

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1883 – SB 1915

April 9, 2018

SUMMARY OF ORIGINAL BILL: Exempts cannabis oil with less than six tenths of one percent (0.6%) of tetrahydrocannabinol (THC), including the seeds and plants, from the definition of “marijuana” under Tenn. Code Ann. § 39-17-402(16), when manufactured, processed, transferred, dispensed, or possessed by a four-year public institution of higher education as part of a clinical research study on intractable seizures, cancer, or other diseases.

Exempts oil containing the substance cannabidiol with less than nine tenths of one percent (0.9%) of THC, if the bottle containing the oil is labeled by the manufacturer as containing cannabidiol in an amount less than 0.9 percent of THC, and the person possessing the oil retains proof of the legal order from the issuing state and proof that the person or the person’s immediate family member has been diagnosed with intractable seizures by a medical doctor licenses to practice in Tennessee.

Deletes the requirement that the clinical research conducted by the four-year institution of higher learning be certified by the drug enforcement administration (DEA).

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016748): Deletes all language after the enacting clause and rewrites the proposed legislation such that the only substantive change is to remove the proposed deletion of the requirement that the DEA must certify an institute of higher education possessing, manufacturing, transferring, or processing cannabis oil of 0.9 percent THC or less.

Redefines “industrial hemp” under Tenn. Code Ann. § 43-26-102(4) to include the plants, plant parts, or whole plant extract of the genera cannabis that does not contain more than 0.6 percent THC and deletes industrial hemp-derived products containing less than 0.3 percent THC in a topical or ingestible consumer product from the definition of industrial hemp.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

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Assumptions for the bill as amended:

- Tennessee Code Annotated § 39-17-402(16) defines “marijuana” for purposes of drug offenses. The current definition includes the exemptions provided by the proposed legislation. However, those provisions are set to expire on June 30, 2018.
- The proposed legislation’s effective date is July 1, 2018; as a result, passage of this legislation will allow the expiration of these provisions to be avoided.
- Removing industrial hemp-derived products containing less than 0.3 percent THC in a topical or ingestible consumer product from the definition of industrial hemp means the possession of such products is a crime. However, it is assumed that the amount of such products in the state is negligible.
- The proposed legislation will not significantly impact the caseloads of the courts, public defenders, or district attorneys. Any impact can be accommodated within existing resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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