



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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NOTICE OF BILL RETURNED TO RULES COMMITTEE

March 8, 2016

Mr. Speaker:

The Health and Human Services Committee recommends **2nd Sub. S.B. 73**, MEDICAL CANNABIS ACT, by Senator M. Madsen, be replaced with **3rd Sub. S.B. 73**, MEDICAL CANNABIS ACT, with the following amendments, and has returned it to the Rules Committee without recommendation.

1. *Page 17, Lines 500 through 502:*

500 4-42-501. Cannabis cultivation facility -- Operating requirements.
501 (1) A cannabis cultivation facility shall **(a) cultivate cannabis indoors; and**
(b) ensure that any cannabis growing at the
502 cannabis cultivation facility is screened from view at the cannabis cultivation facility
perimeter.

1. *Page 9, Line 272 through Page 10, Line 274:*

272 (c) proposes to operate the independent cannabis testing laboratory at the same
physical
273 location as a cannabis dispensary, a cannabis processing facility, or a cannabis cultivation
(7) The department may refuse to issue a cannabis production
establishment license to a cannabis production establishment that has a cannabis
production establishment agent to whom the department refused to issue an agent
registration card due to the results of a background check under Subsection
4-42-301(8).
274 facility.

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2. Page 38, Lines 1164 through 1165:

1164 (6) The department shall deposit the proceeds of a fee imposed by this section in the
1165 Medical Cannabis Restricted Account.

(7) The department may refuse to issue a cannabis dispensary license to a cannabis dispensary that has a cannabis dispensary agent to whom the department refused to issue an agent registration card due to the results of a background check under Subsection 26-58-401(6).

1. Page 4, Lines 116 through 117:

116 26-58-204, Utah Code Annotated 1953

26-58-205, Utah Code Annotated 1953

117 26-58-301, Utah Code Annotated 1953

2. Page 17, Line 515:

515 pesticide use.

(6) A cannabis cultivation facility may sell cannabis to a person conducting an approved study under Section 26-58-205.

3. Page 37, Lines 1131 through 1132:

1131 (6) An individual who is guilty of an infraction under Subsection (4) or (5) is
subject to

1132 a \$100 fine.

Section 33. Section 26-58-205 is enacted to read:

26-58-205. Institutional review board -- Approved study of cannabidiol.

(1) As used in this section:

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

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

(i) the purpose of which is investigating the medical benefits of cannabidiol;

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and

- (ii) that is approved by an IRB.
- (2) A person conducting an approved study, may, for the purposes of the study:
 - (a) purchase cannabis from a licensed cannabis cultivation facility in the state;
 - (b) purchase a cannabis product from a licensed cannabis dispensary in the state; and
 - (c) administer a product containing cannabis or a cannabis product to an individual in accordance with the approved study.
- (3) A person conducting an approved study may import cannabis or a cannabis product from another state if:
 - (a) the importation complies with federal law; and
 - (b) the person uses the cannabis or cannabis product in accordance with the approved study.
- (4) A person conducting an approved study may distribute cannabis or a cannabis product that the person obtained from a licensed cannabis cultivation facility in the state or licensed cannabis dispensary in the state if:
 - (a) the distribution complies with federal law; and
 - (b) the distribution is for the purposes of, and in accordance with, the approved study.
- (5) The department shall issue an authorization to a person conducting an approved study to allow the person to purchase cannabis from a licensed cannabis cultivation facility in the state or a cannabis product from a licensed cannabis dispensary in the state.

RENUMBER REMAINING SECTIONS ACCORDINGLY

4. Page 44, Lines 1352 through 1353:

- 1352 (2) A cannabis dispensary may only sell a cannabis product or a medical cannabis
1353 device to :
 (a) an individual with a medical cannabis card issued by the
 department { } :or
 (b) a person conducting an approved study under Section 26-58-205.

1. Page 7, Line 210:

- 210 time, from the point that a cannabis plant is planted as a seed or, if derived from a

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clone or cutting, is eight inches tall {-} and has a root ball, until the

2. Page 23, Line 681:

681 (1) "Cannabinoid profile" means the percentage of {-cannabis or-} a cannabis
product, by

1. Page 30, Lines 909 through 921:

909 (c) The endorsement described in Subsection (3)(b) entitles a physician to use a
910 medical cannabis endorsement image developed by the department on the physician's
website.

911 (4) A physician may recommend cannabis to greater than {-20%-} 250 of
the physician's
912 patients if the physician:

913 (a) is certified in one of the following specialties:

914 (i) anesthesiology;

915 (ii) gastroenterology;

916 (iii) neurology;

917 (iv) oncology;

918 (v) pain and palliative care;

919 (vi) physiatry;

920 (vii) psychiatry; or

921 (viii) addiction medicine;

Respectfully,

Kay L. McIff
Committee Chair

Voting: --

16 SB0073.HCI.WPD 3/8/16 12:48 pm MarkAndrews/MDA SJ/AJS

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