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Cannabis Amendments
2025 GENERAL SESSION
STATE OF UTAH

Chief Sponsor: Jennifer Dailey-Provost

Senate Sponsor: Evan J. Vickers

2

3 **LONG TITLE**4 **General Description:**

5 This bill amends provisions related to medical cannabis.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ defines terms;

9 ▶ allows for additional medical cannabis pharmacies;

10 ▶ creates a new medical cannabis pharmacy license for independent medical cannabis
11 pharmacies;

12 ▶ creates ownership restrictions for independent medical cannabis pharmacies;

13 ▶ merges advertising sections;

14 ▶ allows a cannabis processing facility to have a website that includes product information;

15 ▶ limits the number of licenses that the Department of Agriculture and Food (department)
16 may issue for cannabis processing facilities;

17 ▶ amends provisions regarding when the department may seize products and test products;

18 ▶ amends provisions related to information a medical cannabis pharmacy must have
19 available to a patient purchasing medical cannabis;

20 ▶ requires the department to provide a website displaying certificates of analysis;

21 ▶ creates a reporting requirement for the department;

22 ▶ repeals sections related to the state central patient portal;

23 ▶ creates a medical cannabis ombudsman;

24 ▶ creates a cannabis product transparency website;

25 ▶ moves the repeal of the Cannabis Research Review Board earlier one year;

26 ▶ extends the repeal date for the Medical Cannabis Governance Structure Working Group;

27 and

28 ▶ makes technical and conforming changes.

29 **Money Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 None

33 **Utah Code Sections Affected:**

34 AMENDS:

35 **4-41a-102**, as last amended by Laws of Utah 2024, Chapters 217, 238 and 24036 **4-41a-110**, as enacted by Laws of Utah 2023, Chapter 27337 **4-41a-205**, as last amended by Laws of Utah 2020, Chapter 1238 **4-41a-701**, as last amended by Laws of Utah 2023, Chapters 313, 31739 **4-41a-801**, as renumbered and amended by Laws of Utah 2018, Third Special Session,
40 Chapter 141 **4-41a-801.1**, as renumbered and amended by Laws of Utah 2023, Chapters 273, 307 and
42 last amended by Coordination Clause, Laws of Utah 2023, Chapter 30743 **4-41a-802**, as last amended by Laws of Utah 2024, Chapter 21744 **4-41a-1003**, as last amended by Laws of Utah 2023, Chapter 435 and renumbered and
45 amended by Laws of Utah 2023, Chapters 273, 307 and last amended by Coordination Clause,
46 Laws of Utah 2023, Chapter 30747 **4-41a-1005**, as last amended by Laws of Utah 2024, Chapter 21748 **4-41a-1101**, as last amended by Laws of Utah 2024, Chapter 21749 **4-41a-1201**, as enacted by Laws of Utah 2023, Chapter 27350 **4-41a-1202**, as last amended by Laws of Utah 2024, Chapters 217, 24051 **4-41a-1203**, as renumbered and amended by Laws of Utah 2023, Chapters 273, 307 and
52 last amended by Coordination Clause, Laws of Utah 2023, Chapter 30753 **26B-1-310**, as last amended by Laws of Utah 2023, Chapters 273, 281 and renumbered
54 and amended by Laws of Utah 2023, Chapter 305 and last amended by Coordination Clause,
55 Laws of Utah 2023, Chapter 30556 **26B-1-435**, as last amended by Laws of Utah 2024, Chapters 238, 24057 **26B-4-201**, as last amended by Laws of Utah 2024, Chapters 217, 24058 **26B-4-202**, as last amended by Laws of Utah 2024, Chapters 217, 24059 **26B-4-214**, as last amended by Laws of Utah 2024, Chapter 24060 **26B-4-222**, as last amended by Laws of Utah 2024, Chapter 24061 **26B-4-243**, as enacted by Laws of Utah 2023, Chapter 28162 **26B-4-247**, as enacted by Laws of Utah 2023, Chapter 27363 **63I-2-204**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 564 **63I-2-226**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

65 **63I-2-236**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

66 ENACTS:

67 **4-41a-1006**, Utah Code Annotated 1953

68 **13-1-19**, Utah Code Annotated 1953

69 **26B-4-248**, Utah Code Annotated 1953

70 REPEALS AND REENACTS:

71 **4-41a-109**, as last amended by Laws of Utah 2023, Chapter 317 and renumbered and
 72 amended by Laws of Utah 2023, Chapters 273, 307 and last amended by Coordination Clause,
 73 Laws of Utah 2023, Chapter 307

74 REPEALS:

75 **4-41a-403**, as last amended by Laws of Utah 2023, Chapter 327

76 **4-41a-604**, as enacted by Laws of Utah 2024, Chapter 217

77 **4-41a-1104**, as last amended by Laws of Utah 2023, Chapter 317 and renumbered and
 78 amended by Laws of Utah 2023, Chapters 273, 307 and last amended by Coordination Clause,
 79 Laws of Utah 2023, Chapter 307

80 **26B-4-236**, as last amended by Laws of Utah 2023, Chapters 273, 317 and renumbered
 81 and amended by Laws of Utah 2023, Chapter 307 and last amended by Coordination Clause,
 82 Laws of Utah 2023, Chapter 307

83

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

85 Section 1. Section **4-41a-102** is amended to read:

86 **4-41a-102 . Definitions.**

87 As used in this chapter:

88 (1) "Adulterant" means any poisonous or deleterious substance in a quantity that may be
 89 injurious to health, including:

90 (a) pesticides;

91 (b) heavy metals;

92 (c) solvents;

93 (d) microbial life;

94 (e) artificially derived cannabinoid;

95 (f) toxins; or

96 (g) foreign matter.

97 (2) "Advertise" or "advertising" means information provided by a person in any medium:

98 (a) to the public; and

- 99 (b) that is not age restricted to an individual who is at least 21 years old.
- 100 (3) "Advisory board" means the Medical Cannabis Policy Advisory Board created in
101 Section 26B-1-435.
- 102 (4)(a) "Anticompetitive business practice" means any practice that reduces the amount
103 of competition in the medical cannabis market that would be considered an attempt to
104 monopolize, as defined in Section 76-10-3103.
- 105 (b) "Anticompetitive business practice" may include:
- 106 (i) agreements that may be considered unreasonable when competitors interact to the
107 extent that they are:
- 108 (A) no longer acting independently; or
109 (B) when collaborating are able to wield market power together;
- 110 (ii) monopolizing or attempting to monopolize trade by:
- 111 (A) acting to maintain or acquire a dominant position in the market; or
112 (B) preventing new entry into the market; or
113 (iii) other conduct outlined in rule.
- 114 (5)(a) "Artificially derived cannabinoid" means a chemical substance that is created by
115 a chemical reaction that changes the molecular structure of any chemical substance
116 derived from the cannabis plant.
- 117 (b) "Artificially derived cannabinoid" does not include:
- 118 (i) a naturally occurring chemical substance that is separated from the cannabis plant
119 by a chemical or mechanical extraction process; or
120 (ii) a cannabinoid that is produced by decarboxylation from a naturally occurring
121 cannabinoid acid without the use of a chemical catalyst.
- 122 (6) "Batch" means a quantity of:
- 123 (a) cannabis extract produced on a particular date and time, produced between
124 completion of equipment and facility sanitation protocols until the next required
125 sanitation cycle during which lots of cannabis are used;
- 126 (b) cannabis product produced on a particular date and time, produced between
127 completion of equipment and facility sanitation protocols until the next required
128 sanitation cycle during which cannabis extract is used; or
- 129 (c) cannabis flower packaged on a particular date and time, produced between
130 completion of equipment and facility sanitation protocols until the next required
131 sanitation cycle during which lots of cannabis are being used.
- 132 [(6)] (7) "Cannabis Research Review Board" means the Cannabis Research Review Board

- 133 created in Section 26B-1-420.
- 134 ~~[(7)]~~ (8) "Cannabis" means the same as that term is defined in Section 26B-4-201.
- 135 ~~[(8)]~~ (9) "Cannabis concentrate" means:
- 136 (a) the product of any chemical or physical process applied to naturally occurring
- 137 biomass that concentrates or isolates the cannabinoids contained in the biomass; and
- 138 (b) any amount of a natural cannabinoid or artificially derived cannabinoid in an
- 139 artificially derived cannabinoid's purified state.
- 140 ~~[(9)]~~ (10) "Cannabis cultivation byproduct" means any portion of a cannabis plant that is not
- 141 intended to be sold as a cannabis plant product.
- 142 ~~[(10)]~~ (11) "Cannabis cultivation facility" means a person that:
- 143 (a) possesses cannabis;
- 144 (b) grows or intends to grow cannabis; and
- 145 (c) sells or intends to sell cannabis to a cannabis cultivation facility, a cannabis
- 146 processing facility, or a medical cannabis research licensee.
- 147 ~~[(11)]~~ (12) "Cannabis cultivation facility agent" means an individual who
- 148 holds a valid cannabis production establishment agent registration card with a cannabis
- 149 cultivation facility designation.
- 150 ~~[(12)]~~ (13) "Cannabis derivative product" means a product made using cannabis concentrate.
- 151 ~~[(13)]~~ (14) "Cannabis plant product" means any portion of a cannabis plant intended to be
- 152 sold in a form that is recognizable as a portion of a cannabis plant.
- 153 ~~[(14)]~~ (15) "Cannabis processing facility" means a person that:
- 154 (a) acquires or intends to acquire cannabis from a cannabis production establishment;
- 155 (b) possesses cannabis with the intent to manufacture a cannabis product;
- 156 (c) manufactures or intends to manufacture a cannabis product from unprocessed
- 157 cannabis or a cannabis extract; and
- 158 (d) sells or intends to sell a cannabis product to a medical cannabis pharmacy or a
- 159 medical cannabis research licensee.
- 160 ~~[(15)]~~ (16) "Cannabis processing facility agent" means an individual who
- 161 holds a valid cannabis production establishment agent registration card with a cannabis
- 162 processing facility designation.
- 163 ~~[(16)]~~ (17) "Cannabis product" means the same as that term is defined in Section 26B-4-201.
- 164 ~~[(17)]~~ (18) "Cannabis production establishment" means a cannabis cultivation facility, a
- 165 cannabis processing facility, or an independent cannabis testing laboratory.
- 166 ~~[(18)]~~ (19) "Cannabis production establishment agent" means a cannabis cultivation facility

167 agent, a cannabis processing facility agent, or an independent cannabis testing laboratory
168 agent.

169 [(19)] (20) "Cannabis production establishment agent registration card" means a registration
170 card that the department issues that:

- 171 (a) authorizes an individual to act as a cannabis production establishment agent; and
172 (b) designates the type of cannabis production establishment for which an individual is
173 authorized to act as an agent.

174 [(20)] (21) "Closed-door medical cannabis pharmacy" means a facility operated by a home
175 delivery medical cannabis pharmacy for delivering [~~cannabis or a medical cannabis~~
176 ~~product~~] medical cannabis.

177 [(21)] (22) "Community location" means a public or private elementary or secondary school,
178 a church, a public library, a public playground, or a public park.

179 [(22)] (23) "Cultivation space" means, quantified in square feet, the horizontal area in which
180 a cannabis cultivation facility cultivates cannabis, including each level of horizontal area
181 if the cannabis cultivation facility hangs, suspends, stacks, or otherwise positions plants
182 above other plants in multiple levels.

183 [(23)] (24) "Delivery address" means:

- 184 (a) for a medical cannabis cardholder who is not a facility:
185 (i) the medical cannabis cardholder's home address; or
186 (ii) an address designated by the medical cannabis cardholder that:
187 (A) is the medical cannabis cardholder's workplace; and
188 (B) is not a community location; or
189 (b) for a medical cannabis cardholder that is a facility, the facility's address.

190 [(24)] (25) "Department" means the Department of Agriculture and Food.

191 [(25)] (26) "Family member" means a parent, step-parent, spouse, child, sibling,
192 step-sibling, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law,
193 brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild.

194 [(26)] (27) "Government issued photo identification" means the same as that term is defined
195 in Section 26B-4-201, including expired identification in accordance with Section
196 26B-4-244.

197 [(27)] (28) "Home delivery medical cannabis pharmacy" means a medical cannabis
198 pharmacy that the department authorizes, as part of the pharmacy's license, to deliver
199 medical cannabis shipments to a delivery address to fulfill electronic orders[~~that the~~
200 ~~state central patient portal facilitates~~].

- 201 [(28)] (29)(a) "Independent cannabis testing laboratory" means a person that:
- 202 (i) conducts a chemical or other analysis of cannabis or a cannabis product; or
- 203 (ii) acquires, possesses, and transports cannabis or a cannabis product with the intent
- 204 to conduct a chemical or other analysis of the cannabis or cannabis product.
- 205 (b) "Independent cannabis testing laboratory" includes a laboratory that the department
- 206 or a research university operates in accordance with Subsection 4-41a-201(14).
- 207 [(29)] (30) "Independent cannabis testing laboratory agent" means an individual who
- 208 holds a valid cannabis production establishment agent registration card with an
- 209 independent cannabis testing laboratory designation.
- 210 [(30)] (31) "Inventory control system" means a system described in Section 4-41a-103.
- 211 [(31)] (32) "Licensing board" or "board" means the Cannabis Production Establishment and
- 212 Pharmacy Licensing Advisory Board created in Section 4-41a-201.1.
- 213 [(32)] (33) "Medical cannabis" or "medical cannabis product" means the same as that term is
- 214 defined in Section 26B-4-201.
- 215 [(33)] (34) "Medical cannabis card" means the same as that term is defined in Section
- 216 26B-4-201.
- 217 [(34)] (35) "Medical cannabis courier" means a courier that:
- 218 (a) the department licenses in accordance with Section 4-41a-1201; and
- 219 (b) contracts with a home delivery medical cannabis pharmacy to deliver medical
- 220 cannabis shipments to fulfill electronic orders[~~that the state central patient portal~~
- 221 ~~facilitates~~].
- 222 [(35)] (36) "Medical cannabis courier agent" means an individual who:
- 223 (a) is an employee of a medical cannabis courier; and
- 224 (b) who holds a valid medical cannabis courier agent registration card.
- 225 (37) "Medical cannabis ombudsman" means the ombudsman created in Section 13-1-9.
- 226 [(36)] (38) "Medical cannabis pharmacy" means the same as that term is defined in Section
- 227 26B-4-201.
- 228 [(37)] (39) "Medical cannabis pharmacy agent" means the same as that term is defined in
- 229 Section 26B-4-201.
- 230 [(38)] (40) "Medical cannabis research license" means a license that the department issues to
- 231 a research university for the purpose of obtaining and possessing medical cannabis for
- 232 academic research.
- 233 [(39)] (41) "Medical cannabis research licensee" means a research university that the
- 234 department licenses to obtain and possess medical cannabis for academic research, in

235 accordance with Section 4-41a-901.

236 [(40)] (42) "Medical cannabis shipment" means a shipment of medical cannabis that a home
237 delivery medical cannabis pharmacy or a medical cannabis courier delivers to a delivery
238 address to fulfill an electronic medical cannabis order[~~that the state central patient portal~~
239 ~~facilitates~~].

240 [(41)] (43) "Medical cannabis treatment" means the same as that term is defined in Section
241 26B-4-201.

242 [(42)] (44) "Medicinal dosage form" means the same as that term is defined in Section
243 26B-4-201.

244 (45) "Patient product information insert" means the same as that term is defined in Section
245 26B-4-201.

246 [(43)] (46) "Pharmacy ownership limit" means an amount equal to 30% of the total number
247 of medical cannabis pharmacy licenses issued by the department rounded down to the
248 nearest whole number.

249 [(44)] (47) "Pharmacy medical provider" means the same as that term is defined in Section
250 26B-4-201.

251 [(45)] (48) "Qualified medical provider" means the same as that term is defined in Section
252 26B-4-201.

