

House Resolution 1417

By: Representatives Powell of the 32nd, Gravley of the 67th, Collins of the 68th, Clark of the 147th, Clark of the 98th, and others

A RESOLUTION

1 Creating the Joint Study Committee on Cultivation, Manufacture, and Dispensing of Medical
2 Cannabis Low THC Oil; and for other purposes.

3 WHEREAS, the use of medical cannabis low THC oil was legalized in Georgia in 2016; and

4 WHEREAS, since that time, many patients here in Georgia have benefited from its use; and

5 WHEREAS, the recorded use of cannabis as a medicine goes back nearly 5,000 years; and

6 WHEREAS, modern medical research has confirmed the beneficial uses of cannabis, which
7 is sometimes referred to as marijuana, in treating or alleviating the pain, nausea, and other
8 symptoms associated with a variety of debilitating medical conditions as found by the
9 National Academy of Sciences' Institute of Medicine in March, 1999; and

10 WHEREAS, studies published since the 1999 Institute of Medicine report continue to show
11 the therapeutic value of cannabis in treating a wide array of debilitating medical conditions
12 thereby increasing the chances of patients continuing life-saving treatment regimens; and

13 WHEREAS, cannabis has many accepted medical uses in the United States, having been
14 recommended by thousands of licensed physicians to more than one million patients in states
15 with medical cannabis laws; and

16 WHEREAS, a wide range of medical and public health organizations, including the
17 American Academy of HIV Medicine, the American College of Physicians, the American
18 Nurses Association, the American Public Health Association, the Leukemia & Lymphoma
19 Society, the Epilepsy Foundation, and many others, have recognized the medical utility of
20 cannabis; and

21 WHEREAS, data from the Federal Bureau of Investigation's Uniform Crime Reports and the
22 Compendium of Federal Justice Statistics show that approximately 99 out of every 100
23 cannabis arrests in the United States are made under state law, rather than under federal law;
24 and

25 WHEREAS, consequently, changing state law will have the practical effect of protecting the
26 vast majority of seriously ill patients who have a medical need to use cannabis from arrest;
27 and

28 WHEREAS, forty-one states, the District of Columbia, Guam, and Puerto Rico have
29 removed state level criminal penalties from the medical use of cannabis; and

30 WHEREAS, the State of Georgia should join in this effort in the best interest of the health
31 and welfare of its citizens; and

32 WHEREAS, with the passage of Section 538 of the federal Consolidated and Further
33 Continuing Appropriations Act of 2015, P.L. 113-235, 128 Stat. 2130 (2014) ("2015
34 Appropriations Act"), the Congress of the United States of America has determined that
35 states should not be prevented from implementing their own medical cannabis laws and their
36 residents should not be prosecuted when acting in compliance with state medical cannabis
37 laws, an opinion confirmed in the federal court opinion in the case of *United States of*
38 *America v. Marin Alliance for Medical Marijuana and Lynette Shaw*, in the United States
39 District Court for the Northern District of California in 2016; and

40 WHEREAS, thousands of Georgians have serious medical conditions that can be improved
41 by the medically approved use of cannabis, and the law should not stand between them and
42 treatment necessary for life and health; and

43 WHEREAS, without the ability to cultivate and manufacture medical cannabis, legal
44 residents of the State of Georgia have no legal way to obtain a safe form of medical cannabis;
45 and

46 WHEREAS, the State of Georgia should allow the legitimate use of medical cannabis for
47 health care, including palliative care, while in no way diminishing this state's strong public
48 policy and laws against illegal drug use and in no way advocating, authorizing, promoting,
49 or legally or socially accepting the use of marijuana for children or adults for any nonmedical
50 use; and

51 WHEREAS, the General Assembly should begin a study regarding the cultivation,
52 manufacture, and dispensing of medical cannabis low THC oil, including, but not limited to,
53 the security and control of all aspects of the process from acquisition and planting of seeds
54 to final destruction of any unused portion of the plant; quality control of all aspects of the
55 manufacturing process, including, but not limited to, labeling and independent laboratory
56 testing for purity and safety; and all aspects of dispensing the final product, including, but
57 not limited to, security, competency of the dispensing staff, training on dosing, and property
58 delivery methods; and

59 WHEREAS, such study should provide findings on how to assure proper security safeguards
60 and systems for evaluating qualifications of potential licensees and contain a plan to assure
61 that low THC oil is readily available in all parts of the state at an affordable price to patients
62 and caregivers who are properly registered in the state.

63 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
64 GEORGIA:

65 (1) **Creation of joint study committee.** There is created the Joint Study Committee on
66 Cultivation, Manufacture, and Dispensing of Medical Cannabis Low THC Oil.

67 (2) **Members and officers.**

68 (A) The committee shall be composed of six members.

69 (B) The President of the Senate shall appoint three members of the Senate as members
70 of the committee and shall designate one of such members as cochairperson.

71 (C) The Speaker of the House of Representatives shall appoint three members of the
72 House of Representatives as members of the committee and shall designate one of such
73 members as cochairperson.

74 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
75 issues, and problems mentioned above or related thereto and recommend any action or
76 legislation which the committee deems necessary or appropriate.

77 (4) **Meetings.** The cochairpersons shall call all meetings of the committee. The
78 committee may conduct such meetings at such places and at such times as it may deem
79 necessary or convenient to enable it to exercise fully and effectively its powers, perform
80 its duties, and accomplish the objectives and purposes of this resolution.

81 (5) **Allowances and funding.** The legislative members of the committee shall receive
82 the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia
83 Annotated. The allowances authorized by this resolution shall not be received by any
84 member of the committee for more than five days unless additional days are authorized.

85 Funds necessary to carry out the provisions of this resolution shall come from funds
86 appropriated to the Senate and the House of Representatives.

87 **(6) Report.**

88 (A) In the event the committee adopts any specific findings or recommendations that
89 include suggestions for proposed legislation, the cochairpersons shall file a report of the
90 same prior to the date of abolishment specified in this resolution, subject to
91 subparagraph (C) of this paragraph.

92 (B) In the event the committee adopts a report that does not include suggestions for
93 proposed legislation, the cochairpersons shall file the report, subject to
94 subparagraph (C) of this paragraph.

95 (C) No report shall be filed unless the same has been approved prior to the date of
96 abolishment specified in this resolution by majority vote of a quorum of the committee.
97 A report so approved shall be signed by the cochairpersons of the committee and filed
98 with the Secretary of the Senate and the Clerk of the House of Representatives.

99 (D) In the absence of an approved report, the cochairpersons may file with the
100 Secretary of the Senate and the Clerk of the House of Representatives copies of the
101 minutes of the meetings of the committee in lieu thereof.

102 **(7) Abolishment.** The committee shall stand abolished on December 1, 2018.