

AMENDMENTS TO THE CT CLEAN INDOOR AIR ACT

Pursuant to passage of June Special Session, Public Act No. 21-1:

AN ACT CONCERNING RESPONSIBLE AND EQUITABLE REGULATION OF ADULT-USE CANNABIS

EFFECTIVE OCTOBER 1, 2021

State Statute Section 7-148: Local Municipalities

- Expands definition of products in current statute to incorporate tobacco and cannabis for both smoking and vaping
- Municipalities may regulate use (smoking and vaping) and consumption of cannabis on any property owned or under control of the municipality
 - For municipalities with populations greater than 50,000, such regulations shall designate a place in the municipality where public consumption of cannabis is permitted
- Municipalities can prohibit smoking and vaping of cannabis at all outdoor restaurant areas
 - Fines for these violations capped at \$50 for individual and \$1,000 for business

State Statute Section 19a-342: Smoking

- Expands definition of smoking to include any tobacco, hemp, and cannabis
- “Area” where smoking is prohibited now includes both the *interior* of buildings (facilities, businesses, workplaces) AND the *outside* area within twenty-five feet of any doorway, operable window, or air intake vent of the facility, building or establishment.

Locations specifically mentioned include:

- In any building or portion of a building owned and operated, or leased and operated by the state or any political subdivision of the state [Additional language from Public Act No. 21-175]
- Health care institutions, including psychiatric facilities
- Retail establishments (*expanded from retail food store*) accessed by the general public
- Any restaurant
- Establishments with liquor permits (Exception for private clubs with club liquor permits issued prior to May 1, 2003)
- Any area of school buildings and grounds
- Childcare facilities or property, with the exception of family day cares operated in homes; smoking and vaping is only prohibited when the enrolled child is present during customary business hours
- Passenger elevators
- Dormitories of any public or private institution of higher education
- Dog racetrack/facility equipped with screens for simulcasting off track betting or jai alai games
- Any area of a platform or a shelter at a rail, busway, or bus station [Additional language from Public Act No. 21-175]

- *Any rooms* offered to guests of hotel, motel, or similar lodging (previously 25% of rooms could allow smoking)
- Correctional facility or Halfway house

State Statute Section 19a-342a: Vaping

- Expands definition of Electronic Nicotine Delivery Systems and Vapor Products to include any hemp, tobacco, or cannabis and synthetic nicotine
- “Area” now includes both the *interior* of buildings (facilities, businesses, workplaces) AND the *outside* area within twenty-five feet of any doorway, operable window, or air intake vent of the facility, building or establishment
- Applies to same locations as where smoking is banned

State Statute Section 31-40q: Workplace

- All businesses of any size must be non-smoking, non-vaping. Smoking rooms are no longer allowed
- All businesses may deem their entire property to be smoke and vape free

EFFECTIVE JULY 1, 2022

NEW State Statute Section: Landlords

- Landlords may make building or entire property smoke and vape free
- Landlords cannot restrict renting to anyone that uses cannabis or that has previous cannabis convictions; tenants are allowed to possess or consume cannabis, but landlord may restrict any smoking or vaping
- Landlords may not require drug test from tenants, exceptions to this if:
 - Roomer is not leasing entire residence
 - Residence is for detention or provision of medical, geriatric, educational, counseling, religious, or similar services
 - Residence is transitional housing or sober living facility
 - Failing to prohibit cannabis possession or consumption or failure to require drug test violates a federal law, regulation, or monetary benefit

NEW State Statute Section: State Lands or Waters

- There is no use of cannabis allowed on any state land or water properties managed by DEEP
 - Violations of these prohibitions capped at \$250/individual and may only be enforced by DEEP agents

NEW State Statute Section: Corrections Properties

- The Commissioner of Corrections MAY prohibit possession of cannabis at any DOC facility or halfway house