
A BILL FOR AN ACT

RELATING TO MEDICAL MARIJUANA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Act 241, Session Laws
2 of Hawaii 2015, codified as chapter 329D, Hawaii Revised
3 Statutes, established a licensing scheme for a statewide system
4 of medical marijuana dispensaries to ensure access to medical
5 marijuana for qualifying patients. Act 230, Session Laws of
6 Hawaii 2016, amended chapter 329D, Hawaii Revised Statutes, and
7 other sections of the Hawaii Revised Statutes to clarify the
8 system's implementation. Generally, Act 241 required the
9 department of health to announce the selection of medical
10 marijuana dispensary licensees by April 15, 2016, and to allow
11 retail dispensing of medical marijuana from July 15, 2016.
12 However, the department of health only recently authorized a few
13 medical marijuana dispensary licensees to proceed with the
14 planting or cultivation of medical marijuana, and has been
15 unable to provide assurances that the dispensary program
16 envisioned by Acts 241 and 230 will be fully implemented in the
17 near future.



1 The legislature also finds that the delay in implementing
2 the medical marijuana dispensing system is affecting patient
3 access to medical marijuana. One cause of the delay is the
4 department of health's struggle to implement the computer
5 tracking system required pursuant to Acts 241 and 230. The
6 legislature notes that although the computer tracking system is
7 intended to serve an important role in ensuring the safety of
8 the product, patient, and public, the need for the system must
9 be balanced against the patients' need to receive their
10 medicine. Recently, some medical marijuana dispensary programs
11 on the mainland United States experienced failures of their
12 computer tracking systems, but the affected jurisdictions
13 fortunately had pre-determined alternative systems to track
14 marijuana product sales during any tracking system shutdown.
15 The legislature believes that the department of health should
16 also have a pre-determined alternative system to track marijuana
17 product sales so that qualified patients will have uninterrupted
18 access to medical marijuana during any shutdown of the initial
19 tracking system in this State.

20 The legislature further finds that, although laboratory
21 testing of medical marijuana is necessary to ensure product and



1 patient safety, testing should be performed within reasonable
2 scope and tolerance levels. The State of Oregon has implemented
3 testing standards that are appropriate, practical, and evidence-
4 based. Unreasonably strict and expansive testing standards will
5 lead to unnecessarily high production costs that will result in
6 medical marijuana that is unaffordable for patient use and may
7 push patients to use the black market instead of legal
8 dispensaries.

9 Accordingly, the purpose of this Act is to:

- 10 (1) Amend the definition of "adequate supply" of marijuana
11 to include seven marijuana seedlings;
- 12 (2) Amend the definition of "debilitating medical
13 condition" to include lupus, epilepsy, multiple
14 sclerosis, arthritis, and autism as conditions that
15 qualify for the legal use of medical marijuana;
- 16 (3) Amend the definition of the term "transport" to allow
17 qualified patients and primary caregivers to transport
18 up to one gram of medical marijuana for laboratory
19 testing under certain conditions;
- 20 (4) Amend certain dates and deadlines in existing law to
21 address the delays in implementation;



1 (5) Establish new deadlines for the department of health
2 to implement the dispensary system, including
3 deadlines for implementation of the department's
4 computer software tracking system and laboratory
5 testing program;

6 (6) Authorize an alternative means to track marijuana
7 sales during any shutdown of the department of
8 health's computer tracking system and require input
9 from licensees;

10 (7) Require retention of video security recordings of
11 production centers and dispensaries for not less than
12 forty-five days; and

13 (8) Amend requirements for laboratory standards and
14 testing to ensure product and patient safety at
15 reasonable tolerance levels with reasonable cost
16 implications.

17 SECTION 2. Section 329-121, Hawaii Revised Statutes, is
18 amended as follows:

19 1. By amending the definition of "adequate supply" to
20 read:



1 ""Adequate supply" means an amount of medical marijuana
2 jointly possessed between the qualifying patient and the primary
3 caregiver that is not more than is reasonably necessary to
4 ensure the uninterrupted availability of marijuana for the
5 purpose of alleviating the symptoms or effects of a qualifying
6 patient's debilitating medical condition; provided that an
7 "adequate supply" shall not exceed: seven marijuana plants,
8 whether immature or mature, seven marijuana seedlings, and four
9 ounces of usable marijuana at any given time. The four ounces
10 of usable marijuana shall include any combination of usable
11 marijuana and manufactured marijuana products, as provided in
12 chapter 329D, with the marijuana in the manufactured marijuana
13 products being calculated using information provided pursuant to
14 section 329D-9(c)."

