

Medical marijuana in Mississippi now a certainty

By William Perkins
Editor

Governor Tate Reeves announced Feb. 2 that he intends to sign the legislative bill making medical marijuana legal in Mississippi.



Reeves

“I have made it clear that the bill on my desk is not the one that I would have written,” he said in a Facebook post later that day. “But it is a fact that the legislators who wrote the final version of the bill (the 45th or 46th draft) made significant improvements to get us towards accomplishing the ultimate goal.”

Kenny Digby, executive director-treasurer of the Mississippi Baptist Convention’s Christian Action Commission (CAC), said CAC specifically studied the medical marijuana issue for two years before the agency’s commissioners voted to oppose legalization.



Digby

"The political world most often is not 'all or nothing,'" Digby said. "CAC is opposed to any marijuana legalization, but if one of the earlier drafts had been passed, this would have been a much worse law.

"Many changes were made as the bill was going through the legislative process, and we were able to express our concerns through a coalition of Christian denominations across Mississippi that came together on this issue."

Digby said two examples of changes made during the journey of the bill through the Mississippi Legislature are a reduction in the original amount of marijuana available per month, and the stipulation that marijuana dispensaries cannot be located within 1,000 feet of a church – both changes on which the coalition insisted.

After a referendum signature drive for a Mississippi Constitution amendment, voters on Nov. 3, 2020, approved medical marijuana by a 74% majority. However, the City of Madison under the leadership of Mayor Mary Hawkins had filed a lawsuit in late October before the vote alleging the referendum violated the Mississippi Constitution that mandates the distribution of referendum drive signatures cannot not exceed one-fifth of the total number of signatures between the state's five congressional districts – the number of districts when the 1890 state constitution was ratified.

However, Mississippi now has only four congressional districts and the lawsuit argued that it was therefore a "mathematical certainty" that the one-fifth-per-district constitutional stipulation had been violated.

"What the City and the Mayor oppose is the failure of the Legislature to amend Section 273(3) and the failure of the Secretary of State to follow the plain language of the Constitution," the lawsuit stated. "A constitutional amendment

must be enacted constitutionally.”

On May 14, 2021, the Mississippi Supreme Court voided the referendum on the grounds that it did not meet the one-fifth Constitution requirement and then declined to reconsider its decision on July 1, 2021, thereby ending the battle over the referendum.

The Legislature picked up the issue shortly after going into its annual session in early January of this year. Mississippi becomes the 37th state to legalize medical marijuana.