253 [(46)] (49) "Qualified Production Enterprise Fund" means the fund created in Section
254 4-41a-104.

255 [(47)] (50) "Recommending medical provider" means the same as that term is defined in
256 Section 26B-4-201.

257 [(48)] (51) "Research university" means the same as that term is defined in Section
258 53B-7-702 and a private, nonprofit college or university in the state that:
259 (a) is accredited by the Northwest Commission on Colleges and Universities;
260 (b) grants doctoral degrees; and
261 (c) has a laboratory containing or a program researching a schedule I controlled
262 substance described in Section 58-37-4.

263 [(49)] (52) "State electronic verification system" means the system described in Section
264 26B-4-202.

265 [(50)] (53) "Targeted marketing" means the promotion of [~~a cannabis product~~] medical
266 cannabis, a medical cannabis brand, or a medical cannabis device using any of the
267 following methods:
268 (a) electronic communication to an individual who is at least 21 years old and has

- 269 requested to receive promotional information;
- 270 (b) an in-person marketing event that is:
- 271 (i) held inside a medical cannabis pharmacy; and
- 272 (ii) in an area where only a medical cannabis cardholder may access the event;
- 273 (c) other marketing material that is physically available or digitally displayed in a
- 274 medical cannabis pharmacy; or
- 275 (d) a leaflet a medical cannabis pharmacy places in the opaque package or box that is
- 276 provided to an individual when obtaining medical cannabis:
- 277 (i) in the medical cannabis pharmacy;
- 278 (ii) at the medical cannabis pharmacy's drive-through pick up window; or
- 279 (iii) in a medical cannabis shipment.

280 ~~[(51)]~~ (54) "Tetrahydrocannabinol" or "THC" means the same as that term is defined in

281 Section 4-41-102.

282 ~~[(52)]~~ (55) "THC analog" means the same as that term is defined in Section 4-41-102.

283 ~~[(53)]~~ (56) "Total composite tetrahydrocannabinol" means all detectable forms of

284 tetrahydrocannabinol.

285 ~~[(54)]~~ (57) "Total tetrahydrocannabinol" or "total THC" means the same as that term is

286 defined in Section 4-41-102.

287 Section 2. Section **4-41a-109** is repealed and reenacted to read:

288 **4-41a-109 . Advertising.**

289 (1) Except as provided in this section and Section 26B-4-204:

- 290 (a) a person may not advertise:
- 291 (i) regarding the recommendation, sale, dispensing, or transportation of medical
- 292 cannabis;
- 293 (ii) a promotional discount or incentive related to medical cannabis;
- 294 (iii) a particular medical cannabis product, medical cannabis device, medical
- 295 cannabis brand, or medicinal dosage form;
- 296 (iv) an assurance of a medical outcome related to a medical cannabis treatment; or
- 297 (v) regarding a medical cannabis pharmacy or the dispensing of medical cannabis
- 298 within the state; and
- 299 (b) a cannabis production establishment may not advertise to the general public in any
- 300 medium.

301 (2)(a) A nonprofit organization that offers financial assistance for medical cannabis

302 treatment to low-income patients may advertise the organization's assistance if the

- 303 advertisement does not relate to a specific:
- 304 (i) medical cannabis pharmacy;
- 305 (ii) medical cannabis product;
- 306 (iii) medical cannabis courier; or
- 307 (iv) cannabis production facility.
- 308 (b) A medical cannabis pharmacy may provide information regarding subsidies for the
- 309 cost of medical cannabis treatment to patients who affirmatively accept receipt of the
- 310 subsidy information.
- 311 (3) A medical cannabis pharmacy may:
- 312 (a) advertise an employment opportunity at the medical cannabis pharmacy;
- 313 (b) notwithstanding any municipal or county ordinance prohibiting signage, use signage
- 314 on the outside of the medical cannabis pharmacy that:
- 315 (i) includes only:
- 316 (A) in accordance with Subsection (7), the medical cannabis pharmacy's name,
- 317 logo, and hours of operation; and
- 318 (B) a green cross; and
- 319 (ii) complies with local ordinances regulating signage;
- 320 (c) advertise in any medium:
- 321 (i) the pharmacy's name and logo;
- 322 (ii) the location and hours of operation of the medical cannabis pharmacy;
- 323 (iii) a service available at the medical cannabis pharmacy;
- 324 (iv) personnel affiliated with the medical cannabis pharmacy;
- 325 (v) whether the medical cannabis pharmacy is licensed as a home delivery medical
- 326 cannabis pharmacy;
- 327 (vi) best practices that the medical cannabis pharmacy upholds; and
- 328 (vii) educational material related to the medical use of cannabis, as defined by the
- 329 department;
- 330 (d) hold an educational event for the public or medical providers in accordance with
- 331 Subsection (6) and rules made under Subsection (8);
- 332 (e) maintain on the medical cannabis pharmacy's website non-promotional information
- 333 regarding the medical cannabis pharmacy's inventory; or
- 334 (f) engage in targeted marketing, as determined by the department through rule, for
- 335 advertising a particular medical cannabis product, medical cannabis device, or
- 336 medical cannabis brand.

- 337 (4) A licensed home delivery medical cannabis pharmacy or a licensed medical cannabis
338 courier may advertise:
- 339 (a) a green cross;
340 (b) the pharmacy's or courier's name and logo; and
341 (c) that the pharmacy or courier is licensed to transport medical cannabis shipments.
- 342 (5)(a) A cannabis production establishment may:
- 343 (i) advertise an employment opportunity at the cannabis production establishment;
344 (ii) maintain a website that:
- 345 (A) contains information about the establishment and employees; and
346 (B) except as provided in Subsection (5)(b), does not advertise any medical
347 cannabis product or medical cannabis device;
- 348 (iii) notwithstanding any municipal or county ordinance prohibiting signage, use
349 signage on the outside of the cannabis production establishment that:
- 350 (A) includes only:
- 351 (I) in accordance with Subsection (7), the cannabis production establishment's
352 name, logo, and hours of operation; and
- 353 (II) a green cross; and
- 354 (B) complies with local ordinances regulating signage; and
- 355 (iv) hold an educational event for the public or medical providers in accordance with
356 Subsection (6) and rules made under Subsection (8).
- 357 (b) A cannabis processing facility may:
- 358 (i) maintain a website that contains information regarding:
- 359 (A) medical cannabis produced by the cannabis processing facility; and
360 (B) where medical cannabis produced by the cannabis processing facility may be
361 purchased in the state; and
- 362 (ii) engage in targeted marketing, as determined by the department through rule, for
363 advertising a particular medical cannabis product, medical cannabis device, or
364 medical cannabis brand.
- 365 (6) A medical cannabis pharmacy or cannabis production establishment may not include in
366 an educational event:
- 367 (a) any topic that conflicts with this chapter or Title 26B, Chapter 4, Part 2, Cannabinoid
368 Research and Medical Cannabis;
- 369 (b) any gift items or merchandise other than educational materials, as those terms are
370 defined by the department;

- 371 (c) any marketing for a specific product from the establishment or any other statement,
372 claim, or information that would violate the Federal Food, Drug, and Cosmetic Act,
373 21 U.S.C. Sec. 301, et seq.; or
- 374 (d) a presenter other than:
- 375 (i) for a cannabis production establishment, a cannabis production establishment
376 agent;
- 377 (ii) a pharmacist licensed under Title 58, Chapter 17b, Pharmacy Practice Act;
- 378 (iii) an advanced practice registered nurse licensed under Title 58, Chapter 31b,
379 Nurse Practice Act;
- 380 (iv) a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act, or
381 Title 58, Chapter 68, Utah Osteopathic Medical Practice Act;
- 382 (v) a physician assistant licensed under Title 58, Chapter 70a, Utah Physician
383 Assistant Act;
- 384 (vi) a medical practitioner, similar to a practitioner described in Subsections (6)(d)(ii)
385 through (v), who is licensed in another state or country;
- 386 (vii) a state employee; or
- 387 (viii) if the presentation relates to a cannabis topic other than medical treatment or
388 medical conditions, an individual whom the department approves based on the
389 individual's background and credentials in the presented topic.
- 390 (7) To ensure that the name and logo of a medical cannabis pharmacy or cannabis
391 production establishment have a medical rather than a recreational disposition, the name
392 and logo:
- 393 (a) may include terms and images associated with:
- 394 (i) a medical disposition, including "medical," "medicinal," "medicine," "pharmacy,"
395 "apothecary," "wellness," "therapeutic," "health," "care," "cannabis," "clinic,"
396 "compassionate," "relief," "treatment," and "patient"; or
- 397 (ii) the plant form of cannabis, including "leaf," "flower," and "bloom"; and
- 398 (b) may not include:
- 399 (i) any term, statement, design representation, picture, or illustration that is associated
400 with a recreational disposition or that appeals to children;
- 401 (ii) an emphasis on a psychoactive ingredient;
- 402 (iii) a specific cannabis strain; or
- 403 (iv) terms related to recreational marijuana, including "weed," "pot," "reefer,"
404 "grass," "hash," "ganja," "Mary Jane," "high," "buzz," "haze," "stoned," "joint,"

405 "bud," "smoke," "euphoria," "dank," "doobie," "kush," "frost," "cookies," "rec,"
 406 "bake," "blunt," "combust," "bong," "budtender," "dab," "blaze," "toke," or "420."

407 (8) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah
 408 Administrative Rulemaking Act:

409 (a) to define standards for advertising authorized under this section, including names and
 410 logos in accordance with Subsection (7), to ensure a medical rather than recreational
 411 disposition;

412 (b) to define educational material described in Subsection (3)(c)(vii);

413 (c) regarding an educational event as described in Subsection (6), including:

414 (i) a minimum age of 21 years old for attendees; and

415 (ii) an exception to the minimum age for a medical cannabis patient cardholder who
 416 is at least 18 years old; and

417 (d) regarding targeted marketing as described in Subsections (3)(f) and (5)(b)(ii).

418 Section 3. Section **4-41a-110** is amended to read:

419 **4-41a-110 . Department coordination.**

420 (1) The department shall:

421 [(1)] (a) provide draft rules made under this chapter to:

422 (i) the advisory board for the advisory board's review; and

423 (ii) the medical cannabis ombudsman;

424 [(2)] (b) consult with the advisory board before issuing an additional:

425 [(a)] (i) cultivation facility license under Section 4-41a-205; or

426 [(b)] (ii) pharmacy license under Section 4-41a-1005;

427 [(3)] (c) consult with the advisory board regarding fees set by the department that pertain
 428 to the medical cannabis program; and

429 [(4)] (d) when appropriate, consult with the advisory board regarding issues that arise in
 430 the medical cannabis program.

431 (2) The department may not file a rule under Title 63G, Chapter 3, Administrative
 432 Rulemaking Act, unless the medical cannabis ombudsman agrees the rule should be
 433 filed.

434 Section 4. Section **4-41a-205** is amended to read:

435 **4-41a-205 . Number of licenses -- Cannabis cultivation facilities -- Cannabis**
 436 **processing facilities.**

437 (1) Except as provided in Subsection (2)(a), the department shall issue at least five but not
 438 more than eight licenses to operate a cannabis cultivation facility.

- 439 (2)(a) The department may issue a number of licenses to operate a cannabis cultivation
440 facility that, in addition to the licenses described in Subsection (1), does not cause the
441 total number of licenses to exceed 15 if the department determines, in consultation
442 with the Department of Health and Human Services and after an annual or more
443 frequent analysis of the current and anticipated market for medical cannabis, that
444 each additional license is necessary to provide an adequate supply, quality, or variety
445 of medical cannabis to medical cannabis cardholders.
- 446 (b) If the recipient of one of the initial licenses described in Subsection (1) ceases
447 operations for any reason or otherwise abandons the license, the department may but
448 is not required to grant the vacant license to another applicant based on an analysis as
449 described in Subsection (2)(a).
- 450 (3) If there are more qualified applicants than the number of available licenses for cannabis
451 cultivation facilities under Subsections (1) and (2), the department shall evaluate the
452 applicants and award the limited number of licenses described in Subsections (1) and (2)
453 to the applicants that best demonstrate:
- 454 (a) experience with establishing and successfully operating a business that involves:
455 (i) complying with a regulatory environment;
456 (ii) tracking inventory; and
457 (iii) training, evaluating, and monitoring employees;
- 458 (b) an operating plan that will best ensure the safety and security of patrons and the
459 community;
- 460 (c) positive connections to the local community; and
461 (d) the extent to which the applicant can increase efficiency and reduce the cost to
462 patients of medical cannabis.
- 463 (4) The department may conduct a face-to-face interview with an applicant for a license that
464 the department evaluates under Subsection (3).
- 465 (5) The licensing board may not issue more than 18 cannabis processing facility licenses.
- 466 Section 5. Section **4-41a-701** is amended to read:
467 **4-41a-701 . Cannabis and cannabis product testing.**
- 468 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
469 department may make rules to:
470 (a) determine required adulterant tests for a cannabis plant product, cannabis
471 concentrate, or cannabis product;
472 (b) determine the amount of any adulterant that is safe for human consumption;

- 473 (c) immediately ban or limit the presence of any ingredient in a medical cannabis
474 product after receiving a recommendation to do so from a public health authority
475 under Section 26B-1-102;
- 476 (d) establish protocols for a recall of [~~cannabis or a cannabis product~~] medical cannabis
477 by a cannabis production establishment; or
- 478 (e) allow the propagation of testing results forward to derived product if the processing
479 steps the cannabis production establishment uses to produce the product are unlikely
480 to change the results of the test.
- 481 (2)(a) The department may require testing for a toxin if:
- 482 [~~(a)~~] (i) the department receives information indicating the potential presence of a
483 toxin; or
- 484 [~~(b)~~] (ii) the department's inspector has reason to believe a toxin may be present based
485 on the inspection of a facility.
- 486 (b) The department may not require a cannabis processor to test a cannabis batch or a
487 cannabis product batch a third time if the cannabis batch or cannabis product has
488 previously met all testing requirements after being tested by:
- 489 (i) the independent cannabis test laboratory; and
490 (ii) the department.
- 491 (3)(a) A cannabis production establishment may not:
- 492 (i) incorporate cannabis concentrate into a cannabis derivative product until an
493 independent cannabis testing laboratory tests the cannabis concentrate in
494 accordance with department rule; or
- 495 (ii) transfer cannabis or a cannabis product to a medical cannabis pharmacy until an
496 independent cannabis testing laboratory tests a representative sample of the
497 cannabis or cannabis product in accordance with department rule.
- 498 (b) A medical cannabis pharmacy may not offer any cannabis or cannabis product for
499 sale unless an independent cannabis testing laboratory has tested a representative
500 sample of the cannabis or cannabis product in accordance with department rule.
- 501 (4) Before the sale of a medical cannabis product, an independent cannabis testing
502 laboratory shall:
- 503 (a) identify and quantify any cannabinoid known to be present in [a] the medical
504 cannabis product; and
- 505 (b) test terpene profiles for the following products:
506 (i) raw cannabis; or

- 507 (ii) a cannabis product:
- 508 (A) contained in a vaporizer cartridge; or
- 509 (B) in concentrate form; and
- 510 (c) record the five highest terpene profiles tested under Subsection (4)(b).
- 511 (5) The department shall establish by rule, in accordance with Title 63G, Chapter 3, Utah
- 512 Administrative Rulemaking Act, the standards, methods, practices, and procedures for
- 513 the testing of cannabis and cannabis products by independent cannabis testing
- 514 laboratories.
- 515 (6) The department may require an independent cannabis testing laboratory to participate in
- 516 a proficiency evaluation that the department conducts or that an organization that the
- 517 department approves conducts.
- 518 (7) Before January 1, 2026, the department shall create a website that allows the public to
- 519 view a medical cannabis product's certificate of analysis.