15 2. By amending the definition of "debilitating medical
16 condition" to read:

17 ""Debilitating medical condition" means:

18 (1) Cancer, glaucoma, lupus, epilepsy, multiple sclerosis,
19 arthritis, autism, positive status for human
20 immunodeficiency virus, acquired immune deficiency
21 syndrome, or the treatment of these conditions;



1 (2) A chronic or debilitating disease or medical condition
2 or its treatment that produces one or more of the
3 following:

4 (A) Cachexia or wasting syndrome;

5 (B) Severe pain;

6 (C) Severe nausea;

7 (D) Seizures, including those characteristic of
8 epilepsy;

9 (E) Severe and persistent muscle spasms, including
10 those characteristic of multiple sclerosis or
11 Crohn's disease; or

12 (F) Post-traumatic stress disorder; or

13 (3) Any other medical condition approved by the department
14 of health pursuant to administrative rules in response
15 to a request from a physician or advanced practice
16 registered nurse or potentially qualifying patient."

17 SECTION 3. Section 329-122, Hawaii Revised Statutes, is
18 amended by amending subsection (d) to read as follows:

19 "(d) For the purposes of this section, "transport" means
20 the transportation of marijuana, usable marijuana, or any
21 manufactured marijuana product between:



- 1 (1) A qualifying patient and the qualifying patient's
- 2 primary caregiver;
- 3 (2) The production centers and the retail dispensing
- 4 locations under a dispensary licensee's license; or
- 5 (3) A production center ~~[or]~~, retail dispensing location,
- 6 qualifying patient, or primary caregiver and a
- 7 certified laboratory for the purpose of laboratory
- 8 testing; provided that a qualifying patient or primary
- 9 caregiver may only transport up to one gram of
- 10 marijuana per test to a certified laboratory for
- 11 laboratory testing and may only transport the product
- 12 if the qualifying patient or primary caregiver:
- 13 (A) Secures an appointment for testing at a certified
- 14 laboratory;
- 15 (B) Obtains confirmation, which may be electronic,
- 16 that includes the specific time and date of the
- 17 appointment and a detailed description of the
- 18 product and amount to be transported to the
- 19 certified laboratory for the appointment; and
- 20 (C) Has the confirmation, which may be electronic,
- 21 available during transport;



1 provided that "transport" [~~does not include~~] includes the
 2 interisland transportation of marijuana, usable marijuana, or
 3 any manufactured marijuana product, [~~except~~] only when the
 4 transportation is between a production center or retail
 5 dispensing location and a certified laboratory and is performed
 6 for the sole purpose of laboratory testing pursuant to section
 7 329D-8, as permitted under section 329D-6(m) and subject to
 8 section 329D-6(j), and with the understanding that state law and
 9 its protections do not apply outside of the jurisdictional
 10 limits of the State."

11 SECTION 4. Section 329-130, Hawaii Revised Statutes, is
 12 amended by amending subsection (a) to read as follows:

13 "(a) After December 31, [~~2018,~~] 2019, a qualifying patient
 14 shall obtain medical marijuana or manufactured marijuana
 15 products only:

16 (1) From a dispensary licensed pursuant to chapter 329D;
 17 provided that the marijuana shall be purchased and
 18 paid for at the time of purchase; or

19 (2) By cultivating marijuana in an amount that does not
 20 exceed an adequate supply for the qualifying patient,
 21 pursuant to section 329-122[-]; provided that each



1 location used to cultivate marijuana shall be used by
2 no more than five qualifying patients.

3 After December 31, [~~2018,~~] 2020, no primary caregiver shall be
4 authorized to cultivate marijuana for any qualifying patient."

5 SECTION 5. Section 329D-2, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§329D-2 Medical marijuana dispensaries; authorized;**
8 **licensure.** (a) No person shall operate a medical marijuana
9 dispensary unless the person has a license issued by the
10 department pursuant to this chapter.

11 (b) The director of health shall grant medical marijuana
12 dispensary licenses to allow dispensaries to produce,
13 manufacture, and dispense marijuana and manufactured marijuana
14 products pursuant to this chapter.

