

- 88 4-42-403, Utah Code Annotated 1953
- 89 4-42-404, Utah Code Annotated 1953
- 90 4-42-501, Utah Code Annotated 1953
- 91 4-42-601, Utah Code Annotated 1953
- 92 4-42-602, Utah Code Annotated 1953
- 93 4-42-603, Utah Code Annotated 1953
- 94 4-42-701, Utah Code Annotated 1953
- 95 4-42-702, Utah Code Annotated 1953
- 96 4-42-801, Utah Code Annotated 1953
- 97 4-42-802, Utah Code Annotated 1953
- 98 4-42-803, Utah Code Annotated 1953
- 99 7-26-101, Utah Code Annotated 1953
- 100 7-26-102, Utah Code Annotated 1953
- 101 7-26-201, Utah Code Annotated 1953
- 102 7-26-202, Utah Code Annotated 1953
- 103 7-26-203, Utah Code Annotated 1953
- 104 7-26-301, Utah Code Annotated 1953
- 105 7-26-401, Utah Code Annotated 1953
- 106 7-26-402, Utah Code Annotated 1953
- 107 26-58-101, Utah Code Annotated 1953
- 108 26-58-102, Utah Code Annotated 1953
- 109 26-58-103, Utah Code Annotated 1953
- 110 26-58-104, Utah Code Annotated 1953
- 111 26-58-105, Utah Code Annotated 1953
- 112 26-58-201, Utah Code Annotated 1953
- 113 26-58-202, Utah Code Annotated 1953
- 114 26-58-203, Utah Code Annotated 1953
- 115 26-58-204, Utah Code Annotated 1953
- 116 26-58-205, Utah Code Annotated 1953
- 117 26-58-206, Utah Code Annotated 1953
- 118 26-58-207, Utah Code Annotated 1953
- 118a **H→ 26-58-208, Utah Code Annotated 1953 ←H**

- 584 (b) use of fertilizers; and
- 585 (c) cultivation techniques.

585a **Ĥ→ (7) A cannabis cultivation facility may sell cannabis to a person conducting an**
 585b **approved study under Section 26-58-208. ←Ĥ**

586 Section 18. Section **4-42-601** is enacted to read:

587 **Part 6. Cannabis Processing Facility Operating Requirements**

588 **4-42-601. Cannabis processing facility -- Operating requirements.**

589 (1) A cannabis processing facility shall ensure that cannabis-based medicine that the
 590 cannabis processing facility sells or provides to a CBM dispensary complies with the
 591 requirements of this part.

592 (2) A cannabis processing facility shall operate in a facility with a carbon filtration
 593 system for air output.

594 Section 19. Section **4-42-602** is enacted to read:

595 **4-42-602. Cannabis-based medicine -- Product requirements.**

596 (1) A cannabis processing facility may only produce cannabis-based medicine in a
 597 medical dosage form that is:

- 598 (a) a tablet;
- 599 (b) a capsule;
- 600 (c) a concentrated oil;
- 601 (d) a trans-dermal preparation; or
- 602 (e) a sub-lingual preparation.

603 (2) The Controlled Substances Advisory Committee may recommend that the
 604 Legislature approve the use of an additional medical dosage form.

605 (3) A cannabis processing facility may not manufacture cannabis-based medicine by
 606 applying a cannabis agent to the surface of a food product.

607 Section 20. Section **4-42-603** is enacted to read:

608 **4-42-603. Cannabis-based medicine -- Labeling and packaging.**

609 (1) Cannabis-based medicine shall have a label that:

- 610 (a) clearly and unambiguously states that the cannabis-based medicine contains
 611 cannabis;
- 612 (b) clearly displays the cannabinoid profile of the cannabis-based medicine;
- 613 (c) has a unique batch identifier that identifies the unique manufacturing process when
 614 the cannabis-based medicine was manufactured;

1235 (c) provide cannabis-based medicine to a patient as part of a medical research study
 1236 approved by the department.

1237 (3) The department shall establish rules made in accordance with Title 63G, Chapter 3,
 1238 Utah Administrative Rulemaking Act, that provide:

1239 (a) eligibility criteria for a medical cannabis-based medicine research license; and

1240 (b) standards for an acceptable medical research study under Subsection (1)(a).

1240a **H→ Section 47. Section 26-58-208 is enacted to read:**

1240b **26-58-208. Institutional review board -- Approved study of cannabis or cannabis-based**
 1240c **medicine.**

1240d **(1) As used in this section:**

1240e **(a) "Institutional review board" or "IRB" means an institutional review board that**
 1240f **is approved for human subject research by the United States Department of Health and**
 1240g **Human Services.**

1240h **(b) "Approved study" means a medical research study:**

1240i **(i) the purpose of which is investigating the medical benefits of cannabis-based**
 1240j **medicine; and**

1240k **(ii) that is approved by an IRB.**

1240l **(2) A person conducting an approved study, may, for the purposes of the study:**

1240m **(a) purchase cannabis from a licensed cannabis cultivation facility in the state;**

1240n **(b) purchase cannabis-based medicine from a licensed CBM dispensary in the state;**