520 Section 6. Section **4-41a-801** is amended to read:

521 **4-41a-801 . Enforcement -- Fine -- Citation.**

- 522 (1) If a person that is a cannabis production establishment or a cannabis production
- 523 establishment agent violates this chapter, the department may:
- 524 (a) revoke the person's license or cannabis production establishment agent registration
- 525 card;
- 526 (b) decline to renew the person's license or cannabis production establishment agent
- 527 registration card; or
- 528 (c) assess the person an administrative penalty that the department establishes by rule in
- 529 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 530 (2) The department shall deposit an administrative penalty imposed under this section into
- 531 the General Fund.
- 532 (3)(a) The department may take an action described in Subsection (3)(b) if the
- 533 department concludes, upon investigation, that~~[, for a person that is]~~ a cannabis
- 534 production establishment or a cannabis production establishment agent~~]~~
- 535 ~~[(i) the person]~~ has violated the provisions of this chapter, a rule made under this
- 536 chapter, or an order issued under this chapter~~[- or] .~~
- 537 ~~[(ii) the person produced cannabis or a cannabis product batch that contains a~~
- 538 ~~substance, other than cannabis, that poses a significant threat to human health.]~~
- 539 (b) If the department makes the determination about a person described in Subsection
- 540 (3)(a), the department shall:

- 541 (i) issue the person a written administrative citation;
- 542 (ii) attempt to negotiate a stipulated settlement;
- 543 [~~(iii) seize, embargo, or destroy the cannabis or cannabis product batch;~~]
- 544 [~~(iv)~~ (iii) order the person to cease and desist from the action that creates a violation;
- 545 and
- 546 [~~(v)~~ (iv) direct the person to appear before an adjudicative proceeding conducted
- 547 under Title 63G, Chapter 4, Administrative Procedures Act.
- 548 (c) If the department concludes, upon investigation, that a cannabis production
- 549 establishment or a cannabis production establishment agent has produced a cannabis
- 550 batch or a cannabis product batch that contains a substance that poses a significant
- 551 threat to human health, the department shall seize, embargo, or destroy the cannabis
- 552 batch or cannabis product batch.
- 553 (4)(a) The department may, for a person subject to an uncontested citation, a stipulated
- 554 settlement, or a finding of a violation in an adjudicative proceeding under this
- 555 section, for a fine amount not already specified in law, assess the person, who is not
- 556 an individual, a fine of up to \$5,000 per violation, in accordance with a fine schedule
- 557 that the department establishes by rule in accordance with Title 63G, Chapter 3, Utah
- 558 Administrative Rulemaking Act.
- 559 (b) The department may not issue a fine described in Subsection (4)(a) or other
- 560 monetary administrative penalty under this chapter unless the department determines
- 561 that the conduct justifying the fine undermines public health or violates a statutory
- 562 provision.
- 563 (5) The department may not revoke a cannabis production establishment's license without
- 564 first directing the cannabis production establishment to appear before an adjudicative
- 565 proceeding conducted under Title 63G, Chapter 4, Administrative Procedures Act.
- 566 (6) If within [~~20~~] 30 calendar days after the day on which a department serves a citation for
- 567 a violation of this chapter, the person that is the subject of the citation fails to request a
- 568 hearing to contest the citation, the citation becomes the department's final order.
- 569 (7) The department may, for a person who fails to comply with a citation under this section:
- 570 (a) refuse to issue or renew the person's license or cannabis production establishment
- 571 agent registration card; or
- 572 (b) suspend, revoke, or place on probation the person's license or cannabis production
- 573 establishment registration card.
- 574 (8)(a) Except where a criminal penalty is expressly provided for a specific violation of

575 this chapter, if an individual:

576 (i) violates a provision of this chapter, the individual is:

577 (A) guilty of an infraction; and

578 (B) subject to a \$100 fine; or

579 (ii) intentionally or knowingly violates a provision of this chapter or violates this
580 chapter three or more times, the individual is:

581 (A) guilty of a class B misdemeanor; and

582 (B) subject to a \$1,000 fine.

583 (b) An individual who is guilty of a violation described in Subsection (8)(a) is not guilty
584 of a violation of Title 58, Chapter 37, Utah Controlled Substances Act, for the
585 conduct underlying the violation described in Subsection (8)(a).

586 (9) Nothing in this section prohibits the department from referring potential criminal
587 activity to law enforcement.

588 (10) An appeal of a fine or monetary administrative penalty under this section shall be
589 conducted as a formal proceeding with an administrative law judge in accordance with
590 Title 63G, Chapter 4, Administrative Procedures Act.

591 Section 7. Section **4-41a-801.1** is amended to read:

592 **4-41a-801.1 . Enforcement for medical cannabis pharmacies and couriers -- Fine**

593 **-- Citation.**

594 (1)(a) The department may, for a medical cannabis pharmacy's or a medical cannabis
595 courier's violation of this chapter or an applicable administrative rule:

596 (i) revoke the medical cannabis pharmacy or medical cannabis courier license;

597 (ii) refuse to renew the medical cannabis pharmacy or medical cannabis courier
598 license; or

599 (iii) assess the medical cannabis pharmacy or medical cannabis courier an
600 administrative penalty.

601 (b) The department may, for a medical cannabis pharmacy agent's or medical cannabis
602 courier agent's violation of this chapter:

603 (i) revoke the medical cannabis pharmacy agent or medical cannabis courier agent
604 registration card;

605 (ii) refuse to renew the medical cannabis pharmacy agent or medical cannabis courier
606 agent registration card; or

607 (iii) assess the medical cannabis pharmacy agent or medical cannabis courier agent an
608 administrative penalty.

- 609 (2) The department shall deposit an administrative penalty imposed under this section into
610 the General Fund.
- 611 (3)(a) For a person subject to an uncontested citation, a stipulated settlement, or a
612 finding of a violation in an adjudicative proceeding under this section, the department
613 may:
- 614 ~~[(a)]~~ (i) for a fine amount not already specified in law, assess the person a fine of up
615 to \$5,000 per violation, in accordance with a fine schedule that the department
616 establishes by rule in accordance with Title 63G, Chapter 3, Utah Administrative
617 Rulemaking Act; or
- 618 ~~[(b)]~~ (ii) order the person to cease and desist from the action that creates a violation.
- 619 (b) The department may not issue a fine described in Subsection (3)(a)(i) or other
620 monetary administrative penalty under this chapter unless the department determines
621 that the conduct justifying the fine undermines public health or violates a statutory
622 provision.
- 623 (4) The department may not revoke a medical cannabis pharmacy's license or a medical
624 cannabis courier's license without first directing the medical cannabis pharmacy or the
625 medical cannabis courier to appear before an adjudicative proceeding conducted under
626 Title 63G, Chapter 4, Administrative Procedures Act.
- 627 (5) If, within ~~[20]~~ 30 calendar days after the day on which the department issues a citation
628 for a violation of this chapter, the person that is the subject of the citation fails to request
629 a hearing to contest the citation, the citation becomes the department's final order.
- 630 (6) The department may, for a person who fails to comply with a citation under this section:
631 (a) refuse to issue or renew the person's license or agent registration card; or
632 (b) suspend, revoke, or place on probation the person's license or agent registration card.
- 633 (7)(a) Except where a criminal penalty is expressly provided for a specific violation of
634 this chapter, if an individual violates a provision of this chapter, the individual is:
635 (i) guilty of an infraction; and
636 (ii) subject to a \$100 fine.
- 637 (b) An individual who is guilty of a violation described in Subsection (7)(a) is not guilty
638 of a violation of Title 58, Chapter 37, Utah Controlled Substances Act, for the
639 conduct underlying the violation described in Subsection (7)(a).
- 640 (8) An appeal of a fine or monetary administrative penalty under this section shall be
641 conducted as a formal proceeding with an administrative law judge in accordance with
642 Title 63G, Chapter 4, Administrative Procedures Act.

643 Section 8. Section **4-41a-802** is amended to read:

644 **4-41a-802 . Report.**

645 (1) At or before the November interim meeting each year, the department shall report to the
646 Health and Human Services Interim Committee on:

- 647 (a) the number of applications and renewal applications that the department receives
648 under this chapter;
- 649 (b) the number of each type of cannabis production facility that the department licenses
650 in each county;
- 651 (c) the amount of cannabis that licensees grow;
- 652 (d) the amount of cannabis that licensees manufacture into cannabis products;
- 653 (e) the number of licenses the department revokes under this chapter;
- 654 (f) the department's operation of an independent cannabis testing laboratory under
655 Section 4-41a-201, including:
- 656 (i) the cannabis and cannabis products the department tested; and
657 (ii) the results of the tests the department performed;
- 658 (g) the expenses incurred and revenues generated under this chapter; and
659 (h) an analysis of product availability in medical cannabis pharmacies in consultation
660 with the Department of Health and Human Services.

661 (2) The department may not include personally identifying information in the report
662 described in this section.

663 (3) The department shall report to the working group described in Section 36-12-8.2 as
664 requested by the working group.

665 (4)(a) Before August 1, of each year, the department shall provide a report to the
666 working group described in Section 36-12-8.2 that provides the following for each
667 fine issued by the department under this chapter:

- 668 (i) the date of the fine;
- 669 (ii) the reference to statute or rule that was violated for each fine issued; and
- 670 (iii) a short description explaining why the fine was issued.
- 671 (b) The report described in Subsection (4)(a) may not include identifying information of
672 the person that was subject to the fine.

673 Section 9. Section **4-41a-1003** is amended to read:

674 **4-41a-1003 . Renewal - Notice of available license.**

675 (1) The department shall renew a license [~~under Sections 4-41a-1001 through 4-41a-1005~~]
676 issued under this part every year if, at the time of renewal:

- 677 (a) the licensee meets the requirements of Section 4-41a-1001;
- 678 (b) the licensee pays the department a license renewal fee in an amount that, subject to
679 Subsection 4-41a-1004(5), the department sets in accordance with Section 63J-1-504;
680 and
- 681 (c) if the medical cannabis pharmacy changes the operating plan described in Section
682 4-41a-1004 that the department approved under Subsection 4-41a-1001(2)(b)(iv), the
683 department approves the new operating plan.
- 684 (2)(a) If a licensed medical cannabis pharmacy abandons the medical cannabis
685 pharmacy's license, the department shall publish notice of an available license , for
686 the geographic area in which the medical cannabis pharmacy license is available, as a
687 class A notice under Section 63G-30-102, for at least seven days.
- 688 (b) The department may establish criteria, in collaboration with the Division of
689 Professional Licensing and the Board of Pharmacy and in accordance with Title 63G,
690 Chapter 3, Utah Administrative Rulemaking Act, to identify the medical cannabis
691 pharmacy actions that constitute abandonment of a medical cannabis pharmacy
692 license.
- 693 (3) If the department has not completed the necessary processes to make a determination on
694 a license renewal under Subsections (1)(a) and (c) before the expiration of a license, the
695 department may issue a conditional medical cannabis pharmacy license to a licensed
696 medical cannabis pharmacy that has applied for license renewal under this section and
697 paid the fee described in Subsection (1)(b).

698 Section 10. Section **4-41a-1005** is amended to read:

699 **4-41a-1005 . Maximum number of licenses.**

- 700 (1)(a) Except as provided in Subsection (1)(b) or (d), if a sufficient number of
701 applicants apply, the department shall issue up to [~~15~~] 40 medical cannabis pharmacy
702 licenses in accordance with this section and three medical cannabis pharmacy
703 licenses in accordance with Section 4-41a-1006.
- 704 (b) If an insufficient number of qualified applicants apply for the available number of
705 medical cannabis pharmacy licenses, the department shall issue a medical cannabis
706 pharmacy license to each qualified applicant.
- 707 (c) The department may issue the licenses described in Subsection (1)(a) in accordance
708 with this Subsection (1)(c).
- 709 (i) Using one procurement process, the department may issue eight licenses to an
710 initial group of medical cannabis pharmacies and six licenses to a second group of

- 711 medical cannabis pharmacies.
- 712 (ii) The department shall:
- 713 (A) divide the state into no less than four geographic regions, set by the
- 714 department in rule;
- 715 (B) issue at least one license in each geographic region during each phase of
- 716 issuing licenses; and
- 717 (C) complete the process of issuing medical cannabis pharmacy licenses no later
- 718 than July 1, 2020.
- 719 (iii) In issuing a 15th license under Subsection (1), the department shall ensure that
- 720 the license recipient will locate the medical cannabis pharmacy within Dagget,
- 721 Duchesne, Uintah, Carbon, Sevier, Emery, Grand, or San Juan County.
- 722 (d)(i) The ~~department~~ licensing board may issue licenses to operate a medical
- 723 cannabis pharmacy in addition to the licenses described in Subsection (1)(a) if the
- 724 department determines, in consultation with the Department of Health and Human
- 725 Services and after an annual or more frequent analysis of the current and
- 726 anticipated market for medical cannabis, that each additional license is necessary
- 727 to provide an adequate supply, quality, or variety of medical cannabis to medical
- 728 cannabis cardholders.
- 729 (ii) The department shall:
- 730 (A) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
- 731 Act, make rules to establish criteria and processes for the consultation,
- 732 analysis, and application for a license described in Subsection (1)(d)(i); and
- 733 (B) report to the Executive Appropriations Committee of the Legislature before
- 734 each time the department issues an additional license under Subsection
- 735 (1)(d)(i) regarding the results of the consultation and analysis described in
- 736 Subsection (1)(d)(i) and the application of the criteria described in Subsection
- 737 (1)(d)(ii)(A).
- 738 (2)(a) If there are more qualified applicants than there are available licenses for medical
- 739 cannabis pharmacies, the ~~department~~ licensing board shall:
- 740 (i) evaluate each applicant and award the license to the applicant that best
- 741 demonstrates:
- 742 (A) experience with establishing and successfully operating a business that
- 743 involves complying with a regulatory environment, tracking inventory, and
- 744 training, evaluating, and monitoring employees;

- 745 (B) an operating plan that will best ensure the safety and security of patrons and
 746 the community;
- 747 (C) positive connections to the local community;
- 748 (D) the suitability of the proposed location and the location's accessibility for
 749 qualifying patients;
- 750 (E) the extent to which the applicant can increase efficiency and reduce the cost of
 751 medical cannabis for patients; and
- 752 (F) a strategic plan described in Subsection 4-41a-1004(7) that has a
 753 comparatively high likelihood of success; and
- 754 (ii) ensure a geographic dispersal among licensees that is sufficient to reasonably
 755 maximize access to the largest number of medical cannabis cardholders.
- 756 (b) In making the evaluation described in Subsection (2)(a), the [department] licensing
 757 board may give increased consideration to applicants who indicate a willingness to:
- 758 (i) operate as a home delivery medical cannabis pharmacy that accepts electronic
 759 medical cannabis orders[~~that the state central patient portal facilitates~~]; and
- 760 (ii) accept payments through:
- 761 (A) a payment provider that the Division of Finance approves, in consultation
 762 with the state treasurer, in accordance with Section 4-41a-108; or
- 763 (B) a financial institution in accordance with Subsection 4-41a-108(4).
- 764 (3) The [department] licensing board may conduct a face-to-face interview with an applicant
 765 for a license that the department evaluates under Subsection (2).

766 Section 11. Section **4-41a-1006** is enacted to read:

767 **4-41a-1006 . Licensees selected by medical cannabis ombudsman.**

- 768 (1) Upon receiving a recommendation from the medical cannabis ombudsman under
 769 Section 13-1-19, the licensing board shall issue a license to the entity.
- 770 (2) An entity issued a license under Section 13-1-19 is subject to all of the applicable
 771 requirements of this chapter and Title 26B, Chapter 4, Part 2, Cannabinoid Research and
 772 Medical Cannabis.
- 773 (3) The department shall ensure compliance with Subsection 13-1-19(3)(e).