15 (c) Each medical marijuana dispensary license shall allow
16 production, manufacture, and dispensing of marijuana and
17 manufactured marijuana products only in the county for which the
18 license is granted.

19 (d) The department shall issue eight dispensary licenses
20 statewide; provided that three dispensary licenses shall be
21 issued for the city and county of Honolulu, two dispensary



1 licenses each shall be issued for the county of Hawaii and the
2 county of Maui, and one dispensary license shall be issued for
3 the county of Kauai; provided further that no dispensary license
4 shall be issued for the county of Kalawao.

5 (e) No person may be granted a dispensary license in more
6 than one county.

7 (f) Up to two production centers shall be allowed under
8 each dispensary license, provided that each production center
9 shall be limited to no more than three thousand marijuana
10 plants. For purposes of this subsection, "plant" means a
11 marijuana plant that is greater than twelve vertical inches in
12 height from where the base of the stalk emerges from the growth
13 medium to the tallest point of the plant, or greater than twelve
14 horizontal inches in width from the end of one branch to the end
15 of another branch; provided that multiple stalks emanating from
16 the same root ball or root system shall be considered part of
17 the same single plant.

18 (g) A dispensary licensee may establish up to two retail
19 dispensing locations under the licensee's dispensary license.

20 (h) Each dispensary licensee may commence dispensing
21 medical marijuana and manufactured marijuana products to



1 qualifying patients or primary caregivers no sooner than
2 July 15, 2016, with approval by the department, in accordance
3 with this chapter.

4 (i) Retail dispensing locations shall not be at the same
5 location as the dispensary licensee's production centers.

6 (j) Notwithstanding subsection (d), the department shall
7 determine whether, based on the qualifying patient need,
8 additional dispensary licenses shall be offered to qualified
9 applicants in the State after October 1, ~~[2017]~~ 2018; provided
10 that the department shall make available not more than one
11 license per five hundred qualifying patients residing in any
12 single county~~[-]~~; provided further that in considering whether
13 to award a new license, the department shall consider an
14 applicant's capability to serve and supply medical marijuana to
15 qualified patients in a rural or underserved geographical area
16 of a county; provided further that a "rural or underserved
17 geographical area" shall be determined by considering the number
18 of registered medical marijuana patients that reside within a
19 certain zip code compared to the quantity of medical marijuana
20 that the closest production center and retail dispensing
21 location have the capability to provide.



1 (k) Notwithstanding subsections (f) and (g) to the
2 contrary, the department shall determine whether existing
3 dispensary licensees shall be allowed to increase plant count,
4 the number of production centers, or the number of retail
5 dispensing locations per license; provided that in considering
6 whether to allow additional production centers or retail
7 dispensing locations, the department shall consider the
8 licensee's capability to serve and supply medical marijuana to
9 qualified patients in a rural or underserved geographical area
10 of a county; provided further that a "rural or underserved
11 geographical area" shall be determined by considering the number
12 of registered medical marijuana patients that reside within a
13 certain zip code compared to the quantity of medical marijuana
14 that the closest production center and retail dispensing
15 location have the capability to provide.

16 ~~[(k)]~~ (l) Notwithstanding any other law to the contrary, a
17 dispensary shall not be subject to the prescription requirement
18 of section 329-38 or to the board of pharmacy licensure or
19 regulatory requirements under chapter 461."

20 SECTION 6. Section 329D-6, Hawaii Revised Statutes, is
21 amended by amending subsections (j) and (k) to read as follows:



1 "(j) The department shall establish, maintain, and control
2 a computer software tracking system that shall have real time,
3 [~~twenty-four hour~~] twenty-four-hour access to the data of all
4 dispensaries.

5 (1) The computer software tracking system shall collect
6 data relating to:

7 ~~[(1)]~~ (A) The total amount of marijuana in possession of
8 all dispensaries from either seed or immature
9 plant state, including all plants that are
10 derived from cuttings or cloning, until the
11 marijuana, marijuana plants, or manufactured
12 marijuana product is sold or destroyed pursuant
13 to section 329D-7;

14 ~~[(2)]~~ (B) The total amount of manufactured marijuana
15 product inventory, including the equivalent
16 physical weight of marijuana that is used to
17 manufacture manufactured marijuana products,
18 purchased by a qualifying patient and primary
19 caregiver from all retail dispensing locations in
20 the State in any fifteen day period;



