

HB390 ENROLLED



1 HB390
2 E6V8929-2
3 By Representative Crawford
4 RFD: Health
5 First Read: 02-Apr-24



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1 Enrolled, An Act,

2

3 Relating to medical cannabis; to amend Sections
4 20-2A-3, 20-2A-50, 20-2A-51, 20-2A-52, 20-2A-53, 20-2A-57,
5 20-2A-59, 20-2A-62, and 20-2A-63, Code of Alabama 1975, to
6 provide that the Alabama Medical Cannabis Commission is
7 primarily responsible for the regulation, licensure, and
8 enforcement of cannabis cultivation.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Sections 20-2A-3, 20-2A-50, 20-2A-51,
11 20-2A-52, 20-2A-53, 20-2A-57, 20-2A-59, 20-2A-62, and
12 20-2A-63, Code of Alabama 1975, are amended to read as
13 follows:

14 "§20-2A-3

15 As used in this chapter, the following terms have the
16 following meanings:

17 (1) APPLICANT. The entity or individual seeking a
18 license under Article 4.

19 (2) BOARD. The State Board of Medical Examiners.

20 (3) CANNABIS. a. Except as provided in paragraph b.,
21 all parts of any plant of the genus cannabis, whether growing
22 or not, including the seeds, extractions of any kind from any
23 part of the plant, and every compound, derivative, mixture,
24 product, or preparation of the plant.

25 b. The term does not include industrial hemp or hemp
26 regulated under Article 11 of Chapter 8 of Title 2.

27 (4) COMMISSION. The Alabama Medical Cannabis Commission
28 created pursuant to Section 20-2A-20.



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29 (5) CULTIVATOR. An entity licensed by the ~~Department of~~
30 ~~Agriculture and Industries~~ commission under Section 20-2A-62
31 authorized to grow cannabis pursuant to Article 4.

32 (6) DAILY DOSAGE. The total amount of one or more
33 cannabis derivatives, including, but not limited to,
34 cannabidiol and tetrahydrocannabinol, which may be present in
35 a medical cannabis product that may be ingested by a
36 registered qualified patient during a 24-hour period, as
37 determined by a registered certifying physician.

38 (7) DEPARTMENT. The Department of Agriculture and
39 Industries.

40 (8) DISPENSARY. An entity licensed by the commission
41 under Section 20-2A-64 authorized to dispense and sell medical
42 cannabis at dispensing sites to registered qualified patients
43 and registered caregivers pursuant to Article 4.

44 (9) DISPENSING SITE. A site operated by a dispensary
45 licensee or an integrated facility licensee pursuant to
46 Article 4.

47 (10) ECONOMIC INTEREST. The rights to either the
48 capital or profit interests of an applicant or licensee or, if
49 the applicant or licensee is a corporation, the rights to some
50 portion of all classes of outstanding stock in the
51 corporation.

52 (11) FACILITY or MEDICAL CANNABIS FACILITY. Any
53 facility, or land associated with a facility, of a licensee.

54 (12) INTEGRATED FACILITY. An entity licensed under
55 Section 20-2A-67 authorized to perform the functions of a
56 cultivator, processor, secure transporter, and dispensary



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57 pursuant to Article 4.

58 (13) LICENSEE. A cultivator, processor, secure
59 transporter, state testing laboratory, dispensary, or
60 integrated facility licensed by the commission under Article
61 4.

62 (14) MEDICAL CANNABIS. a. A medical grade product in
63 the form of any of the following, as determined by rule by the
64 commission, that contains a derivative of cannabis for medical
65 use by a registered qualified patient pursuant to this
66 chapter:

67 1. Oral tablet, capsule, or tincture.

68 2. Non-sugarcoated gelatinous cube, gelatinous
69 rectangular cuboid, or lozenge in a cube or rectangular cuboid
70 shape.

71 3. Gel, oil, cream, or other topical preparation.

72 4. Suppository.

73 5. Transdermal patch.

74 6. Nebulizer.

75 7. Liquid or oil for administration using an inhaler.

76 b. The term does not include any of the following:

77 1. Raw plant material.