774 Section 12. Section **4-41a-1101** is amended to read:

775 **4-41a-1101 . Operating requirements -- General.**

- 776 (1)(a) A medical cannabis pharmacy shall operate:
- 777 (i) at the physical address provided to the department under Section 4-41a-1001; and
- 778 (ii) in accordance with the operating plan provided to the department under Section

- 779 4-41a-1001 and, if applicable, Section 4-41a-1004.
- 780 (b) A medical cannabis pharmacy shall notify the department before a change in the
781 medical cannabis pharmacy's physical address or operating plan.
- 782 (2) An individual may not enter a medical cannabis pharmacy unless the individual:
- 783 (a) is at least 18 years old or is an emancipated minor under Section 80-7-105; and
784 (b) except as provided in Subsection (4):
- 785 (i) possesses a valid:
- 786 (A) medical cannabis pharmacy agent registration card;
787 (B) pharmacy medical provider registration card; or
788 (C) medical cannabis card;
- 789 (ii) is an employee of the department performing an inspection under Section
790 4-41a-1103; or
791 (iii) is another individual as the department provides.
- 792 (3) A medical cannabis pharmacy may not employ an individual who is younger than 21
793 years old.
- 794 (4) Notwithstanding Subsection (2)(a), a medical cannabis pharmacy may authorize an
795 individual who is not a medical cannabis pharmacy agent or pharmacy medical provider
796 to access the medical cannabis pharmacy if the medical cannabis pharmacy tracks and
797 monitors the individual at all times while the individual is at the medical cannabis
798 pharmacy and maintains a record of the individual's access.
- 799 (5) A medical cannabis pharmacy shall operate in a facility that has:
- 800 (a) a single, secure public entrance;
801 (b) a security system with a backup power source that:
802 (i) detects and records entry into the medical cannabis pharmacy; and
803 (ii) provides notice of an unauthorized entry to law enforcement when the medical
804 cannabis pharmacy is closed; and
805 (c) a lock on each area where the medical cannabis pharmacy stores [~~cannabis or a~~
806 ~~cannabis product~~] medical cannabis.
- 807 (6) A medical cannabis pharmacy shall post, both clearly and conspicuously in the medical
808 cannabis pharmacy, the limit on the purchase of cannabis described in Subsection
809 4-41a-1102(2).
- 810 (7) Except for an emergency situation described in Subsection 26B-4-213(3)(c), a medical
811 cannabis pharmacy may not allow any individual to consume cannabis on the property
812 or premises of the medical cannabis pharmacy.

813 (8) A medical cannabis pharmacy may not sell [~~cannabis or a cannabis product~~] medical
814 cannabis without first indicating on the [~~cannabis or cannabis product~~] medical cannabis
815 label the name of the medical cannabis pharmacy.

816 (9)(a) Each medical cannabis pharmacy shall retain in the pharmacy's records the
817 following information regarding each recommendation underlying a transaction:

- 818 (i) the recommending medical provider's name, address, and telephone number;
- 819 (ii) the patient's name and address;
- 820 (iii) the date of issuance;
- 821 (iv) directions of use and dosing guidelines or an indication that the recommending
822 medical provider did not recommend specific directions of use or dosing
823 guidelines; and
- 824 (v) if the patient did not complete the transaction, the name of the medical cannabis
825 cardholder who completed the transaction.

826 (b)(i) Except as provided in Subsection (9)(b)(iii), a medical cannabis pharmacy may
827 not sell medical cannabis unless the medical cannabis has a label securely affixed
828 to the container indicating the following minimum information:

- 829 (A) the name, address, and telephone number of the medical cannabis pharmacy;
- 830 (B) the unique identification number that the medical cannabis pharmacy assigns;
- 831 (C) the date of the sale;
- 832 (D) the name of the patient;
- 833 (E) the name of the recommending medical provider who recommended the
834 medical cannabis treatment;
- 835 (F) directions for use and cautionary statements, if any;
- 836 (G) the amount dispensed and the cannabinoid content;
- 837 (H) the suggested use date;
- 838 (I) for unprocessed cannabis flower, the legal use termination date; and
- 839 (J) any other requirements that the department determines, in consultation with the
840 Division of Professional Licensing and the Board of Pharmacy.

841 (ii) A medical cannabis pharmacy is exempt from the requirement to provide the
842 following information under Subsection (9)(b)(i) if the information is already
843 provided on the product label that a cannabis production establishment affixes:

- 844 (A) a unique identification number;
- 845 (B) directions for use and cautionary statements;
- 846 (C) amount and cannabinoid content; and

- 847 (D) a suggested use date.
- 848 (iii) If the size of a medical cannabis container does not allow sufficient space to
849 include the labeling requirements described in Subsection (9)(b)(i), the medical
850 cannabis pharmacy may provide the following information described in
851 Subsection (9)(b)(i) on a supplemental label attached to the container or an
852 informational enclosure that accompanies the container:
- 853 (A) the cannabinoid content;
- 854 (B) the suggested use date; and
- 855 (C) any other requirements that the department determines.
- 856 (iv) A medical cannabis pharmacy may sell medical cannabis to another medical
857 cannabis pharmacy without a label described in Subsection (9)(b)(i).
- 858 (10) A pharmacy medical provider or medical cannabis pharmacy agent shall:
- 859 (a) upon receipt of an order from a limited medical provider in accordance with
860 Subsections 26B-4-204(1)(b) through (d):
- 861 (i) for a written order or an electronic order under circumstances that the department
862 determines, contact the limited medical provider or the limited medical provider's
863 office to verify the validity of the recommendation; and
- 864 (ii) for an order that the pharmacy medical provider or medical cannabis pharmacy
865 agent verifies under Subsection (10)(a)(i) or an electronic order that is not subject
866 to verification under Subsection (10)(a)(i), enter the limited medical provider's
867 recommendation or renewal, including any associated directions of use, dosing
868 guidelines, or caregiver indication, in the state electronic verification system;
- 869 (b) in processing an order for a holder of a conditional medical cannabis card described
870 in Subsection 26B-4-213(1)(b) that appears irregular or suspicious in the judgment of
871 the pharmacy medical provider or medical cannabis pharmacy agent, contact the
872 recommending medical provider or the recommending medical provider's office to
873 verify the validity of the recommendation before processing the cardholder's order;
- 874 (c) unless the medical cannabis cardholder has had a consultation under Subsection
875 26B-4-231(5), verbally offer to a medical cannabis cardholder at the time of a
876 purchase of [~~cannabis, a cannabis product,~~] medical cannabis or a medical cannabis
877 device, personal counseling with the pharmacy medical provider; and
- 878 (d) provide a telephone number or website by which the cardholder may contact a
879 pharmacy medical provider for counseling.
- 880 (11)(a) A medical cannabis pharmacy may create a medical cannabis disposal program

- 881 that allows an individual to deposit unused or excess medical cannabis or cannabis
882 residue from a medical cannabis device in a locked box or other secure receptacle
883 within the medical cannabis pharmacy.
- 884 (b) A medical cannabis pharmacy with a disposal program described in Subsection
885 (11)(a) shall ensure that only a medical cannabis pharmacy agent or pharmacy
886 medical provider can access deposited medical cannabis.
- 887 (c) A medical cannabis pharmacy shall dispose of any deposited medical cannabis by:
888 (i) rendering the deposited medical cannabis unusable and unrecognizable before
889 transporting deposited medical cannabis from the medical cannabis pharmacy; and
890 (ii) disposing of the deposited medical cannabis in accordance with:
891 (A) federal and state law, rules, and regulations related to hazardous waste;
892 (B) the Resource Conservation and Recovery Act, 42 U.S.C. Sec. 6991 et seq.;;
893 (C) Title 19, Chapter 6, Part 5, Solid Waste Management Act; and
894 (D) other regulations that the department makes in accordance with Title 63G,
895 Chapter 3, Utah Administrative Rulemaking Act.
- 896 (12) A medical cannabis pharmacy:
897 (a) shall employ a pharmacist who is licensed under Title 58, Chapter 17b, Pharmacy
898 Practice Act, as a pharmacy medical provider;
899 (b) may employ a physician who has the authority to write a prescription and is licensed
900 under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah
901 Osteopathic Medical Practice Act, as a pharmacy medical provider;
902 (c) shall ensure that a pharmacy medical provider described in Subsection (12)(a) works
903 onsite during all business hours;
904 (d) shall designate one pharmacy medical provider described in Subsection (12)(a) as the
905 pharmacist-in-charge to oversee the operation of and generally supervise the medical
906 cannabis pharmacy;[~~and~~]
907 (e) shall allow the pharmacist-in-charge to determine which [~~cannabis and cannabis~~
908 ~~products~~] medical cannabis products the medical cannabis pharmacy maintains in the
909 medical cannabis pharmacy's inventory[:];
910 (f) if a patient product information insert is available, shall provide a patient who
911 purchases a medical cannabis product the medical cannabis product's patient product
912 information insert using any of the following methods:
913 (i) a physical document;
914 (ii) an email message;

- 915 (iii) a text message; or
 916 (iv) a quick response code; and
 917 (g) for each medical cannabis product sold by the medical cannabis pharmacy, shall:
 918 (i) allow a medical cannabis cardholder located in the pharmacy to view the back
 919 panel of the product when requested; and
 920 (ii) include a picture of the back panel of the product on the medical cannabis
 921 pharmacy's website.

922 (13) The department shall establish by rule, in accordance with Title 63G, Chapter 3, Utah
 923 Administrative Rulemaking Act, protocols for a recall of cannabis and cannabis products
 924 by a medical cannabis pharmacy.

925 Section 13. Section **4-41a-1201** is amended to read:

926 **4-41a-1201 . Medical cannabis home delivery designation.**

- 927 (1) The department may designate a medical cannabis pharmacy as a home delivery
 928 medical cannabis pharmacy if the department determines that the medical cannabis
 929 pharmacy's operating plan demonstrates the functional and technical ability to:
 930 (a) safely conduct transactions for medical cannabis shipments;
 931 (b) accept electronic medical cannabis orders[~~that the state central patient portal~~
 932 ~~facilitates~~]; and
 933 (c) accept payments through:
 934 (i) a payment provider that the Division of Finance approves, in consultation with the
 935 state treasurer, in accordance with Section 26-61a-603; or
 936 (ii) a financial institution in accordance with Subsection 26-61a-603(4).
- 937 (2) An applicant seeking a designation as a home delivery medical cannabis pharmacy shall
 938 identify in the applicant's operating plan any information relevant to the department's
 939 evaluation described in Subsection (1), including:
 940 (a) the name and contact information of the payment provider;
 941 (b) the nature of the relationship between the prospective licensee and the payment
 942 provider;
 943 (c) the processes of the following to safely and reliably conduct transactions for medical
 944 cannabis shipments:
 945 (i) the prospective licensee; and
 946 (ii) the electronic payment provider or the financial institution described in
 947 Subsection (1)(c); and
 948 (d) the ability of the licensee to comply with the department's rules regarding the secure

949 transportation and delivery of medical cannabis [~~or medical cannabis product~~] to a
 950 medical cannabis cardholder.

951 (3) Notwithstanding any county or municipal ordinance, a medical cannabis pharmacy that
 952 the department designates as a home delivery medical cannabis pharmacy may deliver
 953 medical cannabis shipments in accordance with this part.

954 Section 14. Section **4-41a-1202** is amended to read:

955 **4-41a-1202 . Home delivery of medical cannabis shipments -- Medical cannabis**
 956 **couriers -- License.**

957 (1) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah
 958 Administrative Rulemaking Act, to ensure the safety, security, and efficiency of a home
 959 delivery medical cannabis pharmacy's fulfillment of electronic medical cannabis orders[
 960 ~~that the state central patient portal facilitates~~], including rules regarding the safe and
 961 controlled delivery of medical cannabis shipments.

962 (2) A person may not operate as a medical cannabis courier without a license that the
 963 department issues under this section.

964 (3)(a) Subject to Subsections (5) and (6), the department shall issue a license to operate
 965 as a medical cannabis courier to an applicant who is eligible for a license under this
 966 section.

967 (b) An applicant is eligible for a license under this section if the applicant submits to the
 968 department:

969 (i) the name and address of an individual who:

970 (A) has a financial or voting interest of 10% or greater in the proposed medical
 971 cannabis courier; or

972 (B) has the power to direct or cause the management or control of a proposed
 973 cannabis production establishment;

974 (ii) an operating plan that includes operating procedures to comply with the operating
 975 requirements for a medical cannabis courier described in this chapter; and

976 (iii) an application fee in an amount that, subject to Subsection 4-41a-104(5), the
 977 department sets in accordance with Section 63J-1-504.

978 (4) If the department determines that an applicant is eligible for a license under this section,
 979 the department shall:

980 (a) charge the applicant an initial license fee in an amount that, subject to Subsection
 981 4-41a-104(5), the department sets in accordance with Section 63J-1-504; and

982 (b) notify the Department of Public Safety of the license approval and the names of each

- 983 individual described in Subsection (3)(b)(i).
- 984 (5) The department may not issue a license to operate as a medical cannabis courier to an
985 applicant if an individual described in Subsection (3)(b)(i):
- 986 (a) has been convicted under state or federal law of:
- 987 (i) a felony in the preceding 10 years; or
- 988 (ii) after September 23, 2019, a misdemeanor for drug distribution; or
- 989 (b) is younger than 21 years old.
- 990 (6) The department may revoke a license under this part if:
- 991 (a) the medical cannabis courier does not begin operations within one year after the day
992 on which the department issues the initial license;
- 993 (b) the medical cannabis courier makes the same violation of this chapter three times;
- 994 (c) an individual described in Subsection (3)(b)(i) is convicted, while the license is
995 active, under state or federal law of:
- 996 (i) a felony; or
- 997 (ii) after September 23, 2019, a misdemeanor for drug distribution; or
- 998 (d) after a change of ownership described in Subsection (14)(c), the department
999 determines that the medical cannabis courier no longer meets the minimum standards
1000 for licensure and operation of the medical cannabis courier described in this chapter.
- 1001 (7) The department shall deposit the proceeds of a fee imposed by this section in the
1002 Qualified Production Enterprise Fund.
- 1003 (8) The department's authority to issue a license under this section is plenary and is not
1004 subject to review.
- 1005 (9) Each applicant for a license as a medical cannabis courier shall submit, at the time of
1006 application, from each individual who has a financial or voting interest of 10% or
1007 greater in the applicant or who has the power to direct or cause the management or
1008 control of the applicant:
- 1009 (a) a fingerprint card in a form acceptable to the Department of Public Safety;
- 1010 (b) a signed waiver in accordance with Subsection 53-10-108(4) acknowledging the
1011 registration of the individual's fingerprints in the Federal Bureau of Investigation
1012 Next Generation Identification System's Rap Back Service; and
- 1013 (c) consent to a fingerprint background check by:
- 1014 (i) the Bureau of Criminal Identification; and
- 1015 (ii) the Federal Bureau of Investigation.
- 1016 (10) The Bureau of Criminal Identification shall:

