

2nd Sub. H.B. 365

CHILD ABUSE AND ENDANGERMENT AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

MARCH 6, 2020 5:46 PM

Representative **Eric K. Hutchings** proposes the following amendments:

1. *Page 7, Lines 196 through 206:*

196 (c) A parent's or guardian's use of cannabis or a cannabis product is not abuse or
197 neglect of a child under Section 78A-6-105 if:
198 (i) there is no evidence showing that:
199 (A) the child is harmed because of the child's inhalation or ingestion of cannabis, or
200 because of cannabis being introduced to the child's body in another manner; or
201 (B) the child is at an unreasonable risk of harm because of chronic inhalation or
202 ingestion of cannabis or chronic introduction of cannabis to the child's body in another manner;
203 ~~{or}~~ and
204 (ii) there is no evidence showing a nexus between the parent's or guardian's use of
205 cannabis or a cannabis product and behavior that would separately constitute abuse or neglect
206 of the child.

2. *Page 7, Line 207 through Page 8, Line 221:*

207 ~~[(c)]~~ (d) A parent's or guardian's use of medical cannabis or a cannabis product is not
208 ~~[abuse or neglect of a child under Section 78A-6-105, nor is it]~~ contrary to the best interests of
209 a child~~;~~ if:
210 (i) ~~{+}~~ (A) ~~{+}~~ for a medical cannabis cardholder after January 1, 2021, the parent's or
211 guardian's possession or use complies with Title 26, Chapter 61a, Utah Medical Cannabis Act,
212 and there is no evidence that the parent's or guardian's use of medical cannabis unreasonably
213 deviates from the dosing parameters determined by the parent's or guardian's qualified medical
214 provider or through a consultation described in Subsection 26-61a-502(4) or (5); or
215 ~~{+}~~ (B) ~~{+}~~ ~~{(ii)-}~~ before January 1, 2021, the parent's or guardian's possession or use
216 complies with Subsection 58-37-3.7(2) or (3)~~;~~ ~~and~~ ~~{-}~~ :
217 ~~[(ii) (A) there is no evidence showing that the child has inhaled, ingested, or otherwise~~
218 ~~had cannabis introduced to the child's body; or]~~
(ii) there is no evidence showing that:
(A) the child is harmed because of the child's inhalation or ingestion of cannabis, or
because of cannabis being introduced to the child's body in another manner; or
(B) the child is at an unreasonable risk of harm because of chronic inhalation or ingestion of
cannabis or chronic introduction of cannabis to the child's body in another manner; and

219 [(B)] {+} (iii) there is no evidence showing a nexus between the parent's or guardian's use
of
220 medical cannabis or a cannabis product and behavior that would separately constitute abuse or
221 neglect of the child. {+}