78 2. Any product administered by smoking, combustion, or
79 vaping.

80 3. A food product that has medical cannabis baked,
81 mixed, or otherwise infused into the product, such as cookies
82 or candies.

83 (15) MEDICAL CANNABIS CARD. A valid card issued
84 pursuant to Section 20-2A-36.



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85 (16) MEDICAL USE or USE OF MEDICAL CANNABIS or USE
86 MEDICAL CANNABIS. The acquisition, possession, use, delivery,
87 transfer, or administration of medical cannabis authorized by
88 this chapter. The term does not include possession, use, or
89 administration of cannabis that was not purchased or acquired
90 from a licensed dispensary.

91 (17) PACKAGE. Any container that a processor may use
92 for enclosing and containing medical cannabis. The term does
93 not include any carry-out bag or other similar container.

94 (18) PATIENT REGISTRY. The Alabama Medical Cannabis
95 Patient Registry System that is an electronic integrated
96 system that tracks physician certifications, patient
97 registrations, medical cannabis cards, the daily dosage and
98 type of medical cannabis recommended to qualified patients by
99 registered certifying physicians, and the dates of sale,
100 amounts, and types of medical cannabis that were purchased by
101 registered qualified patients at licensed dispensaries.

102 (19) PHYSICIAN CERTIFICATION. A registered certifying
103 physician's authorization for a registered qualified patient
104 to use medical cannabis.

105 (20) PROCESSOR. An entity licensed by the commission
106 under Section 20-2A-63 authorized to purchase cannabis from a
107 cultivator and extract derivatives from the cannabis to
108 produce a medical cannabis product or products for sale and
109 transfer in packaged and labeled form to a dispensing site
110 pursuant to Article 4.

111 (21) QUALIFYING MEDICAL CONDITION. Any of the following
112 conditions or symptoms of conditions, but only after



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113 documentation indicates that conventional medical treatment or
114 therapy has failed unless current medical treatment indicates
115 that use of medical cannabis is the standard of care:

- 116 a. Autism Spectrum Disorder (ASD).
- 117 b. Cancer-related cachexia, nausea or vomiting, weight
118 loss, or chronic pain.
- 119 c. Crohn's Disease.
- 120 d. Depression.
- 121 e. Epilepsy or a condition causing seizures.
- 122 f. HIV/AIDS-related nausea or weight loss.
- 123 g. Panic disorder.
- 124 h. Parkinson's disease.
- 125 i. Persistent nausea that is not significantly
126 responsive to traditional treatment, except for nausea related
127 to pregnancy, cannabis-induced cyclical vomiting syndrome, or
128 cannabinoid hyperemesis syndrome.
- 129 j. Post Traumatic Stress Disorder (PTSD).
- 130 k. Sickle Cell Anemia.
- 131 l. Spasticity associated with a motor neuron disease,
132 including Amyotrophic Lateral Sclerosis.
- 133 m. Spasticity associated with Multiple Sclerosis or a
134 spinal cord injury.
- 135 n. A terminal illness.
- 136 o. Tourette's Syndrome.
- 137 p. A condition causing chronic or intractable pain in
138 which conventional therapeutic intervention and opiate therapy
139 is contraindicated or has proved ineffective.

140 (22) REGISTERED CAREGIVER. An individual who meets the



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141 requirements described in subsection (c) of Section 20-2A-30
142 and is authorized to acquire and possess medical cannabis and
143 to assist one or more registered qualified patients with the
144 use of medical cannabis pursuant to this chapter.

145 (23) REGISTERED CERTIFYING PHYSICIAN. A physician
146 authorized by the State Board of Medical Examiners to certify
147 patients for the use of medical cannabis under this chapter.

148 (24) REGISTERED QUALIFIED PATIENT. Either of the
149 following:

150 a. An adult who meets the requirements described in
151 subsection (a) of Section 20-2A-30 and is authorized to
152 acquire, possess, and use medical cannabis pursuant to this
153 chapter.

154 b. A minor who meets the requirements described in
155 subsection (b) of Section 20-2A-30 and is authorized to use
156 medical cannabis pursuant to this chapter with the assistance
157 of a registered caregiver.