- 1017 (a) check the fingerprints the applicant submits under Subsection (9) against the
1018 applicable state, regional, and national criminal records databases, including the
1019 Federal Bureau of Investigation Next Generation Identification System;
- 1020 (b) report the results of the background check to the department;
- 1021 (c) maintain a separate file of fingerprints that applicants submit under Subsection (9)
1022 for search by future submissions to the local and regional criminal records databases,
1023 including latent prints;
- 1024 (d) request that the fingerprints be retained in the Federal Bureau of Investigation Next
1025 Generation Identification System's Rap Back Service for search by future
1026 submissions to national criminal records databases, including the Next Generation
1027 Identification System and latent prints; and
- 1028 (e) establish a privacy risk mitigation strategy to ensure that the department only
1029 receives notifications for an individual with whom the department maintains an
1030 authorizing relationship.
- 1031 (11) The department shall:
- 1032 (a) assess an individual who submits fingerprints under Subsection (9) a fee in an
1033 amount that the department sets in accordance with Section 63J-1-504 for the
1034 services that the Bureau of Criminal Identification or another authorized agency
1035 provides under this section; and
- 1036 (b) remit the fee described in Subsection (11)(a) to the Bureau of Criminal Identification.
- 1037 (12) The department shall renew a license under this section every year if, at the time of
1038 renewal:
- 1039 (a) the licensee meets the requirements of this section; and
- 1040 (b) the licensee pays the department a license renewal fee in an amount that, subject to
1041 Subsection 4-41a-104(5), the department sets in accordance with Section 63J-1-504.
- 1042 (13) A person applying for a medical cannabis courier license shall submit to the
1043 department a proposed operating plan that complies with this section and that includes:
- 1044 (a) a description of the physical characteristics of any proposed facilities, including a
1045 floor plan and an architectural elevation, and delivery vehicles;
- 1046 (b) a description of the credentials and experience of each officer, director, or owner of
1047 the proposed medical cannabis courier;
- 1048 (c) the medical cannabis courier's employee training standards;
- 1049 (d) a security plan; and
- 1050 (e) storage and delivery protocols, both short and long term, to ensure that medical

- 1051 cannabis shipments are stored and delivered in a manner that is sanitary and
 1052 preserves the integrity of the cannabis.
- 1053 (14)(a) A medical cannabis courier license is not transferable or assignable.
- 1054 (b) A medical cannabis courier shall report in writing to the department no later than 10
 1055 business days before the date of any change of ownership of the medical cannabis
 1056 courier.
- 1057 (c) If the ownership of a medical cannabis courier changes by 50% or more:
- 1058 (i) concurrent with the report described in Subsection (14)(b), the medical cannabis
 1059 courier shall submit a new application described in Subsection (3)(b);
- 1060 (ii) within 30 days of the submission of the application, the department shall:
- 1061 (A) conduct an application review; and
- 1062 (B) award a license to the medical cannabis courier for the remainder of the term
 1063 of the medical cannabis courier's license before the ownership change if the
 1064 medical cannabis courier meets the minimum standards for licensure and
 1065 operation of the medical cannabis courier described in this chapter; and
- 1066 (iii) if the department approves the license application, notwithstanding Subsection
 1067 (4), the medical cannabis courier shall pay a license fee that the department sets in
 1068 accordance with Section 63J-1-504 in an amount that covers the board's cost of
 1069 conducting the application review.
- 1070 [~~(15)(a) Except as provided in Subsection(15)(b), a person may not advertise regarding~~
 1071 ~~the transportation of medical cannabis.]~~
- 1072 [~~(b) Notwithstanding Subsection (14)(a) and subject to Section 4-41a-109, a licensed home~~
 1073 ~~delivery medical cannabis pharmacy or a licensed medical cannabis courier may~~
 1074 ~~advertise:]~~
- 1075 [~~(i) a green cross;]~~
- 1076 [~~(ii) the pharmacy's or courier's name and logo; and]~~
- 1077 [~~(iii) that the pharmacy or courier is licensed to transport medical cannabis shipments.]~~
- 1078 Section 15. Section **4-41a-1203** is amended to read:
- 1079 **4-41a-1203 . Medical cannabis shipment transportation.**
- 1080 (1) The department shall ensure that each home delivery medical cannabis pharmacy is
 1081 capable of delivering, directly or through a medical cannabis courier, medical cannabis
 1082 shipments in a secure manner.
- 1083 (2)(a) A home delivery medical cannabis pharmacy may contract with a licensed
 1084 medical cannabis courier to deliver medical cannabis shipments to fulfill electronic

- 1085 medical cannabis orders~~[that the state central patient portal facilitates]~~.
- 1086 (b) If a home delivery medical cannabis pharmacy enters into a contract described in
1087 Subsection (2)(a), the pharmacy shall:
- 1088 (i) impose security and personnel requirements on the medical cannabis courier
1089 sufficient to ensure the security and safety of medical cannabis shipments; and
1090 (ii) provide regular oversight of the medical cannabis courier.
- 1091 (3) Notwithstanding Subsection 4-41a-404(1), an individual may transport a medical
1092 cannabis shipment if the individual is:
- 1093 (a) a registered pharmacy medical provider;
1094 (b) a registered medical cannabis pharmacy agent; or
1095 (c) a registered agent of the medical cannabis courier described in Subsection (2).
- 1096 (4) An individual transporting a medical cannabis shipment under Subsection (3) shall
1097 comply with the requirements of Subsection 4-41a-404(3).
- 1098 (5) In addition to the requirements in Subsections (3) and (4), the department may establish
1099 by rule, in collaboration with the Division of Professional Licensing and the Board of
1100 Pharmacy and in accordance with Title 63G, Chapter 3, Utah Administrative
1101 Rulemaking Act, requirements for transporting medical cannabis shipments that are
1102 related to safety for human consumption of [~~cannabis or a cannabis product~~] medical
1103 cannabis.
- 1104 (6)(a) It is unlawful for an individual to transport a medical cannabis shipment with a
1105 manifest that does not meet the requirements of Subsection (4).
- 1106 (b) Except as provided in Subsection (6)(d), an individual who violates Subsection (6)(a)
1107 is:
- 1108 (i) guilty of an infraction; and
1109 (ii) subject to a \$100 fine.
- 1110 (c) An individual who is guilty of a violation described in Subsection (6)(b) is not guilty
1111 of a violation of Title 58, Chapter 37, Utah Controlled Substances Act, for the
1112 conduct underlying the violation described in Subsection (6)(b).
- 1113 (d) If the individual described in Subsection (6)(a) is transporting more cannabis,
1114 cannabis product, or medical cannabis devices than the manifest identifies, except for
1115 a de minimis administrative error:
- 1116 (i) this chapter does not apply; and
1117 (ii) the individual is subject to penalties under Title 58, Chapter 37, Utah Controlled
1118 Substances Act.

1119 Section 16. Section **13-1-19** is enacted to read:

1120 **13-1-19 . Medical cannabis ombudsman -- Duties -- Appeals.**

1121 (1)(a) The definitions of Title 4, Chapter 41a, Cannabis Production Establishments and
1122 Pharmacies, and Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical
1123 Cannabis, apply to this section.

1124 (b) There is created a medical cannabis ombudsman within the department.

1125 (c) The department shall consult with the Department of Agriculture and Food and the
1126 Department of Health and Human Services.

1127 (d) The medical cannabis ombudsman or an immediate family member of the medical
1128 cannabis ombudsman may not have an ownership interest in a cannabis production
1129 establishment or medical cannabis pharmacy.

1130 (2) The ombudsman shall:

1131 (a) develop and maintain expertise in laws and policies governing the rights and
1132 privileges of patients who hold medical cannabis cards;

1133 (b) provide training and information to private citizens, civic groups, governmental
1134 entities, and other interested parties across the state regarding:

1135 (i) the role and duties of the ombudsman; and

1136 (ii) the rights and privileges of medical cannabis patients;

1137 (c) develop a website to provide the information described in Subsection (2)(b) in a form
1138 that is easily accessible;

1139 (d) receive, process, and investigate complaints from medical cannabis production
1140 establishments and medical cannabis pharmacies regarding Utah regulatory agencies;

1141 (e) review proposed rules that are created under Title 4, Chapter 41a, Cannabis

1142 Production Establishments and Pharmacies, and Title 26B, Chapter 4, Part 2,

1143 Cannabinoid Research and Medical Cannabis;

1144 (f) cooperate and coordinate with governmental entities and other organizations in the
1145 community in exercising the duties under this section; and

1146 (g) as appropriate, make recommendations to the Department of Agriculture and Food
1147 and the Department of Health and Human Services regarding the creation or

1148 modification of rules that the ombudsman considers necessary to carry out the

1149 ombudsman's duties under this section.

1150 (3)(a) The ombudsman shall:

1151 (i) determine which entities receive licenses described under this Subsection (3); and

1152 (ii) inform the Department of Agriculture and Food of the selections.

- 1153 (b)(i) Subject to the requirements of this Subsection (3) and the criteria established
1154 for obtaining a medical cannabis pharmacy license under Title 4, Chapter 41a,
1155 Cannabis Production Establishments and Pharmacies, the ombudsman shall:
1156 (A) before January 1, 2026, select two entities to receive a medical cannabis
1157 pharmacy license; and
1158 (B) before January 1, 2027, but not before January 1, 2026, select one entity to
1159 receive a medical cannabis pharmacy license.
1160 (ii) When selecting entities under this Subsection (3), if there is a conflict between
1161 the criteria established for obtaining a medical cannabis pharmacy license under
1162 Title 4, Chapter 41a, Cannabis Production Establishments and Pharmacies, and
1163 this section, this section controls.
1164 (c) For one of the licenses described in Subsection (3)(b)(i)(A), the ombudsman may not
1165 select an entity:
1166 (i) that owns or operates a medical cannabis production establishment; or
1167 (ii) that is owned or operated by a medical cannabis production establishment.
1168 (d) The ombudsman:
1169 (i) may not select an entity to receive a license under this Subsection (3) if the entity
1170 already holds or is owned by an entity that holds a medical cannabis pharmacy
1171 license; and
1172 (ii) shall select an entity that will site a medical cannabis pharmacy license issued
1173 under this Subsection (3) in an area designated as a medically underserved area as
1174 determined by the federal Health Resources and Services Administration.
1175 (e) A license described in this Subsection (3) may not be transferred to another entity
1176 unless that entity meets the requirements of Subsections (3)(c) and (3)(d) that the
1177 transferring entity met when obtaining the license.
1178 (4)(a) The ombudsman shall create a program where a medical cannabis patient may
1179 obtain assistance for paying for medical cannabis and medical cannabis devices.
1180 (b) Subject to available funds, the medical cannabis ombudsman may provide monthly
1181 \$150 vouchers to a medical cannabis pharmacy as part of the program described in
1182 this Subsection (4).
1183 (c) A medical cannabis patient is eligible for the program if the individual is:
1184 (i) an active medical cannabis cardholder patient; and
1185 (ii) enrolled in Medicaid or Medicare.
1186 (d) The ombudsman may make rules to effectuate the program described in this

1187 Subsection (4) in accordance with Title 63G, Chapter 4, Administrative Procedures
 1188 Act.

1189 (e) The ombudsman may contract with an entity to administer the program described in
 1190 this Subsection (4).

1191 (5)(a) The ombudsman shall hear all appeals of administrative penalties assessed under
 1192 Section 4-41a-801 and Section 4-41a-801.1 that are not heard by an administrative
 1193 law judge.

1194 (b) When an appeal is filed under Subsection (5)(a), the Department of Agriculture and
 1195 Food shall provide a detailed explanation to the medical cannabis ombudsman for
 1196 each penalty assessed that is under appeal.

1197 (c) An appeal heard under this section is an informal adjudicative proceeding as
 1198 described in Title 63G, Chapter 4, Administrative Procedures Act.

1199 (d) The ombudsman may vacate or reduce an administrative penalty issued under
 1200 Section 4-41a-801 and Section 4-41a-801.1.

1201 (e) A person subject to an administrative penalty after an appeal heard under this
 1202 Subsection (5) may appeal for judicial review in accordance with the Title 63G,
 1203 Chapter 4, Administrative Procedures Act.

1204 (6) Before August 1, 2026, and each year thereafter, the ombudsman shall provide a report
 1205 regarding:

1206 (a) the number of appeals heard under Subsection (5);

1207 (b) the number of penalties reduced and upheld under Subsection (5);

1208 (c) the number of patients served under Subsection (4); and

1209 (d) policy recommendations related to the medical cannabis program.

1210 Section 17. Section **26B-1-310** is amended to read:

1211 **26B-1-310 . Qualified Patient Enterprise Fund -- Creation -- Revenue neutrality**
 1212 **-- Uniform fee.**

1213 (1) There is created an enterprise fund known as the "Qualified Patient Enterprise Fund."

1214 (2) The fund created in this section is funded from:

1215 (a) money the department deposits into the fund under Chapter 4, Part 2, Cannabinoid
 1216 Research and Medical Cannabis;

1217 (b) appropriations the Legislature makes to the fund; and

1218 (c) the interest described in Subsection (3).

1219 (3) Interest earned on the fund shall be deposited into the fund.

1220 (4) Money deposited into the fund may [~~only be used by~~] be used as follows:

- 1221 (a) by the department to accomplish the department's responsibilities described in
 1222 Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis;[~~and~~]
 1223 (b) by the Center for Medical Cannabis Research created in Section 53B-17-1402 to
 1224 accomplish the Center for Medical Cannabis Research's responsibilities[-] ;
 1225 (c) by the medical cannabis ombudsman created in Section 13-1-19 to accomplish the
 1226 medical cannabis ombudsman's responsibilities except for the responsibilities
 1227 described in Subsection 13-1-19(4); and
 1228 (d) if there is remaining money after financial obligations under Subsections (4)(a)
 1229 through (c) are met, \$250,000 by the medical cannabis ombudsman for the program
 1230 described in Subsection 13-1-19(4).

1231 (5) The department shall set fees authorized under Chapter 4, Part 2, Cannabinoid Research
 1232 and Medical Cannabis, in amounts that the department anticipates are necessary, in total,
 1233 to cover the department's cost to implement Chapter 4, Part 2, Cannabinoid Research
 1234 and Medical Cannabis.

1235 (6)(a) The department may impose a uniform fee on each medical cannabis transaction
 1236 in a medical cannabis pharmacy in an amount that, subject to Subsection (5), the
 1237 department sets in accordance with Section 63J-1-504.

1238 (b) The department shall allocate at least 10% of each fee charged under Subsection
 1239 (6)(a) to the medical cannabis ombudsman created in Section 13-1-19.

1240 Section 18. Section **26B-1-435** is amended to read:

1241 **26B-1-435 . Medical Cannabis Policy Advisory Board creation -- Membership --**
 1242 **Duties.**

1243 (1) There is created within the department the Medical Cannabis Policy Advisory Board.

1244 (2)(a) The advisory board shall consist of the following members:

1245 (i) appointed by the executive director:

1246 (A) a qualified medical provider who has recommended medical cannabis to at
 1247 least 100 patients before being appointed;

1248 (B) a medical research professional;

1249 (C) a mental health specialist;

1250 (D) an individual who represents an organization that advocates for medical
 1251 cannabis patients;

1252 (E) [~~an individual~~] a member of the general public who holds a medical cannabis
 1253 patient card; and

1254 (F) a member of the general public who does not hold a medical cannabis card;[

- 1255 and]
- 1256 (ii) appointed by the commissioner of the Department of Agriculture and Food:
- 1257 (A) an individual who owns or operates a licensed cannabis cultivation facility, as
- 1258 defined in Section 4-41a-102;
- 1259 (B) an individual who owns or operates a licensed medical cannabis pharmacy;
- 1260 and
- 1261 (C) a law enforcement officer[-] ; and
- 1262 (iii) a representative from the Center for Medical Cannabis Research created in
- 1263 Section 53B-14-1402, appointed by the Center for Medical Cannabis Research.
- 1264 (b) The commissioner of the Department of Agriculture and Food shall ensure that at
- 1265 least one individual appointed under Subsection (2)(a)(ii)(A) or (B) also owns or
- 1266 operates a licensed cannabis processing facility.
- 1267 (3)(a) Subject to Subsection (3)(b), a member of the advisory board shall serve for a
- 1268 four year term.
- 1269 (b) When appointing the initial membership of the advisory board, the executive director
- 1270 and the commissioner of the Department of Agriculture and Food shall coordinate to
- 1271 appoint four advisory board members to serve a term of two years to ensure that
- 1272 approximately half of the board is appointed every two years.
- 1273 (4)(a) If an advisory board member is no longer able to serve as a member, a new
- 1274 member shall be appointed in the same manner as the original appointment.
- 1275 (b) A member appointed in accordance with Subsection (4)(a) shall serve for the
- 1276 remainder of the unexpired term of the original appointment.
- 1277 (5)(a) A majority of the advisory board members constitutes a quorum.
- 1278 (b) The action of a majority of a quorum constitutes an action of the advisory board.
- 1279 (c) For a term lasting one year, the advisory board shall annually designate members of
- 1280 the advisory board to serve as chair and vice-chair.
- 1281 (d) When designating the chair and vice-chair, the advisory board shall ensure that at
- 1282 least one individual described Subsection (2)(a)(i) is appointed as chair or vice-chair.
- 1283 (6) An advisory board member may not receive compensation or benefits for the member's
- 1284 service on the advisory board but may receive per diem and reimbursement for travel
- 1285 expenses incurred as an advisory board member in accordance with:
- 1286 (a) Sections 63A-3-106 and 63A-3-107; and
- 1287 (b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
- 1288 63A-3-107.