1 (3) Notwithstanding any other provision of this subsection
2 to the contrary, once the department has authorized a
3 licensed dispensary to commence sales of marijuana or
4 manufactured marijuana products, if the department's
5 computer software tracking system is inoperable or is
6 not functioning properly, the department may
7 immediately implement an alternate tracking system
8 that will enable qualifying patients to purchase
9 marijuana or manufactured marijuana products from a
10 licensed dispensary on a temporary basis. The
11 department shall seek input regarding the alternate
12 tracking system from medical marijuana licensees. The
13 alternate tracking system may operate as follows:
14 (A) The department may immediately notify all
15 licensed dispensaries that the computer software
16 tracking system is inoperable; and
17 (B) Once the computer software tracking system is
18 operational and functioning to meet the
19 requirements of this subsection, the department
20 may notify all licensed dispensaries, and the



1 alternate tracking system in this subsection
2 shall be discontinued.

3 (k) A dispensary licensed pursuant to this chapter shall
4 purchase, operate, and maintain a computer software tracking
5 system that shall:

6 (1) Interface with the department's computer software
7 tracking system established pursuant to subsection
8 (j);

9 (2) Allow each licensed dispensary's production center to
10 submit to the department in real time, by automatic
11 identification and data capture, all marijuana,
12 marijuana plants, and manufactured marijuana product
13 inventory in possession of that dispensary from either
14 seed or immature plant state, including all plants
15 that are derived from cuttings or cloning, until the
16 marijuana or manufactured marijuana product is sold or
17 destroyed pursuant to section 329D-7; [~~and~~]

18 (3) Allow the licensed dispensary's retail dispensing
19 location to submit to the department in real time for
20 the total amount of marijuana and manufactured
21 marijuana product purchased by a qualifying patient



1 and primary caregiver from the dispensary's retail
2 dispensing locations in the State in any fifteen day
3 period; provided that the software tracking system
4 shall impose an automatic stopper in real time, which
5 cannot be overridden, on any further purchases of
6 marijuana or manufactured marijuana products, if the
7 maximum allowable amount of marijuana has already been
8 purchased for the applicable fifteen day period;
9 provided further that additional purchases shall not
10 be permitted until the next applicable period[-]; and

11 (4) Allow the licensed dispensary to submit all data
12 required by this subsection to the department and
13 permit the department to access the data if the
14 department's computer software tracking system is not
15 functioning properly and sales are made pursuant to
16 the alternate tracking system under subsection (j)."

17 SECTION 7. Section 329D-7, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§329D-7 Medical marijuana dispensary rules.** The
20 department shall establish standards with respect to:



- 1 (1) The number of medical marijuana dispensaries that
- 2 shall be permitted to operate in the State;
- 3 (2) A fee structure for the submission of applications and
- 4 renewals of licenses to dispensaries; provided that
- 5 the department shall consider the market conditions in
- 6 each county in determining the license renewal fee
- 7 amounts;
- 8 (3) Criteria and procedures for the consideration and
- 9 selection, based on merit, of applications for
- 10 licensure of dispensaries; provided that the criteria
- 11 shall include but not be limited to an applicant's:
- 12 (A) Ability to operate a business;
- 13 (B) Financial stability and access to financial
- 14 resources; provided that applicants for medical
- 15 marijuana dispensary licenses shall provide
- 16 documentation that demonstrates control of not
- 17 less than \$1,000,000 in the form of escrow
- 18 accounts, letters of credit, surety bonds, bank
- 19 statements, lines of credit or the equivalent to
- 20 begin operating the dispensary;

- 1 (C) Ability to comply with the security requirements
- 2 developed pursuant to paragraph (6);
- 3 (D) Capacity to meet the needs of qualifying
- 4 patients;
- 5 (E) Ability to comply with criminal background check
- 6 requirements developed pursuant to paragraph (8);
- 7 and
- 8 (F) Ability to comply with inventory controls
- 9 developed pursuant to paragraph (13);
- 10 (4) Specific requirements regarding annual audits and
- 11 reports required from each production center and
- 12 dispensary licensed pursuant to this chapter;
- 13 (5) Procedures for announced and unannounced inspections
- 14 by the department or its agents of production centers
- 15 and dispensaries licensed pursuant to this chapter;
- 16 provided that inspections for license renewals shall
- 17 be unannounced;
- 18 (6) Security requirements for the operation of production
- 19 centers and retail dispensing locations; provided
- 20 that, at a minimum, the following shall be required:
- 21 (A) For production centers:



