

HB0130S01 compared with HB0130

~~{deleted text}~~ shows text that was in HB0130 but was deleted in HB0130S01.

Inserted text shows text that was not in HB0130 but was inserted into HB0130S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Brad M. Daw proposes the following substitute bill:

CANNABINOID~~{MEDICINE}~~ RESEARCH

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brad M. Daw

Senate Sponsor: ~~{_____}~~Evan J. Vickers

LONG TITLE

General Description:

This bill enacts provisions related to research of cannabis and cannabinoid ~~{medicine}~~product.

Highlighted Provisions:

This bill:

- ▶ allows a person to possess cannabis, a cannabinoid ~~{medicine}~~product, and an expanded cannabinoid ~~{medicine}~~product and to distribute the cannabis, a cannabinoid ~~{medicine}~~product, or an expanded cannabinoid ~~{medicine}~~product to a patient pursuant to an institutional review board-approved study; and
- ▶ allows a person conducting an institutional review board-approved study to import and distribute cannabis, a cannabinoid ~~{medicine}~~product, and an expanded cannabinoid ~~{medicine}~~product under certain circumstances.

HB0130S01 compared with HB0130

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

ENACTS:

26-59-101, Utah Code Annotated 1953

26-59-102, Utah Code Annotated 1953

26-59-103, Utah Code Annotated 1953

58-37-3.6, Utah Code Annotated 1953

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

Section 1. Section **26-59-101** is enacted to read:

CHAPTER 59. CANNABINOID ~~{MEDICINE}~~ RESEARCH ACT

26-59-101. Title.

This chapter is known as "Cannabinoid ~~{Medicine}~~ Research Act."

Section 2. Section **26-59-102** is enacted to read:

26-59-102. Definitions.

As used in this chapter:

(1) "Approved study" means a medical research study:

(a) the purpose of which is to investigate the medical benefits of cannabinoid medicine;

and

(b) that is approved by an IRB.

(2) "Cannabinoid ~~{medicine}~~ product" means the same as that term is defined in

Section 58-37-3.6.

(3) "Cannabis" means the same as that term is defined in Section 58-37-3.6.

(4) "Expanded Cannabinoid product" means the same as that term is defined in Section 58-37-36.

(~~{4}~~5) "Institutional review board" or "IRB" means an institutional review board that is registered for human subject research by the United States Department of Health and Human Services.

HB0130S01 compared with HB0130

Section 3. Section **26-59-103** is enacted to read:

26-59-103. Institutional review board -- Approved study, cannabis, cannabinoid {medicine}product, or expanded cannabinoid {medicine}product.

(1) A person conducting an approved study may, for the purposes of the study:

(a) process a cannabinoid {medicine}product or an expanded cannabinoid {medicine}product;

(b) possess a cannabinoid {medicine}product or an expanded cannabinoid {medicine}product; and

(c) administer a ~~{product containing cannabis, }~~cannabinoid {medicine}product, or an expanded cannabinoid {medicine}product to an individual in accordance with the approved study.

(2) A person conducting an approved study may:

(a) import cannabis, a cannabinoid {medicine}product, or an expanded cannabinoid {medicine}product from another state if:

(i) the importation complies with federal law; and

(ii) the person uses the cannabis, cannabinoid {medicine}product, or expanded cannabinoid {medicine}product in accordance with the approved study; or

(b) obtain cannabis, a cannabinoid {medicine}product, or an expanded cannabinoid {medicine}product from the National Institute on Drug Abuse.

(3) A person conducting an approved study may distribute, outside the state, cannabis, a cannabinoid {medicine}product, or an expanded cannabinoid {medicine}product if:

(a) the distribution complies with federal law; and

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

Section 4. Section **58-37-3.6** is enacted to read:

58-37-3.6. Exemption for possession or distribution of a cannabinoid {medicine}product pursuant to an approved study.

(1) As used in this section:

(a) "Cannabinoid {medicine}product" means a product intended for human ingestion that:

(i) contains an extract or concentrate that is obtained from cannabis;

(ii) is prepared in a medicinal dosage form; and

HB0130S01 compared with HB0130

(iii) contains at least 10 units of cannabidiol for every one unit of tetrahydrocannabinol.

(b) "Cannabis" means any part of the plant cannabis sativa, whether growing or not.

(c) "Drug paraphernalia" means the same as that term is defined in Section 58-37a-3.

(d) "Expanded cannabinoid ~~{medicine}~~product" means a product intended for human ingestion that:

(i) contains an extract or concentrate that is obtained from cannabis;

(ii) is prepared in a medicinal dosage form; and

(iii) contains less than 10 units of cannabidiol for every one unit of tetrahydrocannabinol.

(e) "Medicinal dosage form" means:

(i) a tablet;

(ii) a capsule;

(iii) a concentrated oil;

(iv) a liquid suspension;

(v) a transdermal preparation; or

(vi) a sublingual preparation.

(f) "Tetrahydrocannabinol" means a substance derived from cannabis that meets the description in Subsection 58-37-4(2)(a)(iii)(AA).

(2) Notwithstanding any other provision of this chapter, an individual who possesses or distributes a cannabinoid ~~{medicine}~~product or an expanded cannabinoid ~~{medicine}~~product is not subject to the penalties described in this title for the possession or distribution of marijuana or tetrahydrocannabinol to the extent that the individual's possession or distribution of the cannabinoid ~~{medicine}~~product or expanded cannabinoid ~~{medicine}~~product complies with Title 26, Chapter 59, Cannabinoid ~~{Medicine}~~ Research Act.

Section 5. **Effective date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

†

HB0130S01 compared with HB0130

~~Legislative Review Note~~

~~Office of Legislative Research and General Counsel~~