

SB0153S02 compared with SB0153S01

~~{deleted text}~~ shows text that was in SB0153S01 but was deleted in SB0153S02.

inserted text shows text that was not in SB0153S01 but was inserted into SB0153S02.

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

~~{Senator Gene Davis}~~ Representative Joel Ferry proposes the following substitute bill:

MEDICAL CANNABIS GOVERNANCE STUDY

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gene Davis

House Sponsor: _____

LONG TITLE

General Description:

This bill requires the Legislative Management Committee to create a working group to study and to make recommendations regarding a single state entity to oversee all medical cannabis regulation.

Highlighted Provisions:

This bill:

- ▶ requires the Legislative Management Committee to create a working group composed of members of two interim committees to study and make recommendations regarding a single state entity to oversee all medical cannabis regulation;
- ▶ requires the Department of Agriculture and Food and the Department of Health to report to the working group as requested;

SB0153S02 compared with SB0153S01

- ▶ provides a repeal date; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

This bill provides a coordination clause.

Utah Code Sections Affected:

AMENDS:

4-41a-802, as last amended by Laws of Utah 2020, Chapter 148

26-61a-703, as last amended by Laws of Utah 2019, First Special Session, Chapter 5

63I-2-236, as last amended by Laws of Utah 2021, Second Special Session, Chapter 8

ENACTS:

36-12-8.2, Utah Code Annotated 1953

Utah Code Sections Affected by Coordination Clause:

4-41a-802, as last amended by Laws of Utah 2020, Chapter 148

26-61a-703, as last amended by Laws of Utah 2019, First Special Session, Chapter 5

36-12-8.2, Utah Code Annotated 1953

63I-2-236, as last amended by Laws of Utah 2021, Second Special Session, Chapter 8

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

Section 1. Section **4-41a-802** is amended to read:

4-41a-802. Report.

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

(a) the number of applications and renewal applications that the department receives under this chapter;

(b) the number of each type of cannabis production facility that the department licenses in each county;

(c) the amount of cannabis that licensees grow;

(d) the amount of cannabis that licensees manufacture into cannabis products;

SB0153S02 compared with SB0153S01

(e) the number of licenses the department revokes under this chapter;

(f) the department's operation of an independent cannabis testing laboratory under Section 4-41a-201, including:

(i) the cannabis and cannabis products the department tested; and

(ii) the results of the tests the department performed; and

(g) the expenses incurred and revenues generated under this chapter.

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

(3) During the 2022 legislative interim, the department shall report to the working group described in Section 36-12-8.2 as requested by the working group.

Section 2. Section **26-61a-703** is amended to read:

26-61a-703. Report.

(1) By the November interim meeting each year beginning in 2020, the department shall report to the Health and Human Services Interim Committee on:

(a) the number of applications and renewal applications filed for medical cannabis cards;

(b) the number of qualifying patients and designated caregivers;

(c) the nature of the debilitating medical conditions of the qualifying patients;

(d) the age and county of residence of cardholders;

(e) the number of medical cannabis cards revoked;

(f) the number of practitioners providing recommendations for qualifying patients;

(g) the number of license applications and renewal license applications received;

(h) the number of licenses the department has issued in each county;

(i) the number of licenses the department has revoked;

(j) the quantity of medical cannabis shipments that the state central patient portal facilitates;

(k) the number of overall purchases of medical cannabis and medical cannabis products from each medical cannabis pharmacy;

(l) the expenses incurred and revenues generated from the medical cannabis program; and

(m) an analysis of product availability in medical cannabis pharmacies.

SB0153S02 compared with SB0153S01

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

(3) During the 2022 legislative interim, the department shall report to the working group described in Section ~~36-12-802~~36-12-8.2 as requested by the working group.

Section 3. Section **36-12-8.2** is enacted to read:

36-12-8.2. Medical cannabis governance structure working group.

During the 2022 legislative interim, the Legislative Management Committee shall establish a working group composed of three members of the Health and Human Services Interim Committee and three members of the Natural Resources, Agriculture, and Environment Interim Committee to:

(1) work with industry, patients, medical providers, and others to conduct a review of the state's governance structure over medical cannabis;

(2) study various regulatory structures throughout the nation regarding state agency regulation of medical cannabis; and

(3) at or before the October 2022 interim meeting, make recommendations to the Health and Human Services Interim Committee and the Natural Resources, Agriculture, and Environment Interim Committee ~~for committee-recommended~~on whether a committee should recommend committee legislation to ~~unify~~vertically integrate licenses, streamline regulations, and reduce costs for patients by unifying the efforts of the Department of Health and the Department of Agriculture and Food under a single state authority over medical cannabis.

Section 4. Section **63I-2-236** is amended to read:

63I-2-236. Repeal dates -- Title 36.

(1) Section 36-12-8.2 is repealed July 1, 2023.

~~(+)~~ (2) Section 36-29-107.5 is repealed on November 30, 2023.

~~(-)~~ (3) The following sections regarding the State Flag Task Force are repealed on January 1, 2024:

(a) Section 36-29-201;

(b) Section 36-29-202; and

(c) Section 36-29-203.

Section 5. **Effective date.**

SB0153S02 compared with SB0153S01

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

Section 6. Coordinating S.B. 153 with H.B. 397 -- Technical amendments.

If this S.B. 153 and H.B. 397, Title 36 Recodification and Revisions, both pass and become law, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication:

- (1) renumber Section 36-12-8.2 enacted in this bill to Section 36-7a-701; and
- (2) change the references in Sections 4-41a-802, 26-61a-703, and 63I-2-236 in this bill from Section 36-12-8.2 to Section 36-7a-701.