158 (25) SECURE TRANSPORTER. An entity licensed by the
159 commission under Section 20-2A-65 authorized to transport
160 cannabis or medical cannabis from one licensed facility or
161 site to another licensed facility or site.

162 (26) STATE TESTING LABORATORY. An entity licensed under
163 Section 20-2A-66 authorized to test cannabis and medical
164 cannabis to ensure the product meets safety qualifications
165 required under this chapter.

166 (27) STATEWIDE SEED-TO-SALE TRACKING SYSTEM. The
167 tracking system established pursuant to Section 20-2A-54 that
168 tracks all cannabis and medical cannabis in the state.



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169 (28) UNIVERSAL STATE SYMBOL. The image established by
170 the commission pursuant to Section 20-2A-53 made available to
171 processors which indicates the package contains medical
172 cannabis."

173 "§20-2A-50

174 (a) The state hereby preemptively regulates medical
175 cannabis from ~~seed to sale~~ seed-to-sale and shall reasonably
176 regulate and control all aspects of the medical cannabis
177 industry to meet the intent of this chapter. All functions and
178 activities relating to the production of medical cannabis in
179 the state shall be licensed, and licenses shall be granted to
180 integrated facilities, as well as to independent entities in
181 the following categories: Cultivator, processor, dispensary,
182 secure transporter, and testing laboratory.

183 (b) The commission shall license, and regulate, and
184 enforce all aspects of medical cannabis under this article,
185 ~~excluding cultivation. The Department of Agriculture and~~
186 ~~Industries shall license and regulate the cultivation of~~
187 ~~cannabis. For integrated facility licenses, the commission and~~
188 ~~the department shall enter into a memorandum of understanding~~
189 ~~relating to the sharing of regulatory and licensing and~~
190 ~~enforcement authority over licensees with regard to the~~
191 ~~cultivation function~~ The commission may seek and shall receive
192 the cooperation of the Department of Agriculture and
193 Industries in the regulation and enforcement of this article.
194 The department may recover from the commission the
195 department's costs of cooperation."

196 "§20-2A-51



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197 (a) Where the commission is authorized under this
198 article to determine the number of licenses of a specific
199 license category the commission will grant, or increase the
200 number of licenses of a specific license category to grant,
201 the commission shall consider the population of the state, the
202 number of active registered qualified patients, market demand,
203 the unemployment rate, the need for agricultural and other
204 business opportunities in communities, access to health care,
205 infrastructure, and other factors the commission deems
206 relevant in providing the greatest benefits to the residents
207 of this state and taking into account the racial and economic
208 makeup of the state.

209 (b) The commission, ~~and where applicable the~~
210 ~~department,~~ shall ensure that at least one-fourth of all
211 licenses, or in the case of Section 20-2A-67, one-fifth of all
212 licenses, are awarded to business entities at least 51 percent
213 of which are owned by members of a minority group or, in the
214 case of a corporation, at least 51 percent of the shares of
215 the corporation are owned by members of a minority group, and
216 are managed and controlled by members of a minority group in
217 its daily operations. For purposes of this subsection,
218 minority group means individuals of African American, Native
219 American, Asian, or Hispanic descent.

220 (c) (1) Notwithstanding any other provision of this
221 chapter to the contrary, the commission shall not permit a
222 dispensary to operate a dispensing site in any municipality or
223 unincorporated area of a county unless the municipality or
224 county has authorized the operation of dispensing sites within



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225 its boundaries, as provided in subdivision (2).

226 (2) Any county commission, by resolution, may authorize
227 the operation of dispensing sites in the unincorporated areas
228 of the county, and the governing body of any municipality, by
229 ordinance, may authorize the operation of dispensing sites
230 within the corporate limits of the municipality. The county
231 commission or municipal governing body shall notify the
232 commission not more than seven calendar days after adopting
233 the resolution or ordinance.

234 (3) This subsection does not prohibit a municipality
235 from adopting zoning ordinances restricting the operation of
236 dispensing sites within its corporate limits."