- 1289 (7) The department shall:
- 1290 (a) provide staff support for the advisory board; and
- 1291 (b) assist the advisory board in conducting meetings.
- 1292 (8) The advisory board may recommend:
- 1293 (a) to the department or the Department of Agriculture and Food changes to current or
- 1294 proposed medical cannabis rules or statutes; and
- 1295 (b) to the appropriate legislative committee whether the advisory board supports a
- 1296 change to medical cannabis statutes.
- 1297 (9) The advisory board shall:
- 1298 (a) review any draft rule that is authorized under [~~this chapter~~] Chapter 4, Part 2,
- 1299 Cannabinoid Research and Medical Cannabis, or Title 4, Chapter 41a, Cannabis
- 1300 Production Establishments and Pharmacies;
- 1301 (b) consult with the Department of Agriculture and Food regarding the issuance of an
- 1302 additional:
- 1303 (i) cultivation facility license under Section 4-41a-205; or
- 1304 (ii) pharmacy license under Section 4-41a-1005;
- 1305 (c) consult with the department regarding cannabis patient education;
- 1306 (d) consult regarding the reasonableness of any fees set by the department or the
- 1307 Department of Agriculture and Food that pertain to the medical cannabis program;
- 1308 and
- 1309 (e) consult regarding any issue pertaining to medical cannabis when asked by the
- 1310 department or the Utah Department of Agriculture and Food.

1311 Section 19. Section **26B-4-201** is amended to read:

1312 **26B-4-201 . Definitions.**

1313 As used in this part:

- 1314 (1) "Active tetrahydrocannabinol" means THC, any THC analog, and
- 1315 tetrahydrocannabinolic acid.
- 1316 (2) "Administration of criminal justice" means the performance of detection, apprehension,
- 1317 detention, pretrial release, post-trial release, prosecution, and adjudication.
- 1318 (3) "Advertise" means information provided by a person in any medium:
- 1319 (a) to the public; and
- 1320 (b) that is not age restricted to an individual who is at least 21 years old.
- 1321 (4) "Advisory board" means the Medical Cannabis Policy Advisory Board created in
- 1322 Section 26B-1-435.

- 1323 (5) "Cannabis Research Review Board" means the Cannabis Research Review Board
1324 created in Section 26B-1-420.
- 1325 (6) "Cannabis" means marijuana.
- 1326 (7) "Cannabis processing facility" means the same as that term is defined in Section
1327 4-41a-102.
- 1328 (8) "Cannabis product" means a product that:
- 1329 (a) is intended for human use; and
- 1330 (b) contains cannabis or any tetrahydrocannabinol or THC analog in a total
1331 concentration of 0.3% or greater on a dry weight basis.
- 1332 (9) "Cannabis production establishment" means the same as that term is defined in Section
1333 4-41a-102.
- 1334 (10) "Cannabis production establishment agent" means the same as that term is defined in
1335 Section 4-41a-102.
- 1336 (11) "Cannabis production establishment agent registration card" means the same as that
1337 term is defined in Section 4-41a-102.
- 1338 (12) "Conditional medical cannabis card" means an electronic medical cannabis card that
1339 the department issues in accordance with Subsection 26B-4-213(1)(b) to allow an
1340 applicant for a medical cannabis card to access medical cannabis during the department's
1341 review of the application.
- 1342 (13) "Controlled substance database" means the controlled substance database created in
1343 Section 58-37f-201.
- 1344 (14) "Delivery address" means the same as that term is defined in Section 4-41a-102.
- 1345 (15) "Department" means the Department of Health and Human Services.
- 1346 (16) "Designated caregiver" means:
- 1347 (a) an individual:
- 1348 (i) whom an individual with a medical cannabis patient card or a medical cannabis
1349 guardian card designates as the patient's caregiver; and
- 1350 (ii) who registers with the department under Section 26B-4-214; or
- 1351 (b)(i) a facility that an individual designates as a designated caregiver in accordance
1352 with Subsection 26B-4-214(1)(b); or
- 1353 (ii) an assigned employee of the facility described in Subsection 26B-4-214(1)(b)(ii).
- 1354 (17) "Directions of use" means recommended routes of administration for a medical
1355 cannabis treatment and suggested usage guidelines.
- 1356 (18) "Dosing guidelines" means a quantity range and frequency of administration for a

- 1357 recommended treatment of medical cannabis.
- 1358 (19) "Government issued photo identification" means any of the following forms of
1359 identification:
- 1360 (a) a valid state-issued driver license or identification card;
- 1361 (b) a valid United States federal-issued photo identification, including:
- 1362 (i) a United States passport;
- 1363 (ii) a United States passport card;
- 1364 (iii) a United States military identification card; or
- 1365 (iv) a permanent resident card or alien registration receipt card; or
- 1366 (c) a foreign passport.
- 1367 (20) "Home delivery medical cannabis pharmacy" means a medical cannabis pharmacy that
1368 the department authorizes, as part of the pharmacy's license, to deliver medical cannabis
1369 shipments to a delivery address to fulfill electronic orders~~[that the state central patient~~
1370 ~~portal facilitates]~~.
- 1371 (21) "Inventory control system" means the system described in Section 4-41a-103.
- 1372 (22) "Legal dosage limit" means an amount that:
- 1373 (a) is sufficient to provide 30 days of treatment based on the dosing guidelines that the
1374 relevant recommending medical provider or ~~[the state central patient portal or]~~
1375 pharmacy medical provider, in accordance with Subsection 26B-4-230(5),
1376 recommends; and
- 1377 (b) may not exceed:
- 1378 (i) for unprocessed cannabis in a medicinal dosage form, 113 grams by weight; and
- 1379 (ii) for a cannabis product in a medicinal dosage form, a quantity that contains, in
1380 total, greater than 20 grams of active tetrahydrocannabinol.
- 1381 (23) "Legal use termination date" means a date on the label of a container of unprocessed
1382 cannabis flower:
- 1383 (a) that is 60 days after the date of purchase of the cannabis; and
- 1384 (b) after which, the cannabis is no longer in a medicinal dosage form outside of the
1385 primary residence of the relevant medical cannabis patient cardholder.
- 1386 (24) "Limited medical provider" means an individual who:
- 1387 (a) meets the recommending qualifications; and
- 1388 (b) has no more than 15 patients with a valid medical cannabis patient card as a result of
1389 the individual's recommendation, in accordance with Subsection 26B-4-204(1)(b).
- 1390 (25) "Marijuana" means the same as that term is defined in Section 58-37-2.

- 1391 (26) "Medical cannabis" or "medical cannabis product" means cannabis in a medicinal
1392 dosage form or a cannabis product in a medicinal dosage form.
- 1393 (27) "Medical cannabis card" means a medical cannabis patient card, a medical cannabis
1394 guardian card, a medical cannabis caregiver card, or a conditional medical cannabis card.
- 1395 (28) "Medical cannabis cardholder" means:
- 1396 (a) a holder of a medical cannabis card; or
- 1397 (b) a facility or assigned employee, described in Subsection (16)(b), only:
- 1398 (i) within the scope of the facility's or assigned employee's performance of the role of
1399 a medical cannabis patient cardholder's caregiver designation under Subsection
1400 26B-4-214(1)(b); and
- 1401 (ii) while in possession of documentation that establishes:
- 1402 (A) a caregiver designation described in Subsection 26B-4-214(1)(b);
- 1403 (B) the identity of the individual presenting the documentation; and
- 1404 (C) the relation of the individual presenting the documentation to the caregiver
1405 designation.
- 1406 (29) "Medical cannabis caregiver card" means an electronic document that a cardholder
1407 may print or store on an electronic device or a physical card or document that:
- 1408 (a) the department issues to an individual whom a medical cannabis patient cardholder
1409 or a medical cannabis guardian cardholder designates as a designated caregiver; and
- 1410 (b) is connected to the electronic verification system.
- 1411 (30) "Medical cannabis courier" means the same as that term is defined in Section
1412 4-41a-102.
- 1413 (31)(a) "Medical cannabis device" means a device that an individual uses to ingest or
1414 inhale [~~cannabis in a medicinal dosage form or a cannabis product in a medicinal~~
1415 ~~dosage form~~] medical cannabis.
- 1416 (b) "Medical cannabis device" does not include a device that:
- 1417 (i) facilitates cannabis combustion; or
- 1418 (ii) an individual uses to ingest substances other than cannabis.
- 1419 (32) "Medical cannabis guardian card" means an electronic document that a cardholder may
1420 print or store on an electronic device or a physical card or document that:
- 1421 (a) the department issues to the parent or legal guardian of a minor with a qualifying
1422 condition; and
- 1423 (b) is connected to the electronic verification system.
- 1424 (33) "Medical cannabis patient card" means an electronic document that a cardholder may

- 1425 print or store on an electronic device or a physical card or document that:
- 1426 (a) the department issues to an individual with a qualifying condition; and
- 1427 (b) is connected to the electronic verification system.
- 1428 (34) "Medical cannabis pharmacy" means a person that:
- 1429 (a)(i) acquires or intends to acquire medical cannabis [~~or a cannabis product in a~~
- 1430 ~~medicinal dosage form~~]from a cannabis processing facility or another medical
- 1431 cannabis pharmacy or a medical cannabis device; or
- 1432 (ii) possesses medical cannabis or a medical cannabis device; and
- 1433 (b) sells or intends to sell medical cannabis or a medical cannabis device to a medical
- 1434 cannabis cardholder.
- 1435 (35) "Medical cannabis pharmacy agent" means an individual who holds a valid medical
- 1436 cannabis pharmacy agent registration card issued by the department.
- 1437 (36) "Medical cannabis pharmacy agent registration card" means a registration card issued
- 1438 by the department that authorizes an individual to act as a medical cannabis pharmacy
- 1439 agent.
- 1440 (37) "Medical cannabis shipment" means the same as that term is defined in Section
- 1441 4-41a-102.
- 1442 (38) "Medical cannabis treatment" means [~~cannabis in a medicinal dosage form, a cannabis~~
- 1443 ~~product in a medicinal dosage form, or~~ medical cannabis or a medical cannabis device.
- 1444 (39)(a) "Medicinal dosage form" means:
- 1445 (i) for processed medical cannabis, the following with a specific and consistent
- 1446 cannabinoid content:
- 1447 (A) a tablet;
- 1448 (B) a capsule;
- 1449 (C) a concentrated liquid or viscous oil;
- 1450 (D) a liquid suspension that does not exceed 30 milliliters;
- 1451 (E) a topical preparation;
- 1452 (F) a transdermal preparation;
- 1453 (G) a sublingual preparation;
- 1454 (H) a gelatinous cube, gelatinous rectangular cuboid, or lozenge in a cube or
- 1455 rectangular cuboid shape;
- 1456 (I) a resin or wax;
- 1457 (J) an aerosol;
- 1458 (K) a suppository preparation; or

- 1459 (L) a soft or hard confection that is a uniform rectangular cuboid or uniform
1460 spherical shape, is homogeneous in color and texture, and each piece is a single
1461 serving; or
- 1462 (ii) for unprocessed cannabis flower, a container described in Section 4-41a-602 that:
- 1463 (A) contains cannabis flower in a quantity that varies by no more than 10% from
1464 the stated weight at the time of packaging;
- 1465 (B) at any time the medical cannabis cardholder transports or possesses the
1466 container in public, is contained within an opaque bag or box that the medical
1467 cannabis pharmacy provides; and
- 1468 (C) is labeled with the container's content and weight, the date of purchase, the
1469 legal use termination date, and a barcode that provides information connected
1470 to an inventory control system.
- 1471 (b) "Medicinal dosage form" includes a portion of unprocessed cannabis flower that:
- 1472 (i) the medical cannabis cardholder has recently removed from the container
1473 described in Subsection (39)(a)(ii) for use; and
- 1474 (ii) does not exceed the quantity described in Subsection (39)(a)(ii).
- 1475 (c) "Medicinal dosage form" does not include:
- 1476 (i) any unprocessed cannabis flower outside of the container described in Subsection
1477 (39)(a)(ii), except as provided in Subsection (39)(b);
- 1478 (ii) any unprocessed cannabis flower in a container described in Subsection
1479 (39)(a)(ii) after the legal use termination date;
- 1480 (iii) a process of vaporizing and inhaling concentrated cannabis by placing the
1481 cannabis on a nail or other metal object that is heated by a flame, including a
1482 blowtorch;
- 1483 (iv) a liquid suspension that is branded as a beverage;
- 1484 (v) a substance described in Subsection (39)(a)(i) or (ii) if the substance is not
1485 measured in grams, milligrams, or milliliters; or
- 1486 (vi) a substance that contains or is covered to any degree with chocolate.
- 1487 (40) "Nonresident patient" means an individual who:
- 1488 (a) is not a resident of Utah or has been a resident of Utah for less than 45 days;
- 1489 (b) has a currently valid medical cannabis card or the equivalent of a medical cannabis
1490 card under the laws of another state, district, territory, commonwealth, or insular
1491 possession of the United States; and
- 1492 (c) has been diagnosed with a qualifying condition as described in Section 26B-4-203.

