

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred Senate Bill No. 216
3 entitled “An act relating to the administration of Vermont’s Medical Marijuana
4 Registry” respectfully reports that it has considered the same and recommends
5 that the bill be amended by striking out all after the enacting clause and
6 inserting in lieu thereof the following:

7 Sec. 1. 18 V.S.A. § 4230e is amended to read:

8 § 4230e. CULTIVATION OF MARIJUANA BY A PERSON 21 YEARS OF
9 AGE OR OLDER

10 (a)(1) Except as otherwise provided in this section, a person 21 years of age
11 or older who cultivates no more than two mature marijuana plants and four
12 immature marijuana plants shall not be penalized or sanctioned in any manner
13 by the State or any of its political subdivisions or denied any right or privilege
14 under State law.

15 (2)(A) Each dwelling unit shall be limited to two mature marijuana
16 plants and four immature marijuana plants regardless of how many persons
17 21 years of age or older reside in the dwelling unit.

18 (B) A person may not cultivate marijuana pursuant to this section if a
19 registered medical marijuana patient or caregiver cultivates marijuana in the
20 same dwelling unit pursuant to chapter 86 of this title.

1 (C) As used in this section, “dwelling unit” means a building or the
2 part of a building that is used as a primary home, residence, or sleeping place
3 by one or more persons who maintain a household.

4 (3) Any marijuana harvested from the plants allowed pursuant to this
5 subsection shall not count toward the one-ounce possession limit in section
6 4230a of this title provided it is stored in an indoor facility on the property
7 where the marijuana was cultivated and reasonable precautions are taken to
8 prevent unauthorized access to the marijuana.

9 (4) Cultivation in excess of the limits provided in this subsection shall
10 be punished in accordance with section 4230 of this title.

11 * * *

12 Sec. 2. 18 V.S.A. § 4230f(f) is amended to read:

13 (f) This section shall not apply to a dispensary that lawfully provides
14 marijuana to a registered patient or caregiver or a registered caregiver who
15 provides marijuana to a registered patient pursuant to chapter 86 of this title.

16 Sec. 3. 18 V.S.A. § 4472 is amended to read:

17 § 4472. DEFINITIONS

18 * * *

19 (4) “Debilitating medical condition” means:

20 (A) cancer, multiple sclerosis, positive status for human
21 immunodeficiency virus, acquired immune deficiency syndrome, glaucoma,

1 Crohn’s disease, Parkinson’s disease, or the treatment of these conditions, if
2 the disease or the treatment results in severe, persistent, and intractable
3 symptoms;

4 (B) post-traumatic stress disorder, provided the Department confirms
5 the applicant is undergoing psychotherapy or counseling with a licensed
6 mental health care provider; or

7 (C) ~~a disease or medical condition or its treatment that is chronic,~~
8 ~~debilitating, and produces one or more of the following intractable symptoms:~~
9 ~~eachexia or wasting syndrome; chronic pain; severe nausea; or seizures~~ other
10 disease, condition, or treatment as determined in writing by a qualifying
11 patient’s health care professional.

12 Sec. 4. 18 V.S.A. § 4474c is amended to read:

13 § 4474c. PROHIBITIONS, RESTRICTIONS, AND LIMITATIONS

14 REGARDING THE USE OF MARIJUANA FOR SYMPTOM
15 RELIEF

16 * * *

17 (c) ~~A registered patient or registered caregiver who elects to grow~~
18 ~~marijuana to be used for symptom relief by the patient may do so only if the~~
19 ~~marijuana is cultivated in a single, secure indoor facility~~ Personal cultivation of
20 marijuana by a patient or caregiver on behalf of a patient only shall occur:

1 for every registered patient for which the dispensary serves as the designated
2 dispensary.

3 * * *

4 Sec. 6. 18 V.S.A. § 4474m is amended to read:

5 § 4474m. ~~DEPARTMENT OF PUBLIC SAFETY;~~ PROVISION OF
6 EDUCATIONAL AND SAFETY INFORMATION

7 The Department of Public Safety shall provide educational and safety
8 information developed by the Vermont Department of Health, in consultation
9 with dispensaries, to each registered patient upon registration pursuant to
10 section 4473 of this title, and to each registered caregiver upon registration
11 pursuant to section 4474 of this title.

12 Sec. 7. 18 V.S.A. § 4474n is added to read:

13 § 4474n. TESTING BY THE AGENCY OF AGRICULTURE, FOOD AND
14 MARKETS

15 The Agency of Agriculture, Food and Markets shall establish a cannabis
16 quality control program for the following purposes:

17 (1) to develop potency and contaminant testing protocols for hemp,
18 marijuana, and marijuana-infused products;

19 (2) to verify cannabinoid label guarantees of hemp, marijuana and
20 marijuana-infused products;

1 (3) to test for pesticides, solvents, heavy metals, mycotoxins, and
2 bacterial and fungal contaminants in hemp, marijuana and marijuana-infused
3 products; and

4 (4) to certify third-party testing laboratories that can offer the services in
5 subdivisions (2) and (3) of this section.

6 Sec. 8. EFFECTIVE DATE

7 (a) Sections 3-8 of this act shall take effect July 1, 2018.

8 (b) Secs. 1 and 2 of this act shall take effect July 2, 2018.

9

10 (Committee vote: _____)

11

12

Senator _____

13

FOR THE COMMITTEE