



**STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
State Board of Accountancy**



August 31, 2021

**Position Statement of the Connecticut State Board of Accountancy on
Recent Developments Regarding State Marijuana Laws**

I. Purpose and Background

Many states have changed their laws regarding marijuana in recent years. Some have joined states like Connecticut and legalized medical marijuana. Others, including Connecticut, have legalized the recreational use of marijuana. The Connecticut State Board of Accountancy, in anticipation of inquiries from CPAs and CPA firms about the legality and ethical implications of providing professional¹ and/or attestation² services to marijuana vendors and producers, is providing this guidance. This document sets forth the Board's position regarding its enforcement policy concerning potential discipline against CPAs and CPA firms offering services to marijuana vendors and producers. This document also serves as a reference for Connecticut CPAs and CPA firms about potential issues arising from the provision professional and attestation services to marijuana vendors and producers within and outside the state of Connecticut. This document, however, is not meant to serve as professional legal or business advice to CPAs or CPA firms who are, or may soon be, providing professional services to marijuana vendors and producers.

As of July 2021, nineteen states, including Connecticut, along with the District of Columbia and Guam, have legalized recreational marijuana use.³ Ten other states have legalized medical marijuana only and removed jail time for possessing small amounts of marijuana while seven others allow medical marijuana and three others have removed jail time for the possession of small amounts of the drug.⁴ Despite these recent developments at the state level, marijuana remains a schedule I controlled substance at the federal level.⁵ This tension between state and federal law remains and has left many CPAs and CPA firms uncertain about the legality and ethical implications of providing services to marijuana vendors and producers.

II. Position of the Connecticut State Board of Accountancy

It is exclusively the jurisdiction of state and federal courts to determine if and when drug laws are violated; in the absence of such a determination by the courts, the Connecticut Board of Accountancy will

not pursue independent disciplinary action against Connecticut CPAs or CPA firms who are operating within the bounds of state law. CPAs must be aware that marijuana remains an illegal substance to varying degrees in most states and at the federal level.

It is highly recommended that any Connecticut based CPA or CPA firm seeking to provide services to marijuana vendors or producers, whether inside or outside of Connecticut, consult with independent legal counsel about potential legal issues that may arise as a result of providing services to marijuana vendors and producers.

¹ For a definition of “professional services” see Conn. Agencies Regs. §20-280-15b(23).

² For a definition of “attest” see Conn. Gen. Stat. §20-279b(13).

³ Marijuana Policy Project, <https://www.mpp.org/states/>; National Council of State Legislatures, <https://www.ncsl.org/research/health/state-medical-marijuana-laws.aspx>.

⁴ Marijuana Policy Project, <https://www.mpp.org/states/>.

⁵ 21 U.S.C. §812(c) Schedule I (c)(10); 21 U.S.C. §841(a)(1), (2).