- 1 (iii) An alarm system;
- 2 (iv) Exterior lighting; and
- 3 (v) Other reasonable security measures as deemed
- 4 necessary by the department;
- 5 (7) Security requirements for the transportation of
- 6 marijuana and manufactured marijuana products between
- 7 production centers and retail dispensing locations[+]
- 8 and between a production center, retail dispensing
- 9 location, qualifying patient, or primary caregiver and
- 10 a certified laboratory, pursuant to section 329-
- 11 122(d)(3);
- 12 (8) Standards and criminal background checks to ensure the
- 13 reputable and responsible character and fitness of all
- 14 license applicants, licensees, employees,
- 15 subcontractors and their employees, and prospective
- 16 employees of medical marijuana dispensaries to operate
- 17 a dispensary; provided that the standards, at a
- 18 minimum, shall exclude from licensure or employment
- 19 any person convicted of any felony;
- 20 (9) The training and certification of operators and
- 21 employees of production centers and dispensaries;



1 (10) The types of manufactured marijuana products that
2 dispensaries shall be authorized to manufacture and
3 sell pursuant to sections 329D-9 and 329D-10;

4 (11) Laboratory standards related to testing marijuana and
5 manufactured marijuana products for content,
6 contamination, and consistency;

7 (12) The quantities of marijuana and manufactured marijuana
8 products that a dispensary may sell or provide to a
9 qualifying patient or primary caregiver; provided that
10 no dispensary shall sell or provide to a qualifying
11 patient or primary caregiver any combination of
12 marijuana and manufactured products that:

13 (A) During a period of fifteen consecutive days,
14 exceeds the equivalent of four ounces of
15 marijuana; or

16 (B) During a period of thirty consecutive days,
17 exceeds the equivalent of eight ounces of
18 marijuana;

19 (13) Dispensary and production center inventory controls to
20 prevent the unauthorized diversion of marijuana or
21 manufactured marijuana products or the distribution of



1 marijuana or manufactured marijuana products to
 2 qualifying patients or primary caregivers in
 3 quantities that exceed limits established by this
 4 chapter; provided that the controls, at a minimum,
 5 shall include:

6 (A) A computer software tracking system as specified
 7 in section 329D-6(j) and (k); and

8 (B) Product packaging standards sufficient to allow
 9 law enforcement personnel to reasonably determine
 10 the contents of an unopened package;

11 (14) Limitation to the size or format of signs placed
 12 outside a retail dispensing location or production
 13 center; provided that the signage limitations, at a
 14 minimum, shall comply with section 329D-6(o)(2) and
 15 shall not include the image of a cartoon character or
 16 other design intended to appeal to children;

17 (15) The disposal or destruction of unwanted or unused
 18 marijuana and manufactured marijuana products;

19 (16) The enforcement of the following prohibitions against:



- 1 (A) The sale or provision of marijuana or
2 manufactured marijuana products to unauthorized
3 persons;
- 4 (B) The sale or provision of marijuana or
5 manufactured marijuana products to qualifying
6 patients or primary caregivers in quantities that
7 exceed limits established by this chapter;
- 8 (C) Any use or consumption of marijuana or
9 manufactured marijuana products on the premises
10 of a retail dispensing location or production
11 center; and
- 12 (D) The distribution of marijuana or manufactured
13 marijuana products, for free, on the premises of
14 a retail dispensing location or production
15 center;
- 16 (17) The establishment of a range of penalties for
17 violations of this chapter or rule adopted thereto;
18 and
- 19 (18) A process to recognize and register patients who are
20 authorized to purchase, possess, and use medical
21 marijuana in another state, United States territory,



1 or the District of Columbia as qualifying patients in
2 this State; provided that this registration process
3 may commence no sooner than January 1, 2018."

4 SECTION 8. Section 329D-8, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) The department shall establish and enforce standards
7 for laboratory-based testing of marijuana and manufactured
8 marijuana products for content, contamination, and
9 consistency[-]; provided that in establishing these standards,
10 the department shall:

- 11 (1) Review and take guidance from the testing programs and
12 standards utilized in other jurisdictions;
- 13 (2) Consider the impact of the standards on the retail
14 cost of the product to the qualifying patient;
- 15 (3) Review and take guidance from the testing programs and
16 standards for pesticides under the regulations of the
17 United States Environmental Protection Agency;
- 18 (4) For the testing for microbiological impurities,
19 consider the benefits of organically grown marijuana
20 that features the use of bacteria in lieu of
21 pesticides; and



1 (5) Include permission for qualifying patients and primary
 2 caregivers to obtain testing services directly from
 3 certified laboratories on the island where the
 4 qualifying patient and primary caregiver reside."