237 "§20-2A-52

238 (a) ~~The commission, and the department with regard to~~
239 ~~cultivation facilities,~~ shall have all powers necessary and
240 proper to fully and effectively oversee the operation of
241 medical cannabis facilities licensed pursuant to this article,
242 including the authority to do all of the following:

243 (1) Investigate applicants for licenses, determine the
244 eligibility for licenses, and grant licenses to applicants in
245 accordance with this article and the rules.

246 (2) Investigate all individuals employed by licensees.

247 (3) At any time, through its investigators, agents, or
248 auditors, without a warrant and without notice to the
249 licensee, enter the premises, offices, facilities, or other
250 places of business of a licensee, if evidence of compliance or
251 noncompliance with this article or rules is likely to be found
252 and consistent with constitutional limitations, for the



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253 following purposes:

254 a. To inspect and examine all premises of licensees.

255 b. To inspect and examine relevant records of the
256 licensee and, if the licensee fails to cooperate with an
257 investigation, impound, seize, assume physical control of, or
258 summarily remove from the premises all books, ledgers,
259 documents, writings, photocopies, correspondence, records, and
260 videotapes, including electronically stored records, money
261 receptacles, or equipment in which the records are stored.

262 c. To inspect the person, and inspect or examine
263 personal effects of an individual who holds a license, while
264 that individual is present in a medical cannabis facility of
265 the licensee.

266 d. To investigate alleged violations of this article.

267 (4) Investigate alleged violations of this article or
268 rules and take appropriate disciplinary action against a
269 licensee.

270 (5) Require all relevant records of licensees,
271 including financial or other statements, to be kept on the
272 premises authorized for operation of the licensee or in the
273 manner prescribed by the commission.

274 (6) Eject, or exclude or authorize the ejection or
275 exclusion of, an individual from the premises of a licensee if
276 the individual violates this article, rules, or final orders
277 of the commission; provided, however, the propriety of the
278 ejection or exclusion is subject to a subsequent hearing by
279 the commission.

280 (7) Conduct periodic audits of licensees.



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281 (8) Take disciplinary action as the commission
282 considers appropriate to prevent practices that violate this
283 article and rules.

284 (9) Take any other reasonable or appropriate action to
285 enforce this article and rules.

286 (b) The commission ~~and department~~ shall adopt rules
287 addressing the frequency of conducting periodic inspections
288 and audits of respective licensees.

289 (c) The commission may enter into one or more memoranda
290 of understanding with law enforcement agencies to assist with
291 enforcement of this article.

292 (d) The commission ~~and department~~ may seek and shall
293 receive the cooperation and assistance of the Alabama State
294 Law Enforcement Agency in conducting criminal background
295 checks and in fulfilling its responsibilities under this
296 article. The Alabama State Law Enforcement Agency may recover
297 its costs of cooperation under this article.

298 (e) The commission ~~and department~~ shall assist any
299 prosecuting agency in the investigation or prosecution of a
300 violation of a controlled substances law.

301 (f) Nothing in this article shall affect the authority
302 of the Alabama Department of Environmental Management to
303 administer and enforce any existing law over which the Alabama
304 Department of Environmental Management has jurisdiction."

305 "§20-2A-53

306 (a) The commission, ~~and the department with regard to~~
307 ~~cultivation,~~ shall adopt rules as necessary to implement,
308 administer, and enforce this article in a timely manner that



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309 allows persons to begin applying for a license by September 1,
310 2022. Rules must ensure safety, security, and integrity of the
311 operation of medical cannabis facilities, that do all of the
312 following for each category of license:

313 (1) Establish operating standards to ensure the health,
314 safety, and security of the public and the integrity of
315 medical cannabis facility operations.

316 (2) Require a minimum of two million dollars
317 (\$2,000,000) of liability and casualty insurance and establish
318 minimum levels of other financial guarantees, if appropriate,
319 that licensees must maintain.

320 (3) Establish qualifications and restrictions for
321 individuals participating in or involved with operating
322 medical cannabis facilities.

323 (4) Establish an on-site inspection process to be
324 conducted at each facility of an applicant prior to being
325 issued a license, as well as ongoing on-site inspections of
326 the facilities of a licensee.