1240o **and**

1240p **(c) administer a product containing cannabis or cannabis-based medicine to an**
 1240q **individual in accordance with the approved study.**

1240r **(3) A person conducting an approved study may import cannabis or cannabis-based**
 1240s **medicine from another state if:**

1240t **(a) the importation complies with federal law; and (b) the person uses the**
 1240u **cannabis or cannabis-based medicine in accordance with the approved study.**

1240v **(4) A person conducting an approved study may distribute cannabis or cannabis-based**
 1240w **medicine that the person obtained from a licensed cannabis cultivation facility in the state or**
 1240x **licensed CBM dispensary in the state if:**

1240y **(a) the distribution complies with federal law; and**

1240z **(b) the distribution is for the purposes of, and in accordance with, the approved**
 1240aa **study.**

1240ab **(5) The department shall issue an authorization to a person conducting an approved**
 1240ac **study★**

1240ad **to allow the person to purchase cannabis from a licensed cannabis cultivation facility in the**
 1240ae **state or cannabis-based medicine from a licensed CBM dispensary in the state.** ←H

1241 Section 47. Section **26-58-401** is enacted to read:

1242 **26-58-401. Fees -- Deposit into Medical Cannabis Restricted Account.**

1243 The department shall deposit fees the department collects under this chapter in the
 1244 Medical Cannabis Restricted Account.

1245 Section 48. Section **41-6a-517** is amended to read:

1246 **41-6a-517. Definitions -- Driving with any measurable controlled substance in the**
 1247 **body -- Penalties -- Arrest without warrant.**

1248 (1) As used in this section:

1249 (a) "Controlled substance" has the same meaning as in Section 58-37-2.

1250 (b) "Practitioner" has the same meaning as in Section 58-37-2.

1251 (c) "Prescribe" has the same meaning as in Section 58-37-2.

1252 (d) "Prescription" has the same meaning as in Section 58-37-2.

1253 (2) In cases not amounting to a violation of Section 41-6a-502, a person may not

1254 operate or be in actual physical control of a motor vehicle within this state if the person has any
 1255 measurable controlled substance or metabolite of a controlled substance in the person's body.

1256 (3) It is an affirmative defense to prosecution under this section that the controlled
 1257 substance was:

1258 (a) involuntarily ingested by the accused;

1259 (b) prescribed by a practitioner for use by the accused; [or]

1260 (c) cannabis-based medicine recommended by a physician and the person holds a valid
 1261 medical cannabis card under Title 26, Chapter 58, Cannabis-Based Medicine Act; or

1262 [~~e~~] (d) otherwise legally ingested.

1263 (4) (a) A person convicted of a violation of Subsection (2) is guilty of a class B
 1264 misdemeanor.

1265 (b) A person who violates this section is subject to conviction and sentencing under

1886 (b) educational materials related to the medical use of cannabis-based medicine.

1887 (2) A CBM dispensary may only sell cannabis-based medicine to ~~H~~ :

1887a (a) ~~H~~ an individual with a

1888 medical cannabis card issued by the department ~~H~~ [] ; or

1888a (b) a person conducting an approved study under Section 26-58-208. ~~H~~

1889 (3) A CBM dispensary may not dispense on behalf of any one individual with a

1890 medical cannabis card, in any one 30-day period, an amount of cannabis-based medicine that

1891 exceeds a 30-day supply of the dosage recommended by the individual's physician.

1892 (4) An individual with a medical cannabis card may not purchase more cannabis-based

1893 medicine than the amounts designated in Subsection (3).

1894 (5) A designated caregiver designated by any one individual with a medical cannabis

1895 card may not purchase, for the individual, an amount of cannabis-based medicine that exceeds

1896 the amounts designated in Subsection (3).

1897 (6) A CBM dispensary shall:

1898 (a) submit a record to the electronic verification system of each time the CBM

1899 dispensary dispenses cannabis-based medicine to an individual with a medical cannabis card;

1900 (b) access the electronic verification system before dispensing cannabis-based

1901 medicine to an individual with a medical cannabis card in order to determine if the individual

1902 has exceeded the amount of cannabis or cannabis products described in Subsection (3); and

1903 (c) comply with Section 58-37f-204.

1904 Section 69. Section **58-86-403** is enacted to read:

1905 **58-86-403. Product quality -- Labeling -- Packaging.**

1906 (1) A CBM dispensary may not sell or offer to sell cannabis-based medicine unless:

1907 (a) the amount of cannabis-based medicine is clearly and accurately stated on the

1908 cannabis-based medicine packaging; and

1909 (b) the cannabis-based medicine is sealed in a tamper resistant, resealable container

1910 with a label that includes a bar code or identification number that links the cannabis-based

1911 medicine to the CBM dispensary's inventory control system.

1912 (2) A CBM dispensary may only sell cannabis-based medicine that has been inspected

1913 by an independent cannabis testing laboratory in accordance with Section 4-42-701.

1914 Section 70. Section **58-86-404** is enacted to read:

1915 **58-86-404. Advertising.**

1916 (1) Except as provided in Subsection (2), a CBM dispensary may not advertise in any