

8  
DATE 4/19/11  
SB 423

1 background check.

2 (3) A person may not be a registered cardholder if the person is in the custody of or under the  
3 supervision of the department of corrections ~~or~~, A DISTRICT COURT, OR A COURT OF LIMITED  
4 JURISDICTION OR IS ORDERED BY A COURT TO PARTICIPATE IN ANY STATE, COUNTY, OR LOCAL GOVERNMENT CRIMINAL  
5 SUPERVISION OR ENFORCEMENT PROGRAM.

6 (4) A registered cardholder who elects to obtain marijuana from a provider may not cultivate or  
7 manufacture marijuana for the cardholder's use.

8 (5) A registered cardholder may cultivate or manufacture marijuana as allowed under [section 9] only:

9 (a) at a property that is owned by the cardholder; or

10 (b) with written permission of the landlord, at a property that is rented or leased by the cardholder.

11 (6) No portion of the property used for cultivation and manufacture of marijuana for use by the registered  
12 cardholder may be shared with or rented or leased to a provider or to a registered cardholder unless the property  
13 is owned, rented, or leased by cardholders who are related to each other by the second degree of kinship by  
14 blood or marriage.

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16 NEW SECTION. Section 5. Providers -- requirements -- limitations. (1) The department shall issue  
17 a registry identification card to the person who is named as a provider in a registered cardholder's approved  
18 application if the person submits to the department:

19 (a) the person's name, date of birth, and street address on a form prescribed by the department;

20 (b) proof that the person is a Montana resident;

21 (c) fingerprints to facilitate a fingerprint and background check by the department of justice and the  
22 federal bureau of investigation;

23 (d) a written agreement signed by the registered cardholder;

24 (e) a statement indicating whether the person will cultivate and manufacture marijuana for the registered  
25 cardholder at a property owned, rented, or leased by the cardholder or by the person; and

26 (f) a fee as determined by the department to cover the costs of the fingerprint and background check and  
27 associated administrative costs of processing the registration.

28 (2) The department may not register a person as a provider if the person:

29 (a) has a felony conviction or a conviction for a drug offense;

30 (b) is in the custody of or under the supervision of the department of corrections or a youth court, A