327 (5) Establish standards or requirements to ensure
328 cannabis and medical cannabis remain secure at all times,
329 including, but not limited to, requirements that all
330 facilities of licensees remain securely enclosed and locked as
331 appropriate.

332 (6) Subject to Section 20-2A-66, establish testing
333 standards, procedures, and requirements for medical cannabis
334 sold at dispensaries.

335 (7) Provide for the levy and collection of fines for a
336 violation of this article or rules.



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337 (8) Establish annual license fees for each type of
338 license, provided the fee shall be not less than ten thousand
339 dollars (\$10,000) and not more than fifty thousand dollars
340 (\$50,000), depending on the category of license.

341 (9) Establish quality control standards, procedures,
342 and requirements.

343 (10) Establish chain of custody standards, procedures,
344 and requirements.

345 (11) In compliance with Chapters 27 and 30 of Title 22,
346 establish standards, procedures, and requirements for waste
347 product storage and disposal and chemical storage.

348 (12) Establish standards, procedures, and requirements
349 for securely and safely transporting medical cannabis between
350 facilities.

351 (13) Establish standards, procedures, and requirements
352 for the storage of cannabis and medical cannabis.

353 (14) Subject to Section 20-2A-63, establish packaging
354 and labeling standards, procedures, and requirements for
355 medical cannabis sold at dispensaries.

356 (15) Establish marketing and advertising restrictions
357 for medical cannabis products and medical cannabis facilities.

358 (16) Establish standards and procedures for the
359 renewal, revocation, suspension, and nonrenewal of licenses.

360 (b) The commission, by rule, shall design a universal
361 state symbol that is a color image and made available to
362 licensed processors to include on all packages of medical
363 cannabis, as required under Section 20-2A-63."

364 "§20-2A-57



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365 (a) If any of the following occurs, the commission may
366 deny, suspend, revoke, or restrict a license:

367 (1) An applicant or licensee fails to comply with this
368 article or rules.

369 (2) A licensee no longer meets the eligibility
370 requirements for a license under this article.

371 (3) An applicant or licensee fails to provide
372 information the commission requests to assist in any
373 investigation, inquiry, or commission hearing.

374 (b) The commission may impose civil fines of up to five
375 thousand dollars (\$5,000) against an individual and up to
376 twenty-five thousand dollars (\$25,000) or an amount equal to
377 the daily gross receipts, whichever is greater, against a
378 licensee for each violation of this article, rules, or an
379 order of the commission. Assessment of a civil fine under this
380 subsection is not a bar to the investigation, arrest,
381 charging, or prosecution of an individual for any other
382 violation of this article and is not grounds to suppress
383 evidence in any criminal prosecution that arises under this
384 article or any other law of this state.

385 (c) The commission shall comply with the hearing
386 procedures of the Administrative Procedure Act when denying,
387 revoking, suspending, or restricting a license or imposing a
388 fine. The commission may suspend a license without notice or
389 hearing upon a determination that the safety or health of
390 registered qualified patients, registered caregivers, or
391 employees is jeopardized by continuing a facility's operation.
392 If the commission suspends a license under this subsection



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393 without notice or hearing, a prompt post-suspension hearing
394 must be held to determine if the suspension should remain in
395 effect. The suspension may remain in effect until the
396 commission determines that the cause for suspension has been
397 abated. The commission may revoke the license or approve a
398 transfer or sale of the license upon a determination that the
399 licensee has not made satisfactory progress toward abating the
400 hazard.

401 (d) Any party aggrieved by an action of the commission
402 suspending, revoking, restricting, or refusing to renew a
403 license, or imposing a fine, shall be given a hearing before
404 the commission upon request. A request for a hearing must be
405 made to the commission in writing within 21 days after service
406 of notice of the action of the commission. Notice of the
407 action of the commission must be served either by personal
408 delivery or by certified mail, postage prepaid, to the
409 aggrieved party. Notice served by certified mail is considered
410 complete on the business day following the date of the
411 mailing.

