins. People able to drive legally with metabolites of marijuana in their blood can't be convicted of driving under the influence absent a showing of impairment. Marijuana seizures made by the Border Patrol in 2015 have decreased by millions of pounds and are at their lowest levels in over a decade.

Marijuana is less harmful than alcohol, tobacco, and opioids, which are already legal. Alcohol and tobacco are known to cause cancer, heart disease, liver damage, and more. The Centers for Disease Control (CDC) states that alcohol poisoning causes six deaths per day. Thousands of Americans have died of opioid overdoses in the past ten years.

Taxes collected from the legal sale of marijuana support important public programs. Tax revenues in legal marijuana states provide funding to the police, drug treatment and mental health centers, housing programs, and school programs such as anti-bullying campaigns, youth mentoring, and public-school grants through the Justice Reinvestment Fund.

Legalizing marijuana creates thousands of needed jobs. There are now more than 211,000 full-time jobs in the legal American cannabis industry. When including indirect jobs, the total number of full-time American jobs that depend on legal cannabis rises to 296,000.

Those opposed to Prop 207 say:

Legalizing marijuana increases use by teens, with harmful results. The percentage of 12- to 17-year-olds using marijuana is higher in every legal marijuana state than the national average. For example, 16.21% of Colorado teens and 18.86% of teens in Alaska reported marijuana use in the past year, compared to an average of 12.29% for the United States overall in 2015-2016. Marijuana is especially dangerous for young people because human brains are not fully developed until around age 25. Adverse effects of teen marijuana use include impaired short-term memory, decreased concentration and attention span, and problem-solving, interfering with learning.

Marijuana is addictive, and dependence on the drug will increase with legalization. Heavy users who stop using marijuana may suffer withdrawal symptoms such as insomnia, depression, anxiety, nausea, chills, and stomach pain. Those who use marijuana can become addicted and develop cannabis use disorder.

Legalizing marijuana leads to more marijuana-related medical emergencies. After retail marijuana stores opened in Colorado, emergency room visits related to marijuana shot up nearly 30%, and hospitalizations related to marijuana rose 200%. Poison-control marijuana exposure cases for children ages nine and under increased more than five-fold in Colorado after legalization. There is a risk of exposure to secondhand smoke. Strong evidence shows marijuana smoke contains many of the same cancer-causing chemicals found in tobacco smoke.

Legalizing marijuana is opposed by major public health organizations. Some public health associations that oppose legalizing marijuana for recreational use include the American Medical Association (AMA), the American Society of Addiction Medicine (ASAM), the American Academy of Child and Adolescent Psychiatry, and the American Academy of Pediatrics.

Growing marijuana harms the environment. Marijuana cultivation results in deforestation, soil erosion, habitat destruction, and river diversion. Cannabis plants require nearly double the amount of water needed to grow grapes or tomatoes. Legal indoor growing requires a lot of electricity for lighting, heating, and ventilation. The use of fossil fuels produces greenhouse gas emissions equal to that of three million cars each year and places a burden on public utilities.