

SB19-224

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Gonzales

1 Amend printed bill, page 137, strike lines 15 through 27 and substitute:
2 "(4) [**Similar to 44-12-202 (3)(b)(I) Equivalency.** RULES
3 PROMULGATED PURSUANT TO SECTION 44-10-202 (1)(c) MUST ALSO
4 INCLUDE ESTABLISHING THE".

5 Page 183, after line 3 insert:

6 "(10)(a) A MEDICAL MARIJUANA STORE SHALL NOT, INDIVIDUALLY
7 OR IN ANY COMBINATION, SELL MORE THAN TWO OUNCES OF MEDICAL
8 MARIJUANA FLOWER, FORTY GRAMS OF MEDICAL MARIJUANA
9 CONCENTRATE, OR MEDICAL MARIJUANA PRODUCTS CONTAINING A
10 COMBINED TOTAL OF TWENTY THOUSAND MILLIGRAMS TO A PATIENT IN A
11 SINGLE BUSINESS DAY; EXCEPT A MEDICAL MARIJUANA STORE MAY SELL
12 MORE THAN TWO OUNCES OF MEDICAL MARIJUANA FLOWER TO A PATIENT
13 WHO HAS A PHYSICIAN RECOMMENDATION FOR MORE THAN TWO OUNCES
14 OF FLOWER AND THAT PATIENT IS REGISTERED WITH THE MEDICAL
15 MARIJUANA STORE. A PHYSICIAN RECOMMENDATION FOR MORE THAN TWO
16 OUNCES DOES NOT APPLY TO THE SALE OF MEDICAL MARIJUANA
17 CONCENTRATE OR MEDICAL MARIJUANA PRODUCTS.

18 (b) A PHYSICIAN MAKING MEDICAL MARIJUANA
19 RECOMMENDATIONS FOR A DEBILITATING MEDICAL CONDITION OR
20 DISABLING MEDICAL CONDITION PURSUANT TO ARTICLE 1.5 OF TITLE 25
21 MAY EXEMPT A PATIENT FROM THE MEDICAL MARIJUANA CONCENTRATE
22 OR MEDICAL MARIJUANA PRODUCTS SALES LIMITATION ESTABLISHED IN
23 SUBSECTION (10)(a) OF THIS SECTION. A PHYSICIAN PROVIDING AN
24 EXEMPTION SHALL DOCUMENT AND MAINTAIN THE EXEMPTION IN THE
25 PHYSICIAN'S RECORD-KEEPING SYSTEM FOR THE PATIENT AND SHALL
26 PROVIDE WRITTEN DOCUMENTATION TO THE PATIENT TO ALLOW A
27 MEDICAL MARIJUANA STORE TO VERIFY THE EXEMPTION. THE WRITTEN
28 DOCUMENTATION OF THE EXEMPTION PROVIDED TO A PATIENT MUST, AT
29 A MINIMUM, INCLUDE THE PATIENT'S NAME AND REGISTRY NUMBER, THE
30 PHYSICIAN'S NAME, VALID LICENSE NUMBER, PHYSICAL BUSINESS
31 ADDRESS, ANY ELECTRONIC MAILING ADDRESS, AND PHONE NUMBER. THE
32 STATE HEALTH AGENCY MAY REQUIRE A PHYSICIAN PROVIDING AN
33 EXEMPTION TO THE SALES LIMITATION TO DOCUMENT THE EXEMPTION IN
34 THE MEDICAL MARIJUANA REGISTRY.

35 (c) THE STATE LICENSING AUTHORITY MAY PROMULGATE RULES TO
36 ESTABLISH CERTAIN EXEMPTIONS TO THE MEDICAL MARIJUANA
37 CONCENTRATE OR MEDICAL MARIJUANA PRODUCTS SALES LIMITATION AND
38 MAY ESTABLISH RECORD-KEEPING REQUIREMENTS FOR MEDICAL
39 MARIJUANA STORES ENGAGING IN SALES TRANSACTIONS PURSUANT TO
40 ANY EXEMPTION TO THE SALES LIMITATION. WHEN ESTABLISHING ANY

1 EXEMPTIONS, THE STATE LICENSING AUTHORITY SHALL CONSULT WITH
2 MEMBERS OF THE MEDICAL MARIJUANA PATIENT COMMUNITY AND
3 PHYSICIANS MAKING MEDICAL MARIJUANA RECOMMENDATIONS PURSUANT
4 TO SECTION 14 OF ARTICLE XVIII OF THE STATE CONSTITUTION AND
5 ARTICLE 1.5 OF TITLE 25.

6 (d) A MEDICAL MARIJUANA STORE SHALL NOT ENGAGE IN SALES
7 TRANSACTIONS TO THE SAME PATIENT DURING THE SAME BUSINESS DAY
8 WHEN THE MEDICAL MARIJUANA STORE OR ITS EMPLOYEE KNOWS OR
9 REASONABLY SHOULD HAVE KNOWN THAT THE SALES TRANSACTION
10 WOULD RESULT IN THE PATIENT POSSESSING MORE THAN THE SALES
11 LIMITATION ESTABLISHED BY THIS SUBSECTION (10)."

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