412 (e) The commission may conduct investigative and
413 contested case hearings; issue subpoenas for the attendance of
414 witnesses; issue subpoenas duces tecum for the production of
415 books, ledgers, records, memoranda, electronically retrievable
416 data, and other pertinent documents; and administer oaths and
417 affirmations to witnesses as appropriate to exercise and
418 discharge the powers and duties of the commission under this
419 article.

420 (f) Any person aggrieved by an action of the commission



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421 ~~or the department~~ under this article, within 30 days after
422 receiving notice of the action, may appeal the action to the
423 circuit court in the county where the commission ~~or department~~
424 is located."

425 "§20-2A-59

426 (a) The commission, prior to appointment, employment,
427 or service for a licensee, shall require all officers,
428 employees, contractors, and other individuals performing work
429 of any character who would have access to cannabis, a medical
430 cannabis facility, or related equipment or supplies, to submit
431 to a state and national criminal background check. The
432 commission shall determine the manner in which fingerprints of
433 the individuals shall be submitted to the Alabama State Law
434 Enforcement Agency along with a sufficient fee required to
435 perform the criminal ~~history records~~ background check by the
436 agency and the Federal Bureau of Investigation.

437 Notwithstanding any state law to the contrary, all records
438 related to any criminal background check conducted pursuant to
439 this subsection shall be accessible and made available, upon
440 request, by the commission.

441 (b) If the criminal background check of a prospective
442 officer, employee, or contractor indicates a pending charge or
443 conviction within the past five years for a controlled
444 substance-related felony or a controlled substance-related
445 misdemeanor, a licensee may not appoint, hire, or contract
446 with the prospective officer, employee, or contractor without
447 written permission of the commission; provided, however, a
448 licensee shall not consider any conviction overturned on



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449 appeal or any charge that has been expunged pursuant to
450 Chapter 27 of Title 15.

451 (c) Each licensee shall enter all transactions, current
452 inventory, and other information into the statewide
453 seed-to-sale tracking system in accordance with rules adopted
454 by the commission ~~and the department.~~"

455 "§20-2A-62

456 (a) (1) A cultivator license authorizes all of the
457 following:

458 a. The cultivation of cannabis.

459 b. The sale or transfer of cannabis to a processor.

460 c. If the cultivator contracts with a processor to
461 process its cannabis into medical cannabis on the cultivator's
462 behalf, the sale or transfer of medical cannabis to a
463 dispensary.

464 (2) A cultivator license authorizes the cultivator to
465 transfer cannabis only by means of a secure transporter.

466 (b) ~~The commission shall consult with the Department of~~
467 ~~Agriculture and Industries when determining the number of~~
468 ~~cultivator licenses to issue, provided the commission shall~~
469 issue no more than 12 cultivator licenses.

470 (c) An applicant for a license under this section shall
471 meet all of the following requirements:

472 (1) Demonstrate the ability to secure and maintain
473 cultivation facilities.

474 (2) Demonstrate the ability to obtain and use an
475 inventory control and tracking system as required under
476 Section 20-2A-60.



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477 (3) Demonstrate the ability to commence cultivation of
478 cannabis within 60 days of application approval notification.

479 (4) Demonstrate the ability to destroy unused or waste
480 cannabis in accordance with rules adopted by the department.

481 (5) Demonstrate the financial stability to provide
482 proper testing of individual lots and batches.

483 (d) A licensed cultivator shall comply with all of the
484 following, in accordance with rules adopted by the ~~department~~
485 commission:

486 (1) All facilities shall be protected by a monitored
487 security alarm system, be enclosed, and remain locked at all
488 times.

489 (2) All individuals entering and exiting facilities
490 shall be monitored by video surveillance and keypad or access
491 card entry.

492 (3) All employees may not have any conviction within
493 the past 10 years for a controlled substance-related felony or
494 a controlled substance-related misdemeanor other than a
495 conviction that was overturned on appeal or a charge that was
496 expunged pursuant to Chapter 27 of Title 15.

497 (4) ~~Cultivators~~ Cultivars selected by a licensee must
498 be approved by the ~~department~~ commission prior to acquisition
499 of plant material for cultivation.

