

The Senate Committee on Health and Human Services offered the following substitute to SR 983:

A RESOLUTION

1 Creating the Joint Study Committee on THC Medical Oil Access; and for other purposes.

2 WHEREAS, the State of Georgia recognizes the legitimate use of medical cannabis oil for
3 health care, including palliative care, while in no way diminishing this state's strong public
4 policy and laws against illegal drug use and in no way advocating, authorizing, promoting,
5 or legally or socially accepting the use of marijuana for any nonmedical use; and

6 WHEREAS, the use of THC oil was legalized for a select number of Georgia patients in
7 2016; and

8 WHEREAS, since that time, many patients in Georgia have benefited from its use and
9 pediatric patients with severe neurological disorders have made significant improvements as
10 a result of treatment; and

11 WHEREAS, thousands of Georgians have serious medical conditions that have been or can
12 be improved by the medically approved use of cannabis oil; and

13 WHEREAS, cannabis oil has many accepted 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 oil; and

21 WHEREAS, with the passage of Section 538 of the federal Consolidated and Further
22 Continuing Appropriations Act of 2015, P.L. 113-235, 128 Stat. 2130 (2014) ("2015

23 Appropriations Act"), the Congress of the United States of America has determined that
24 states should not be prevented from implementing their own medical cannabis laws and their
25 residents should not be prosecuted when acting in compliance with state medical cannabis
26 laws, an opinion confirmed in the federal court opinion in the case of *United States of*
27 *America v. Marin Alliance for Medical Marijuana and Lynette Shaw*, in the United States
28 District Court for the Northern District of California in 2016; and

29 WHEREAS, the federal government continues to block the distribution and purchase of THC
30 oil across state lines; and

31 WHEREAS, this puts Georgia patients in the unacceptable position of needing medicine that
32 is legal under state law and having no way to obtain it; and

33 WHEREAS, Georgia patients need a safe and legal way to obtain THC medical oil that is
34 authorized under state law; and

35 WHEREAS, no steps taken to provide THC medical oil to patients should in any way foster
36 the growth of a recreational marijuana industry in Georgia; and

37 WHEREAS, the State of Georgia strongly opposes the creation of a recreational marijuana
38 industry of any kind in Georgia; and

39 WHEREAS, to fulfill this need, the General Assembly should begin a study regarding the
40 in-state access of medical cannabis, THC oil, including, but not limited to, the security and
41 control of all aspects of the process from acquisition and planting of seeds to final destruction
42 of any unused portion of the plant; quality control of all aspects of the manufacturing
43 process, including, but not limited to, product labeling and independent testing for purity and
44 safety; and all aspects of dispensing the final product, including, but not limited to, security,
45 competency of the dispensing staff, training on dosing, and proper delivery methods; and

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

50 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
51 GEORGIA:

- 52 (1) **Creation of the joint study committee.** There is created the Joint Study Committee
53 on THC Medical Oil Access.
- 54 (2) **Members and officers.**
- 55 (A) The committee shall be composed of ten members.
- 56 (B) The President of the Senate shall appoint three members of the Senate as members
57 of the committee and shall designate one of such members as cochairperson. The
58 President of the Senate shall also appoint two citizens of this state to serve as members.
- 59 (C) The Speaker of the House of Representatives shall appoint three members of the
60 House of Representatives as members of the committee and shall designate one of such
61 members as cochairperson. The Speaker of the House of Representatives shall also
62 appoint two citizens of this state to serve as members.
- 63 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
64 issues, and problems mentioned above or related thereto and recommend any action or
65 legislation which the committee deems necessary or appropriate.
- 66 (4) **Meetings.** The cochairpersons shall call all meetings of the committee. The
67 committee may conduct such meetings at such places and at such times as it may deem
68 necessary or convenient to enable it to exercise fully and effectively its powers, perform
69 its duties, and accomplish the objectives and purposes of this resolution.
- 70 (5) **Allowances, expenses, and funding.**
- 71 (A) The legislative members of the committee shall receive the allowances provided
72 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.
- 73 (B) Members of the committee who are not legislators shall receive a daily expense
74 allowance in an amount the same as that specified in subsection (b) of Code
75 Section 45-7-21 of the Official Code of Georgia Annotated, as well as the mileage or
76 transportation allowance authorized for state employees.
- 77 (C) The allowances and expenses authorized by this resolution shall not be received
78 by any member of the committee for more than five days unless additional days are
79 authorized. Funds necessary to carry out the provisions of this resolution shall come
80 from funds appropriated to the Senate and the House of Representatives.
- 81 (6) **Report.**
- 82 (A) In the event the committee adopts any specific findings or recommendations that
83 include suggestions for proposed legislation, the cochairpersons shall file a report of the
84 same prior to the date of abolishment specified in this resolution, subject to
85 subparagraph (C) of this paragraph.
- 86 (B) In the event the committee adopts a report that does not include suggestions for
87 proposed legislation, the cochairpersons shall file the report, subject to
88 subparagraph (C) of this paragraph.

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

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

96 (7) **Abolishment.** The committee shall stand abolished on December 31, 2018.