5 SECTION 9. Section 329D-27, Hawaii Revised Statutes, is
 6 amended by amending subsections (b) and (c) to read as follows:

7 "(b) No later than January 4, 2016, the department shall
 8 adopt interim rules, which shall be exempt from chapter 91 and
 9 chapter 201M, to effectuate the purposes of this chapter;
 10 provided that the interim rules shall remain in effect until
 11 July 1, [~~2018~~] 2020, or until rules are adopted pursuant to
 12 subsection (a), whichever occurs sooner.

13 (c) The department may amend the interim rules, and the
 14 amendments shall be exempt from chapters 91 and 201M, to
 15 effectuate the purposes of this chapter; provided that any
 16 amended interim rules shall remain in effect until July 1,
 17 [~~2018~~] 2020, or until rules are adopted pursuant to subsection
 18 (a), whichever occurs sooner."

19 SECTION 10. Act 241, Session Laws of Hawaii 2015, is
 20 amended by amending section 14 to read as follows:



1 "SECTION 14. For the purposes of effectuating this Act,
2 the personnel hired and the contracts entered into by the
3 department of health, pursuant to this Act, shall be exempt from
4 chapter 76, Hawaii Revised Statutes, for a period beginning on
5 July 1, 2015, and ending on June 30, [~~2017~~] 2020; provided
6 that:

7 (1) All personnel actions taken pursuant to this Act by
8 the department of health after June 30, [~~2017~~] 2020,
9 shall be subject to chapter 76, Hawaii Revised
10 Statutes, as appropriate; and

11 (2) Any employee hired by the department of health to
12 effectuate this Act, who occupies a position exempt
13 from civil service on July 1, [~~2017~~] 2020, shall:

14 (A) Be appointed to a civil service position; and

15 (B) Not suffer any loss of prior service credit,
16 vacation or sick leave credits previously earned,
17 or other employee benefits or privileges;

18 provided that the employee possesses the minimum
19 qualifications and public employment requirements for
20 the class or position to which appointed; provided
21 further that subsequent changes in status shall be



1 made pursuant to applicable civil service and
2 compensation laws."

3 SECTION 11. The department of health shall submit a report
4 to the legislative oversight working group established by Act
5 230, Session Laws of Hawaii 2016, no later than twenty days
6 prior to the convening of the regular session of 2018 with
7 information and recommendations about the alternate tracking
8 system, including input obtained from medical marijuana
9 licensees.

10 SECTION 12. This Act does not affect rights and duties
11 that matured, penalties that were incurred, and proceedings that
12 were begun before its effective date.

13 SECTION 13. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 14. This Act shall take effect on July 1, 2050.



Report Title:

DOH; Medical Marijuana Dispensaries; Adequate Supply; Debilitating Medical Condition; Transport; Computer Tracking System; Alternate Tracking System; Laboratory Testing; Testing Standards; Qualifying Patients

Description:

Amends the definition of "adequate supply" of marijuana to include seven marijuana seedlings. Amends the definition of "debilitating medical condition" to include lupus, epilepsy, multiple sclerosis, arthritis, and autism as conditions that qualify for the legal use of medical marijuana. Amends the definition of the term "transport" to allow qualified patients and primary caregivers to transport up to one gram of medical marijuana for laboratory testing under certain conditions. Limits each location used to cultivate marijuana to use by five qualifying patients. Authorizes primary caregivers to cultivate marijuana for qualifying patients until December 31, 2020. Adds considerations for establishing marijuana testing standards and selecting additional dispensary licensees. Allows DOH to consider whether existing dispensary licensees shall be allowed to increase plant count, increase the number of production centers, or increase the number of retail dispensing locations. Requires retention of video security recordings of production centers and dispensaries for 45 days. Extends civil service exemptions and interim rulemaking authority to 2020. Authorizes an alternate medical marijuana dispensary tracking system for use when the DOH computer tracking system is nonfunctional and requires DOH to report to the legislative oversight working group. Effective 7/1/2020. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