- 1493 (41) "Patient product information insert" means a single page document that contains
1494 information about a medical cannabis product regarding:
- 1495 (a) how to use the product;
 - 1496 (b) common side effects;
 - 1497 (c) serious side effects;
 - 1498 (d) dosage;
 - 1499 (e) contraindications;
 - 1500 (f) safe storage; and
 - 1501 (g) information on when a product should not be used.
- 1502 (42) "Pharmacy medical provider" means the medical provider required to be on site at a
1503 medical cannabis pharmacy under Section 26B-4-219.
- 1504 [(42)] (43) "Provisional patient card" means a card that:
- 1505 (a) the department issues to a minor with a qualifying condition for whom:
 - 1506 (i) a recommending medical provider has recommended a medical cannabis
1507 treatment; and
 - 1508 (ii) the department issues a medical cannabis guardian card to the minor's parent or
1509 legal guardian; and
 - 1510 (b) is connected to the electronic verification system.
- 1511 [(43)] (44) "Qualified medical provider" means an individual:
- 1512 (a) who meets the recommending qualifications; and
 - 1513 (b) whom the department registers to recommend treatment with cannabis in a medicinal
1514 dosage form under Section 26B-4-204.
- 1515 [(44)] (45) "Qualified Patient Enterprise Fund" means the enterprise fund created in Section
1516 26B-1-310.
- 1517 [(45)] (46) "Qualifying condition" means a condition described in Section 26B-4-203.
- 1518 [(46)] (47) "Recommend" or "recommendation" means, for a recommending medical
1519 provider, the act of suggesting the use of medical cannabis treatment, which:
- 1520 (a) certifies the patient's eligibility for a medical cannabis card; and
 - 1521 (b) may include, at the recommending medical provider's discretion, directions of use,
1522 with or without dosing guidelines.
- 1523 [(47)] (48) "Recommending medical provider" means a qualified medical provider or a
1524 limited medical provider.
- 1525 [(48)] (49) "Recommending qualifications" means that an individual:
- 1526 (a)(i) has the authority to write a prescription;

- 1527 (ii) is licensed to prescribe a controlled substance under Title 58, Chapter 37, Utah
 1528 Controlled Substances Act; and
- 1529 (iii) possesses the authority, in accordance with the individual's scope of practice, to
 1530 prescribe a Schedule II controlled substance; and
- 1531 (b) is licensed as:
- 1532 (i) a podiatrist under Title 58, Chapter 5a, Podiatric Physician Licensing Act;
 1533 (ii) an advanced practice registered nurse under Title 58, Chapter 31b, Nurse Practice
 1534 Act;
- 1535 (iii) a physician under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58,
 1536 Chapter 68, Utah Osteopathic Medical Practice Act; or
- 1537 (iv) a physician assistant under Title 58, Chapter 70a, Utah Physician Assistant Act.
- 1538 [~~(49) "State central patient portal" means the website the department creates, in accordance
 1539 with Section 26B-4-236, to facilitate patient safety, education, and an electronic medical
 1540 cannabis order.~~]
- 1541 (50) "State electronic verification system" means the system described in Section 26B-4-202.
- 1542 (51) "Targeted marketing" means the promotion by a qualified medical provider, medical
 1543 clinic, or medical office that employs a qualified medical provider of a medical cannabis
 1544 recommendation service using any of the following methods:
- 1545 (a) electronic communication to an individual who is at least 21 years old and has
 1546 requested to receive promotional information;
- 1547 (b) an in-person marketing event that is held in an area where only an individual who is
 1548 at least 21 years old may access the event;
- 1549 (c) other marketing material that is physically or digitally displayed in the office of the
 1550 medical clinic or office that employs a qualified medical provider; or
- 1551 (d) a leaflet that a qualified medical provider, medical clinic, or medical office that
 1552 employs a qualified medical provider shares with an individual who is at least 21
 1553 years old.
- 1554 (52) "Tetrahydrocannabinol" or "THC" means a substance derived from cannabis or a
 1555 synthetic equivalent as described in Subsection 58-37-4(2)(a)(iii)(AA).
- 1556 (53) "THC analog" means the same as that term is defined in Section 4-41-102.
- 1557 Section 20. Section **26B-4-202** is amended to read:
- 1558 **26B-4-202 . Electronic verification system.**
- 1559 (1) The Department of Agriculture and Food, the department, the Department of Public
 1560 Safety, and the Division of Technology Services shall:

- 1561 (a) enter into a memorandum of understanding in order to determine the function and
1562 operation of the state electronic verification system in accordance with Subsection
1563 (2);
- 1564 (b) coordinate with the Division of Purchasing, under Title 63G, Chapter 6a, Utah
1565 Procurement Code, to develop a request for proposals for a third-party provider to
1566 develop and maintain the state electronic verification system in coordination with the
1567 Division of Technology Services; and
- 1568 (c) select a third-party provider who:
- 1569 (i) meets the requirements contained in the request for proposals issued under
1570 Subsection (1)(b); and
- 1571 (ii) may not have any commercial or ownership interest in a cannabis production
1572 establishment or a medical cannabis pharmacy.
- 1573 (2) The Department of Agriculture and Food, the department, the Department of Public
1574 Safety, and the Division of Technology Services shall ensure that the state electronic
1575 verification system described in Subsection (1):
- 1576 (a) allows an individual to apply for a medical cannabis patient card or, if applicable, a
1577 medical cannabis guardian card, provided that the card may not become active until:
- 1578 (i) the relevant qualified medical provider completes the associated medical cannabis
1579 recommendation; or
- 1580 (ii) for a medical cannabis card related to a limited medical provider's
1581 recommendation, the medical cannabis pharmacy completes the recording
1582 described in Subsection (2)(d);
- 1583 (b) allows an individual to apply to renew a medical cannabis patient card or a medical
1584 cannabis guardian card in accordance with Section 26B-4-213;
- 1585 (c) allows a qualified medical provider, or an employee described in Subsection (3)
1586 acting on behalf of the qualified medical provider, to:
- 1587 (i) access dispensing and card status information regarding a patient:
- 1588 (A) with whom the qualified medical provider has a provider-patient relationship;
1589 and
- 1590 (B) for whom the qualified medical provider has recommended or is considering
1591 recommending a medical cannabis card;
- 1592 (ii) electronically recommend treatment with [~~eannabis in a medicinal dosage form or~~
1593 ~~a cannabis product in a medicinal dosage form~~] medical cannabis and optionally
1594 recommend dosing guidelines;

- 1595 (iii) electronically renew a recommendation to a medical cannabis patient cardholder
1596 or medical cannabis guardian cardholder:
- 1597 (A) using telehealth services, for the qualified medical provider who originally
1598 recommended a medical cannabis treatment during a face-to-face visit with the
1599 patient; or
- 1600 (B) during a face-to-face visit with the patient, for a qualified medical provider
1601 who did not originally recommend the medical cannabis treatment during a
1602 face-to-face visit; and
- 1603 (iv) submit an initial application, renewal application, or application payment on
1604 behalf of an individual applying for any of the following:
- 1605 (A) a medical cannabis patient card;
1606 (B) a medical cannabis guardian card; or
1607 (C) a medical cannabis caregiver card;
- 1608 (d) allows a medical cannabis pharmacy medical provider or medical cannabis pharmacy
1609 agent, in accordance with Subsection 4-41a-1101(10)(a), to:
- 1610 (i) access the electronic verification system to review the history within the system of
1611 a patient with whom the provider or agent is interacting, limited to read-only
1612 access for medical cannabis pharmacy agents unless the medical cannabis
1613 pharmacy's pharmacist in charge authorizes add and edit access;
- 1614 (ii) record a patient's recommendation from a limited medical provider, including any
1615 directions of use, dosing guidelines, or caregiver indications from the limited
1616 medical provider;
- 1617 (iii) record a limited medical provider's renewal of the provider's previous
1618 recommendation; and
- 1619 (iv) submit an initial application, renewal application, or application payment on
1620 behalf of an individual applying for any of the following:
- 1621 (A) a medical cannabis patient card;
1622 (B) a medical cannabis guardian card; or
1623 (C) a medical cannabis caregiver card;
- 1624 (e) connects with:
- 1625 (i) an inventory control system that a medical cannabis pharmacy uses to track in real
1626 time and archive purchases of any [~~cannabis in a medicinal dosage form, cannabis~~
1627 ~~product in a medicinal dosage form,]~~ medical cannabis or a medical cannabis
1628 device, including:

- 1629 (A) the time and date of each purchase;
- 1630 (B) the quantity and type of [~~eannabis, cannabis product,~~] medical cannabis or
- 1631 medical cannabis device purchased;
- 1632 (C) any cannabis production establishment, any medical cannabis pharmacy, or
- 1633 any medical cannabis courier associated with the [~~eannabis, cannabis product,~~]
- 1634 medical cannabis or medical cannabis device; and
- 1635 (D) the personally identifiable information of the medical cannabis cardholder
- 1636 who made the purchase; and
- 1637 (ii) any commercially available inventory control system that a cannabis production
- 1638 establishment utilizes in accordance with Section 4-41a-103 to use data that the
- 1639 Department of Agriculture and Food requires by rule, in accordance with Title
- 1640 63G, Chapter 3, Utah Administrative Rulemaking Act, from the inventory
- 1641 tracking system that a licensee uses to track and confirm compliance;
- 1642 (f) provides access to:
- 1643 (i) the department to the extent necessary to carry out the department's functions and
- 1644 responsibilities under this part;
- 1645 (ii) the Department of Agriculture and Food to the extent necessary to carry out the
- 1646 functions and responsibilities of the Department of Agriculture and Food under
- 1647 Title 4, Chapter 41a, Cannabis Production Establishments and Pharmacies; and
- 1648 (iii) the Division of Professional Licensing to the extent necessary to carry out the
- 1649 functions and responsibilities related to the participation of the following in the
- 1650 recommendation and dispensing of medical cannabis:
- 1651 (A) a podiatrist licensed under Title 58, Chapter 5a, Podiatric Physician Licensing
- 1652 Act;
- 1653 (B) a pharmacist licensed under Title 58, Chapter 17b, Pharmacy Practice Act;
- 1654 (C) an advanced practice registered nurse licensed under Title 58, Chapter 31b,
- 1655 Nurse Practice Act;
- 1656 (D) a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act, or
- 1657 Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; or
- 1658 (E) a physician assistant licensed under Title 58, Chapter 70a, Utah Physician
- 1659 Assistant Act;
- 1660 [~~(g) provides access to and interaction with the state central patient portal;~~]
- 1661 [~~(h)~~] (g) communicates dispensing information from a record that a medical cannabis
- 1662 pharmacy submits to the state electronic verification system under Subsection

- 1663 4-41a-1102(3)(a)(ii) to the controlled substance database;
- 1664 [(†)] (h) provides access to state or local law enforcement only to verify the validity of an
- 1665 individual's medical cannabis card for the administration of criminal justice and
- 1666 through a database used by law enforcement; and
- 1667 [(†)] (i) creates a record each time a person accesses the system that identifies the person
- 1668 who accesses the system and the individual whose records the person accesses.
- 1669 (3)(a) An employee of a qualified medical provider may access the electronic
- 1670 verification system for a purpose described in Subsection (2)(c) on behalf of the
- 1671 qualified medical provider if:
- 1672 (i) the qualified medical provider has designated the employee as an individual
- 1673 authorized to access the electronic verification system on behalf of the qualified
- 1674 medical provider;
- 1675 (ii) the qualified medical provider provides written notice to the department of the
- 1676 employee's identity and the designation described in Subsection (3)(a)(i); and
- 1677 (iii) the department grants to the employee access to the electronic verification
- 1678 system.
- 1679 (b) An employee of a business that employs a qualified medical provider may access the
- 1680 electronic verification system for a purpose described in Subsection (2)(c) on behalf
- 1681 of the qualified medical provider if:
- 1682 (i) the qualified medical provider has designated the employee as an individual
- 1683 authorized to access the electronic verification system on behalf of the qualified
- 1684 medical provider;
- 1685 (ii) the qualified medical provider and the employing business jointly provide written
- 1686 notice to the department of the employee's identity and the designation described
- 1687 in Subsection (3)(b)(i); and
- 1688 (iii) the department grants to the employee access to the electronic verification
- 1689 system.
- 1690 (4)(a) As used in this Subsection (4), "prescribing provider" means:
- 1691 (i) a podiatrist licensed under Title 58, Chapter 5a, Podiatric Physician Licensing Act;
- 1692 (ii) an advanced practice registered nurse licensed under Title 58, Chapter 31b, Nurse
- 1693 Practice Act;
- 1694 (iii) a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act, or
- 1695 Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; or
- 1696 (iv) a physician assistant licensed under Title 58, Chapter 70a, Utah Physician

- 1697 Assistant Act.
- 1698 (b) A prescribing provider may access information in the electronic verification system
1699 regarding a patient the prescribing provider treats.
- 1700 (5) The department may release limited data that the system collects for the purpose of:
1701 (a) conducting medical and other department approved research;
1702 (b) providing the report required by Section 26B-4-222; and
1703 (c) other official department purposes.
- 1704 (6) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah
1705 Administrative Rulemaking Act, to establish:
1706 (a) the limitations on access to the data in the state electronic verification system as
1707 described in this section; and
1708 (b) standards and procedures to ensure accurate identification of an individual requesting
1709 information or receiving information in this section.
- 1710 (7) Any person who negligently or recklessly releases any information in the state
1711 electronic verification system in violation of this section is guilty of a class C
1712 misdemeanor.
- 1713 (8) Any person who obtains or attempts to obtain information from the state electronic
1714 verification system by misrepresentation or fraud is guilty of a third degree felony.
- 1715 (9)(a) Except as provided in Subsections (9)(c) and (9)(e), a person may not knowingly
1716 and intentionally use, release, publish, or otherwise make available to any other
1717 person information obtained from the state electronic verification system for any
1718 purpose other than a purpose specified in this section.
- 1719 (b) Each separate violation of this Subsection (9) is:
1720 (i) a third degree felony; and
1721 (ii) subject to a civil penalty not to exceed \$5,000.
- 1722 (c) A law enforcement officer who uses the database used by law enforcement to access
1723 information in the electronic verification system for a reason that is not the
1724 administration of criminal justice is guilty of a class B misdemeanor.
- 1725 (d) The department shall determine a civil violation of this Subsection (9) in accordance
1726 with Title 63G, Chapter 4, Administrative Procedures Act.
- 1727 (e) Civil penalties assessed under this Subsection (9) shall be deposited into the General
1728 Fund.
- 1729 (f) This Subsection (9) does not prohibit a person who obtains information from the state
1730 electronic verification system under Subsection (2)(a), (c), or (f) from:

- 1731 (i) including the information in the person's medical chart or file for access by a
 1732 person authorized to review the medical chart or file;
 1733 (ii) providing the information to a person in accordance with the requirements of the
 1734 Health Insurance Portability and Accountability Act of 1996; or
 1735 (iii) discussing or sharing that information about the patient with the patient.

1736 Section 21. Section **26B-4-214** is amended to read:

1737 **26B-4-214 . Medical cannabis caregiver card -- Registration -- Renewal --**
 1738 **Revocation.**

- 1739 (1)(a) A cardholder described in Section 26B-4-213 may designate~~[, through the state~~
 1740 ~~central patient portal,]~~ up to two individuals, or an individual and a facility in
 1741 accordance with Subsection (1)(b), to serve as a designated caregiver for the
 1742 cardholder.
- 1743 (b)(i) A cardholder described in Section 26B-4-213 may designate one of the
 1744 following types of facilities as one of the caregivers described in Subsection (1)(a):
 1745 (A) for a patient or resident, an assisted living facility, as that term is defined in
 1746 Section 26B-2-201;
 1747 (B) for a patient or resident, a nursing care facility, as that term is defined in
 1748 Section 26B-2-201; or
 1749 (C) for a patient, a general acute hospital, as that term is defined in Section
 1750 26B-2-201.
- 1751 (ii) A facility may:
 1752 (A) assign one or more employees to assist patients with medical cannabis
 1753 treatment under the caregiver designation described in this Subsection (1)(b);
 1754 and
 1755 (B) receive a medical cannabis shipment from a medical cannabis pharmacy or a
 1756 medical cannabis courier on behalf of the medical cannabis cardholder within
 1757 the facility who designated the facility as a caregiver.
- 1758 (iii) The department shall make rules to regulate the practice of facilities and facility
 1759 employees serving as designated caregivers under this Subsection (1)(b).
- 1760 (c) A parent or legal guardian described in Subsection 26B-4-213(2)(d), in consultation
 1761 with the minor and the minor's qualified medical provider, may designate~~[, through~~
 1762 ~~the state central patient portal,]~~ up to two individuals to serve as a designated
 1763 caregiver for the minor, if the department determines that the parent or legal guardian
 1764 is not eligible for a medical cannabis guardian card under Section 26B-4-213.

