

26 ▶ requires the Department of Health to maintain a database of neurologist evaluations;

27 **H→ [and]**

27a ▶ repeals certain provisions on July 1, 2016; and ←H

28 ▶ makes technical and conforming amendments.

29 **Money Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 This bill takes effect on July 1, 2014.

33 **Utah Code Sections Affected:**

33a **H→ AMENDS:**

33b 63I-1-226, as last amended by Laws of Utah 2013, Chapters 32, 60, and 195

33c 63I-1-258, as last amended by Laws of Utah 2013, Chapters 55, 87, 222, 278, and 351 ←H

34 ENACTS:

35 **4-41-101**, Utah Code Annotated 1953

36 **4-41-102**, Utah Code Annotated 1953

37 **4-41-103**, Utah Code Annotated 1953

38 **26-55-101**, Utah Code Annotated 1953

39 **26-55-102**, Utah Code Annotated 1953

40 **26-55-103**, Utah Code Annotated 1953

41 **58-37-4.3**, Utah Code Annotated 1953



43 *Be it enacted by the Legislature of the state of Utah:*

44 Section 1. Section **4-41-101** is enacted to read:

45 **CHAPTER 41. INDUSTRIAL HEMP RESEARCH ACT**

46 **4-41-101. Title.**

47 This chapter is known as the "Industrial Hemp Research Act."

48 Section 2. Section **4-41-102** is enacted to read:

49 **4-41-102. Definitions.**

50 For purposes of this chapter:

51 (1) "Industrial hemp" means any part of a cannabis plant, whether growing or not, with
52 a concentration of less than 0.3% tetrahydrocannabinol by weight.

53 (2) "Industrial hemp certificate" means a certificate issued by the department to a
54 higher education institution to grow or cultivate industrial hemp under Subsection **4-41-103**(1).

55 Section 3. Section **4-41-103** is enacted to read:

56 **4-41-103. Industrial hemp -- Agricultural and academic research.**

119 (ii) the minor's name;
 120 (iii) a copy of the parent's valid photo identification; and
 121 (iv) any other information the department considers necessary to implement this
 122 chapter.

123 (3) The department shall maintain a record of:

124 (a) the name of each registrant; and

125 (b) the name of each minor receiving care from a registrant.

126 (4) The department shall make rules in accordance with Title 63G, Chapter 3, Utah

127 Administrative Rulemaking Act, to ~~§~~ :

127a (a) ~~§~~ establish the information an applicant is required to provide

128 to the department under Subsections (1)(e)(iii) and (2)(e)(iv) ~~§~~ [] ; and

128a (b) **designate the laboratory accreditation standard described in Subsection**

128b **58-37-4.3(2)(c)(iii).** ~~§~~

129 (5) The department shall establish fees in accordance with Section [63J-1-504](#) that are
 130 no greater than the amount necessary to cover the cost the department incurs to implement this
 131 chapter.

132 (6) The registration cards issued under Subsections (1) and (2) are:

133 (a) valid for one year; and

134 (b) renewable, if, at the time of renewal, the registrant meets the requirements of either
 135 Subsection (1) or (2).

136 (7) The neurologist who signs the statement described in Subsections (1)(c) or (2)(c)
 137 shall:

138 (a) keep a record of the neurologist's evaluation and observation of a patient who is a
 139 registrant or minor under a registrant's care, including the patient's response to hemp extract;
 140 and

141 (b) transmit the record described in Subsection (7)(a) to the department.

142 (8) The department shall:

143 (a) maintain a database of the records described in Subsection (7); and

144 (b) treat the records as identifiable health data, as defined in Section [26-3-1](#).

145 (9) The department may share the records described in Subsection (8) with a higher
 146 education institution for the purpose of studying hemp extract.

147 Section 7. Section **58-37-4.3** is enacted to read:

148 **58-37-4.3. Exemption for use or possession of hemp extract.**

149 (1) As used in this section, "hemp extract" means an extract from a cannabis plant, or a

150 mixture or preparation containing cannabis plant material, that:

151 (a) is composed of less than 0.3% tetrahydrocannabinol by weight;

152 (b) is composed of at least 15% cannabidiol by weight; and

153 (c) contains no other psychoactive substance.