500 (e) A cultivator shall be subject to inspection by the
501 ~~department~~ commission.

502 (f) The cultivation of cannabis pursuant to this
503 chapter shall be considered an agricultural purpose for
504 purposes of Section 40-23-4.



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505 (g) Nothing in this section shall be construed to
506 prohibit the hydroponic growing of cannabis.

507 ~~(h) The department shall consult with the commission~~
508 ~~when adopting rules pursuant to this article."~~

509 "§20-2A-63

510 (a) (1) A processor license authorizes all of the
511 following:

512 a. The purchase or transfer of cannabis from a
513 cultivator.

514 b. The processing of cannabis into medical cannabis
515 which shall include properly packaging and labeling medical
516 cannabis products, in accordance with this section.

517 c. The sale or transfer of medical cannabis to a
518 dispensary.

519 (2) A processor license authorizes the processor to
520 transfer medical cannabis only by means of a secure
521 transporter.

522 (b) The commission shall issue no more than four
523 processor licenses.

524 (c) (1) All medical cannabis products must be medical
525 grade product, manufactured using documented good quality
526 practices, and meet Good Manufacturing Practices, such that
527 the product is shown to meet intended levels of purity and be
528 reliably free of toxins and contaminants. Medical cannabis
529 products may not contain any additives other than
530 pharmaceutical grade excipients.

531 (2) ~~The department~~ commission shall be responsible for
532 enforcing Good Manufacturing Practices.



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533 (d) Medical cannabis products may not be processed into
534 a form that is attractive to or targets children, including
535 all of the following which are prohibited:

536 (1) Any product bearing any resemblance to a cartoon
537 character, fictional character whose target audience is
538 children or youth, or pop culture figure.

539 (2) Any product bearing a reasonable resemblance to a
540 product available for consumption as a commercially available
541 candy.

542 (3) Any product whose design resembles, by any means,
543 another object commonly recognized as appealing to, or
544 intended for use by, children.

545 (4) Any product whose shape bears the likeness or
546 contains characteristics of a realistic or fictional human,
547 animal, or fruit, including artistic, caricature, or cartoon
548 rendering.

549 (e) All of the following shall apply to all packages
550 and labels of medical cannabis products:

551 (1) Labels, packages, and containers shall not be
552 attractive to minors and may not contain any content that
553 reasonably appears to target children, including toys, cartoon
554 characters, and similar images. Packages shall be designed to
555 minimize appeal to children and must contain a label that
556 reads: "Keep out of reach of children."

557 (2) All medical cannabis products must be packaged in
558 child-resistant, tamper-evident containers.

559 (3) All medical cannabis product labels shall contain,
560 at a minimum, the following information:



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561 a. Lot and batch numbers.

562 b. A license identification number for the cultivator
563 and a license identification number for the processor.

564 c. Cannabinoids content and potency.

565 d. The universal state symbol printed in color at least
566 one-half inch by one-half inch in size.

567 (f) The commission shall establish one universal flavor
568 for all gelatinous cube, cuboid, and lozenge medical cannabis
569 products.

570 (g) The following statement shall be included on each
571 label, if space permits, or as an insert within the package:
572 "WARNING: This product may make you drowsy or dizzy. Do not
573 drink alcohol with this product. Use care when operating a
574 vehicle or other machinery. Taking this product with
575 medication may lead to harmful side effects or complications.
576 Consult your physician before taking this product with any
577 medication. Women who are breastfeeding, pregnant, or plan to
578 become pregnant should discuss medical cannabis use with their
579 physicians."

580 (h) Any advertisement and any package or label may not
581 contain any false statement or statement that advertises
582 health benefits or therapeutic benefits of medical cannabis.

583 (i) The commission may require the implementation of a
584 digital image such as a QR Code for purposes of tracking
585 medical cannabis products. The digital image must interface
586 with the statewide seed-to-sale tracking system.

587 (j) The commission shall determine what information
588 from the label shall be entered into the statewide

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589 seed-to-sale tracking system."

590 Section 2. This act shall become effective on June 1,

591 2024.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 16-Apr-24.

John Treadwell
Clerk

Senate

08-May-24

Passed