- 1765 (d)(i) Upon the entry of a caregiver designation under this Subsection (1) by a
1766 patient with a terminal illness described in Section 26B-4-203, the department
1767 shall issue to the designated caregiver an electronic conditional medical cannabis
1768 caregiver card, in accordance with this Subsection (1)(d).
- 1769 (ii) A conditional medical cannabis caregiver card is valid for the lesser of:
1770 (A) 60 days; or
1771 (B) the day on which the department completes the department's review and issues
1772 a medical cannabis caregiver card under Subsection (1)(a), denies the patient's
1773 medical cannabis caregiver card application, or revokes the conditional
1774 medical cannabis caregiver card under Section 26B-4-246.
- 1775 (iii) The department may issue a conditional medical cannabis card to an individual
1776 applying for a medical cannabis patient card for which approval of the
1777 Compassionate Use Board is not required.
- 1778 (iv) An individual described in Subsection (1)(b)(iii) has the rights, restrictions, and
1779 obligations under law applicable to a holder of the medical cannabis card for
1780 which the individual applies and for which the department issues the conditional
1781 medical cannabis card.
- 1782 (2) An individual that the department registers as a designated caregiver under this section
1783 and a facility described in Subsection (1)(b):
- 1784 (a) for an individual designated caregiver, may carry a valid medical cannabis caregiver
1785 card;
- 1786 (b) in accordance with this part, may purchase, possess, transport, or assist the patient in
1787 the use of [~~cannabis in a medicinal dosage form, a cannabis product in a medicinal~~
1788 ~~dosage form,]~~ medical cannabis or a medical cannabis device on behalf of the
1789 designating medical cannabis cardholder;
- 1790 (c) may not charge a fee to an individual to act as the individual's designated caregiver
1791 or for a service that the designated caregiver provides in relation to the role as a
1792 designated caregiver; and
- 1793 (d) may accept reimbursement from the designating medical cannabis cardholder for
1794 direct costs the designated caregiver incurs for assisting with the designating
1795 cardholder's medicinal use of cannabis.
- 1796 (3)(a) The department shall:
- 1797 (i) within 15 days after the day on which an individual submits an application in
1798 compliance with this section, issue a medical cannabis card to the applicant if the

- 1799 applicant:
- 1800 (A) is designated as a caregiver under Subsection (1);
- 1801 (B) is eligible for a medical cannabis caregiver card under Subsection (4); and
- 1802 (C) complies with this section; and
- 1803 (ii) notify the Department of Public Safety of each individual that the department
- 1804 registers as a designated caregiver.
- 1805 (b) The department shall ensure that a medical cannabis caregiver card contains the
- 1806 information described in Subsections (5)(b) and (3)(c)(i).
- 1807 (c) If a cardholder described in Section 26B-4-213 designates an individual as a
- 1808 caregiver who already holds a medical cannabis caregiver card, the individual with
- 1809 the medical cannabis caregiver card:
- 1810 (i) shall report to the department the information required of applicants under
- 1811 Subsection (5)(b) regarding the new designation;
- 1812 (ii) if the individual makes the report described in Subsection (3)(c)(i), is not required
- 1813 to file an application for another medical cannabis caregiver card;
- 1814 (iii) may receive an additional medical cannabis caregiver card in relation to each
- 1815 additional medical cannabis patient who designates the caregiver; and
- 1816 (iv) is not subject to an additional background check.
- 1817 (4) An individual is eligible for a medical cannabis caregiver card if the individual:
- 1818 (a) is at least 21 years old;
- 1819 (b) is a Utah resident;
- 1820 (c) pays to the department a fee in an amount that, subject to Subsection 26B-1-310(5),
- 1821 the department sets in accordance with Section 63J-1-504, plus the cost of the
- 1822 criminal background check described in Section 26B-4-215; and
- 1823 (d) signs an acknowledgment stating that the applicant received the information
- 1824 described in Subsection 26B-4-213(9)[-].
- 1825 (5) An eligible applicant for a medical cannabis caregiver card shall:
- 1826 (a) submit an application for a medical cannabis caregiver card to the department
- 1827 through an electronic application connected to the state electronic verification
- 1828 system; and
- 1829 (b) submit the following information in the application described in Subsection (5)(a):
- 1830 (i) the applicant's name, gender, age, and address;
- 1831 (ii) the name, gender, age, and address of the cardholder described in Section
- 1832 26B-4-213 who designated the applicant;

- 1833 (iii) if a medical cannabis guardian cardholder designated the caregiver, the name,
1834 gender, and age of the minor receiving a medical cannabis treatment in relation to
1835 the medical cannabis guardian cardholder; and
- 1836 (iv) any additional information that the department requests to assist in matching the
1837 application with the designating medical cannabis patient.
- 1838 (6) Except as provided in Subsection (6)(b), a medical cannabis caregiver card that the
1839 department issues under this section is valid for the lesser of:
- 1840 (a) an amount of time that the cardholder described in Section 26B-4-213 who
1841 designated the caregiver determines; or
- 1842 (b) the amount of time remaining before the card of the cardholder described in Section
1843 26B-4-213 expires.
- 1844 (7)(a) If a designated caregiver meets the requirements of Subsection (4), the designated
1845 caregiver's medical cannabis caregiver card renews automatically at the time the
1846 cardholder described in Section 26B-4-213 who designated the caregiver:
- 1847 (i) renews the cardholder's card; and
- 1848 (ii) renews the caregiver's designation, in accordance with Subsection (7)(b).
- 1849 (b) The department shall provide a method in the card renewal process to allow a
1850 cardholder described in Section 26B-4-213 who has designated a caregiver to:
- 1851 (i) signify that the cardholder renews the caregiver's designation;
- 1852 (ii) remove a caregiver's designation; or
- 1853 (iii) designate a new caregiver.
- 1854 (8) The department shall record the issuance or revocation of a medical cannabis card under
1855 this section in the controlled substance database.
- 1856 Section 22. Section **26B-4-222** is amended to read:
- 1857 **26B-4-222 . Report.**
- 1858 (1) By the November interim meeting each year, the department shall report to the Health
1859 and Human Services Interim Committee on:
- 1860 (a) the number of applications and renewal applications filed for medical cannabis cards;
- 1861 (b) the number of qualifying patients and designated caregivers;
- 1862 (c) the nature of the debilitating medical conditions of the qualifying patients;
- 1863 (d) the age and county of residence of cardholders;
- 1864 (e) the number of medical cannabis cards revoked;
- 1865 (f) the number of practitioners providing recommendations for qualifying patients;
- 1866 (g) the number of license applications and renewal license applications received;

- 1867 (h) the number of licenses the department has issued in each county;
- 1868 (i) the number of licenses the department has revoked;
- 1869 (j) the quantity of medical cannabis shipments~~[that the state central patient portal~~
 1870 ~~facilitates];~~
- 1871 (k) the number of overall purchases of medical cannabis ~~[and medical cannabis products]~~
 1872 from each medical cannabis pharmacy;
- 1873 (l) the expenses incurred and revenues generated from the medical cannabis program;
- 1874 and
- 1875 (m) an analysis of product availability in medical cannabis pharmacies in consultation
 1876 with the Department of Agriculture and Food.
- 1877 (2) The report shall include information provided by the Center for Medical Cannabis
 1878 Research described in Section 53B-17-1402.
- 1879 (3) The department may not include personally identifying information in the report
 1880 described in this section.
- 1881 (4) The department shall report to the working group described in Section 36-12-8.2 as
 1882 requested by the working group.
- 1883 Section 23. Section **26B-4-243** is amended to read:
- 1884 **26B-4-243 . Guidance for treatment with medical cannabis.**
- 1885 The department, in consultation with the Center for Medical Cannabis Research created
 1886 in Section 53B-17-1402, shall:
- 1887 (1) develop evidence-based guidance for treatment with medical cannabis based on the
 1888 latest medical research that shall include:
- 1889 (a) for each qualifying condition, a summary of the latest medical research regarding the
 1890 treatment of the qualifying condition with medical cannabis;
- 1891 (b) risks, contraindications, side effects, and adverse reactions that are associated with
 1892 medical cannabis use; and
- 1893 (c) potential drug interactions between medical cannabis and medications that have been
 1894 approved by the United States Food and Drug Administration;~~[-and]~~
- 1895 (2) educate recommending medical providers, pharmacy medical providers, medical
 1896 cannabis cardholders, and the public regarding:
- 1897 (a) the evidence-based guidance for treatment with medical cannabis described in
 1898 Subsection (1)(a);
- 1899 (b) relevant warnings and safety information related to medical cannabis use; and
- 1900 (c) other topics related to medical cannabis use as determined by the department~~[-]~~ ; and

- 1901 (3) develop patient product information inserts for medical cannabis products.
 1902 Section 24. Section **26B-4-247** is amended to read:
 1903 **26B-4-247 . Department coordination.**
- 1904 (1) The department shall:
 1905 [~~(1)~~] (a) provide draft rules made under this chapter to the;
 1906 (i) [~~-~~] advisory board for the advisory board's review; and
 1907 (ii) medical cannabis ombudsman;
 1908 [~~(2)~~] (b) consult with the advisory board regarding:
 1909 [~~(a)~~] (i) patient education; and
 1910 [~~(b)~~] (ii) fees set by the department that pertain to the medical cannabis program; and
 1911 [~~(3)~~] (c) when appropriate, consult with the advisory board regarding issues that arise in
 1912 the medical cannabis program.
- 1913 (2) The department may not file a rule under Title 63G, Chapter 3, Administrative
 1914 Rulemaking Act, unless the medical cannabis ombudsman agrees the rule should be
 1915 filed.
- 1916 Section 25. Section **26B-4-248** is enacted to read:
 1917 **26B-4-248 . Medical cannabis sales website.**
- 1918 (1) As used in this section, "designated pharmacy" means a medical cannabis pharmacy that
 1919 is designated by a medical cannabis cardholder for fulfilling a medical cannabis product
 1920 under Subsection (2)(c).
- 1921 (2) The department shall issue a request for proposals to establish and maintain a medical
 1922 cannabis sales website that:
- 1923 (a) is accessible to medical cannabis cardholders;
 1924 (b) allows a cannabis processing facility to list a medical cannabis product on the
 1925 website, including:
 1926 (i) the product's name;
 1927 (ii) the amount of inventory the cannabis processing facility has of the product;
 1928 (iii) a short description of the product provided by the cannabis processing facility;
 1929 (iv) the product's intended use, dosage, and relevant warnings; and
 1930 (v) laboratory test results;
 1931 (c) allows a medical cannabis cardholder to request a medical cannabis pharmacy to
 1932 fulfill an order; and
 1933 (d) notifies a medical cannabis pharmacy when an order has been requested.
- 1934 (3)(a) A medical cannabis pharmacy notified under Subsection (2)(d) shall contact the

- 1935 medical cannabis cardholder to inform the cardholder regarding whether the
 1936 pharmacy will fulfill the order.
- 1937 (b) If the medical cannabis pharmacy agrees to fulfill the order, the medical cannabis
 1938 pharmacy may:
- 1939 (i) set a price for the product;
- 1940 (ii) determine whether the pharmacy will provide home delivery if authorized to
 1941 provide home delivery under Title 4, Chapter 41a, Cannabis Production
 1942 Establishments and Pharmacies; and
- 1943 (iii) set a delivery fee if the product will be delivered to the cardholder.
- 1944 (c) If a medical cannabis pharmacy needs to order a medical cannabis product from a
 1945 cannabis processing facility to fulfill an order under this section:
- 1946 (i) the medical cannabis pharmacy shall notify the cannabis processing facility that
 1947 produces the product; and
- 1948 (ii) the cannabis processing facility shall provide the medical cannabis product to the
 1949 medical cannabis pharmacy within 15 business days from the day on which the
 1950 medical cannabis pharmacy notifies the cannabis processor under Subsection
 1951 (3)(c)(i).
- 1952 (4) The department shall provide a link to the medical cannabis sales website on the
 1953 department's website.
- 1954 Section 26. Section **63I-2-204** is amended to read:
 1955 **63I-2-204 . Repeal dates: Title 4.**
- 1956 (1) Section 4-11-117, Beekeeping working group -- Development of standards, is repealed
 1957 May 1, 2025.
- 1958 (2) Subsection 4-41a-102(6), regarding the Cannabis Research Review Board, is repealed
 1959 July 1, [2026] 2025.
- 1960 (3) Section 4-46-104, Transition, is repealed July 1, 2024.
- 1961 Section 27. Section **63I-2-226** is amended to read:
 1962 **63I-2-226 . Repeal dates: Titles 26 through 26B.**
- 1963 (1) Section 26B-1-241, Tardive dyskinesia, is repealed July 1, 2024.
- 1964 (2) Section 26B-1-302, National Professional Men's Basketball Team Support of Women
 1965 and Children Issues Restricted Account, is repealed July 1, 2024.
- 1966 (3) Section 26B-1-309, Medicaid Restricted Account, is repealed July 1, 2024.
- 1967 (4) Section 26B-1-313, Cancer Research Restricted Account, is repealed July 1, 2024.
- 1968 (5) Section 26B-1-420, Cannabis Research Review Board, is repealed July 1, [2026] 2025.

- 1969 (6) Subsection 26B-1-421(9)(a), regarding a report to the Cannabis Research Review
1970 Board, is repealed July 1, [~~2026~~] 2025.
- 1971 (7) Section 26B-1-423, Rural Physician Loan Repayment Program Advisory Committee --
1972 Membership -- Compensation -- Duties, is repealed July 1, 2026.
- 1973 (8) Section 26B-2-243, Data collection and reporting requirements concerning incidents of
1974 abuse, neglect, or exploitation, is repealed July 1, 2027.
- 1975 (9) Section 26B-3-142, Long-acting injectables, is repealed July 1, 2024.
- 1976 (10) Subsection 26B-3-215(5), regarding reporting on coverage for in vitro fertilization and
1977 genetic testing, is repealed July 1, 2030.
- 1978 (11) Subsection 26B-4-201(5), regarding the Cannabis Research Review Board, is repealed
1979 July 1, [~~2026~~] 2025.
- 1980 (12) Subsection 26B-4-212(1)(b), regarding the Cannabis Research Review Board, is
1981 repealed July 1, [~~2026~~] 2025.
- 1982 (13) Section 26B-4-702, Creation of Utah Health Care Workforce Financial Assistance
1983 Program, is repealed July 1, 2027.
- 1984 (14) Subsection 26B-4-703(3)(b), regarding per diem and expenses for the Rural Physician
1985 Loan Repayment Program Advisory Committee, is repealed July 1, 2026.
- 1986 (15) Subsection 26B-4-703(3)(c), regarding expenses for the Rural Physician Loan
1987 Repayment Program, is repealed July 1, 2026.
- 1988 (16) Subsection 26B-4-703(6)(b), regarding recommendations from the Rural Physician
1989 Loan Repayment Program Advisory Committee, is repealed July 1, 2026.
- 1990 (17) Section 26B-5-117, Early childhood mental health support grant program, is repealed
1991 January 2, 2025.
- 1992 (18) Section 26B-5-302.5, Study concerning civil commitment and the Utah State Hospital,
1993 is repealed July 1, 2025.
- 1994 (19) Section 26B-6-414, Respite care services, is repealed July 1, 2025.
- 1995 (20) Section 26B-7-120, Invisible condition alert program education and outreach, is
1996 repealed July 1, 2025.
- 1997 Section 28. Section **63I-2-236** is amended to read:
1998 **63I-2-236 . Repeal dates: Title 36.**
- 1999 (1) Section 36-12-8.2, Medical cannabis governance structure working group, is repealed
2000 July 1, [~~2025~~] 2026.
- 2001 (2) Section 36-29-107.5, Murdered and Missing Indigenous Relatives Task Force --
2002 Creation -- Membership -- Quorum -- Compensation -- Staff -- Vacancies -- Duties --

- 2003 Interim report, is repealed November 30, 2024.
- 2004 (3) Section 36-29-109, Utah Broadband Center Advisory Commission, is repealed
- 2005 November 30, 2027.
- 2006 (4) Section 36-29-110, Blockchain and Digital Innovation Task Force, is repealed
- 2007 November 30, 2024.
- 2008 Section 29. **Repealer.**
- 2009 This bill repeals:
- 2010 Section **26B-4-236, State central patient portal -- Department duties.**
- 2011 Section **4-41a-1104, Advertising.**
- 2012 Section **4-41a-403, Advertising.**
- 2013 Section **4-41a-604, Advertising.**
- 2014 Section 30. **Effective Date.**
- 2015 This bill takes effect on May 7, 2025.