154 (2) Notwithstanding any other provision of this chapter, an individual who possesses or
 155 uses hemp extract is not subject to the penalties described in this chapter for possession or use
 156 of the hemp extract if the individual:

157 (a) possesses or uses the hemp extract only to treat intractable epilepsy, as defined in
 158 Section [26-55-102](#);

159 (b) originally obtained the hemp extract from a sealed container with a label indicating
 160 the hemp extract's place of origin, and a number that corresponds with a certificate of analysis;

161 (c) possesses, in close proximity to the hemp extract, a certificate of analysis that:

162 (i) has a number that corresponds with the number on the label described in Subsection

163 (2)(b);

164 (ii) indicates the hemp extract's ingredients, including its percentages of
 165 tetrahydrocannabinol and cannabidiol by weight;

166 (iii) is created by a laboratory that ~~§~~→ **[is approved] meets an accreditation standard**
 166a **designated** ←~~§~~ by the Department of Health; and

167 (iv) is transmitted by the laboratory to the Department of Health; and

168 (d) has a current hemp extract registration card issued by the Department of Health
 169 under Section [26-55-103](#).

170 (3) Notwithstanding any other provision of this chapter, an individual who possesses
 171 hemp extract lawfully under Subsection (2) and administers hemp extract to a minor is not
 172 subject to the penalties described in this chapter for administering the hemp extract to the
 173 minor if:

174 (a) the individual is the minor's parent or legal guardian; and

175 (b) the individual is registered with the Department of Health as the minor's parent
 176 under Section [26-55-103](#).

176a **H→ Section 8. Section 63I-1-226 is amended to read:**

176b **63I-1-226. Repeal dates, Title 26.**

176c **(1) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed**
 176d **July 1, 2015.**

176e **(2) Section 26-10-11 is repealed July 1, 2015.**

176f **(3) Section 26-18-12, Expansion of 340B drug pricing programs, is repealed**
 176g **July 1, 2013.**

- 176h (4) Section 26-21-23, Licensing of non-Medicaid nursing care facility beds, is repealed
 176i July 1, 2018.
- 176j (5) Section 26-21-211 is repealed July 1, 2013.
- 176k (6) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2014.
- 176l (7) Title 26, Chapter 36a, Hospital Provider Assessment Act, is repealed July 1, 2016.
- 176m (8) Section 26-38-2.5 is repealed July 1, 2017.
- 176n (9) Section 26-38-2.6 is repealed July 1, 2017.
- 176o (10) Title 26, Chapter 55, Hemp Extract Registration Act, is repealed July 1, 2016.
- 176p Section 9. Section 63I-1-258 is amended to read:
- 176q 63I-1-258. Repeal dates, Title 58.
- 176r (1) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is
 176s repealed July 1, 2016.
- 176t (2) Title 58, Chapter 15, Health Facility Administrator Act, is repealed July 1, 2015.
- 176u (3) Section 58-17b-309.5 is repealed July 1, 2015.
- 176v (4) Title 58, Chapter 20a, Environmental Health Scientist Act, is repealed July 1, 2018.
- 176w (5) Section 58-37-4.3 is repealed July 1, 2016.
- 176x [~~5~~] (6) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed
 176y July 1, 2023.
- 176z [~~6~~] (7) Title 58, Chapter 41, Speech-language Pathology and Audiology Licensing
 176aa Act, is repealed July 1, 2019.
- 176ab [~~7~~] (8) Title 58, Chapter 42a, Occupational Therapy Practice Act, is repealed
 176ac July 1, 2015.
- 176ad [~~8~~] (9) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is
 176ae repealed July 1, 2023.
- 176af [~~9~~] (10) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed
 176ag July 1, 2014.
- 176ah [~~10~~] (11) Section 58-69-302.5 is repealed on July 1, 2015.
- 176ai [~~11~~] (12) Title 58, Chapter 72, Acupuncture Licensing Act, is repealed
 176aj July 1, 2017. ←Ĥ
- 177 Section Ĥ→ [8] 10 ←Ĥ . Effective date.
- 178 This bill takes effect on July 1, 2014.