

SENATE BILL 697

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 4; Title 29; Title 33; Title 38; Title 39; Title 40; Title 41, Chapter 1, Part 1; Title 43; Title 45; Title 53; Title 63; Title 67; Title 68 and Title 71, Chapter 3, Part 12, relative to the Tennessee Marijuana Regulation Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act is known and may be cited as the "Tennessee Marijuana Regulation Act."

SECTION 2. Tennessee Code Annotated, Section 4-7-115, is amended by deleting the language "dogs trained to detect marijuana and other illicit substances" and substituting instead the language "dogs trained to detect illicit substances".

SECTION 3. Tennessee Code Annotated, Section 38-6-108, is amended by deleting the language "dogs trained to detect marijuana and other illicit substances" and substituting instead the language "dogs trained to detect illicit substances".

SECTION 4. Tennessee Code Annotated, Section 29-38-104, is amended by deleting from the following subdivisions:

(1) In subdivision (5), the language "or possession of one pound (1 lb.) or twenty-five (25) plants or more, but less than four pounds (4 lbs.) or fifty (50) plants, or distribution of less than one pound (1 lb.), of marijuana;"

(2) In subdivision (6), the language "or possession of four pounds (4 lbs.) or more or fifty (50) plants or more, but less than eight pounds (8 lbs.) or seventy-five (75) plants, or distribution of more than one pound (1 lb.), but less than five pounds (5 lbs.), of marijuana;"

(3) In subdivision (7), the language "or possession of eight pounds (8 lbs.) or more or seventy-five (75) plants or more, but less than sixteen pounds (16 lbs.) or one hundred (100) plants or more, or distribution of more than five pounds (5 lbs.), but less than ten pounds (10 lbs.), of marijuana;" and

(4) In subdivision (8), the language "or possession of sixteen pounds (16 lbs.) or more or one hundred (100) plants or more, or distribution of ten pounds (10 lbs.) or more, of marijuana;"

SECTION 5. Tennessee Code Annotated, Section 39-17-402, is amended by deleting subdivision (C) from the definition of "drug paraphernalia" and substituting instead the following:

(C) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing cocaine into the human body;

SECTION 6. Tennessee Code Annotated, Section 39-17-415(a), is amended by deleting subdivisions (1) and (2).

SECTION 7. Tennessee Code Annotated, Section 39-17-417, is amended by deleting subsection (g), subdivision (i)(14), and subdivision (j)(14).

SECTION 8. Tennessee Code Annotated, Section 39-17-418, is amended by deleting subsection (b) and by deleting the language "subsections (a) or (b)" in subsection (d) and substituting "subsection (a)".

SECTION 9. Tennessee Code Annotated, Section 39-17-428(b), is amended by deleting the language "classified as marijuana or hashish" wherever it appears.

SECTION 10. This act takes effect the first day of the first month that is at least thirty (30) days following the effective date of legislation passed by the United States Congress that removes marijuana from the federal Controlled Substances Act of 1970, the public welfare requiring it. The commissioner of health shall monitor legislation relating to the removal of marijuana from the federal Controlled Substances Act of 1970 and shall certify in writing to the

secretary of state and the executive secretary of the Tennessee code commission when such federal legislation becomes effective.