EXHIBIT 2
3/26/13
SB 377

Amendments to Senate Bill No. 377
1st Reading Copy

Requested by Senator David Wanzenried

For the House Judiciary Committee

Prepared by Sue O'Connell
March 26, 2013 (7:04am)

1. Title, page 1, line 8.
Strike: "ESTABLISHING AN ADVISORY COUNCIL;"

2. Title, page 1, line 12.
Following: "50-46-343,"
Insert: "AND"
Strike: "AND 61-11-101,"

3. Page 13.
Following: line 3
Insert: "(7) "Correctional facility or program" means a facility or program that is described in 53-1-202 and to which a person may be ordered by any court of competition jurisdiction."
Renumber: subsequent subsections

4. Page 13, line 29.
Strike: "an individual who is"
Insert: "a"

5. Page 13, line 30.
Following: "(a)"
Insert: "physician"
Strike: ", 12, 17, 20, or 26"

6. Page 14, line 1.
Strike: subsection (b) in its entirety
Insert: "(b) physician assistant licensed under Title 37, chapter 20."

7. Page 17, line 26.
Strike: "25"
Insert: "24"

8. Page 21, line 3.
Strike: "24"
Insert: "23"

9. Page 21, line 5.

Strike: "37"
Insert: "36"

10. Page 25, line 18.
Strike: "24"
Insert: "23"

11. Page 27, line 25.
Strike: "38"
Insert: "37"

12. Page 30, line 27.
Strike: "38"
Insert: "37"

13. Page 31, line 16.
Strike: "38"
Insert: "37"

14. Page 33, line 6.
Strike: "if"
Insert: "solely because"

15. Page 35, line 8.
Following: "~~subsection (3),~~"
Insert: "except as provided in subsection (3),"
Strike: "smoking"
Insert: "use"

16. Page 35, line 12.
Strike: subsection (i) in its entirety

17. Page 35.
Following: line 14
Insert: "(i) in a health care facility as defined in 50-5-101;
(ii) in a school or postsecondary school as defined in 20-5-402;
(iii) on or in any property owned by a school district or a postsecondary school;
(iv) on or in any property leased by a school district or a postsecondary school when the property is used for school-related purposes;"
Renumber: subsequent subsections

18. Page 35, line 16.
Strike: "in"
Insert: "when ordered by any court of competent jurisdiction into"
Following: "~~or program~~"

Insert: "or program"

19. Page 35.
Following: line 17
Insert: "(vii) if a court has imposed restrictions on the cardholder's use pursuant to 46-18-202;"

20. Page 35, line 18.
Strike: "or"

21. Page 35.
Following: line 20
Insert: "(ix) in or on the property of any church, synagogue, or other place of worship;
(x) in plain view of or in a place open to the general public; or"
Renumber: subsequent subsection

22. Page 36, line 2.
Strike: "or"

23. Page 36, line 5.
Strike: "."
Insert: ";"

24. Page 36.
Following: line 14
Insert: "(c) a school or postsecondary school to allow a registered cardholder to participate in extracurricular activities; or
(d) a landlord to allow a tenant who is a registered cardholder, provider, or cannabis-infused products provider to cultivate or manufacture cannabis or to allow a registered cardholder to use cannabis.
(5) Nothing in this part may be construed to:
(a) prohibit an employer from including in any contract a provision prohibiting the use of cannabis for a debilitating medical condition; or
(b) permit a cause of action against an employer for wrongful discharge pursuant to 39-2-904 or discrimination pursuant to 49-1-102."
Renumber: subsequent subsections

25. Page 37.
Following: line 3
Insert: "(7) (a) A law enforcement officer who has reasonable cause to believe that a person with a valid registry identification card is driving under the influence of cannabis may apply for a search warrant to require the person to provide a sample of the person's blood for testing

pursuant to the provisions of 61-8-405. A person with a tetrahydrocannabinol (THC) level of 5 ng/ml may be charged with a violation of 61-8-401.

(b) A registered cardholder, provider, or cannabis-infused products provider who violates subsection (1)(a) is subject to revocation of the person's registry identification card if the individual is convicted of or pleads guilty to any offense related to driving under the influence of alcohol or drugs when the initial offense with which the individual was charged was a violation of 61-8-401, 61-8-406, or 61-8-410. A revocation under this section must be for the period of suspension or revocation set forth:

(i) in 61-5-208 for a violation of 61-8-401 or 61-8-406; or

(ii) in 61-8-410 for a violation of 61-8-410.

(c) If a person's registry identification card is subject to renewal during the revocation period, the person may not renew the card until the full revocation period has elapsed. The card may be renewed only if the person submits all materials required for renewal."

26. Page 37, line 5 through line 19.
Strike: section 23 in its entirety
Renumber: subsequent sections

27. Page 38, line 6.
Strike: "37"
Insert: "36"

28. Page 41, line 18.
Strike: "inspection of businesses"
Insert: "inspections of locations where cannabis is cultivated or manufactured"

29. Page 41, line 19.
Strike: "sanitary"
Insert: "public health, safety, and welfare"

30. Page 41, line 20.
Following: "~~government~~"
Insert: "or the local government"

31. Page 42, line 8.
Strike: "38"
Insert: "37"

32. Page 42.
Following: line 26
Insert: "(3) (a) Each provider and cannabis-infused products provider shall keep a complete set of records necessary to show all transactions with registered cardholders. The

records must be open for inspection by the department and, in accordance with subsection (5), by state or local law enforcement agencies during normal business hours.

(b) The department may require a provider or cannabis-infused products provider to furnish information that the department considers necessary for the proper administration of this part.

(4) (a) A registered premises, including any places of storage, where cabbabus is cultivated, manufactured, or stored is subject to entry by the department or, in accordance with subsection (5), by state or local law enforcement agencies for the purpose of inspection or investigation during normal business hours.

(b) If any part of the registered premises consists of a locked area, the provider or cannabis-infused products provider shall make the area available for inspection without delay upon request of the department or state or local law enforcement officials.

(5) A law enforcement agency shall obtain a search warrant before inspecting records or entering a registered premises under this section.

(6) A provider or cannabis-infused products provider shall maintain records showing the names and registry identification numbers of registered cardholders to whom mature plants, seedlings, usable cannabis, or cannabis-infused products were transferred and the quantities transferred to each cardholder."

33. Page 42, line 27 through line 28.
Strike: subsection (3) in its entirety
Renumber: subsequent subsections

34. Page 43, line 11.
Strike: "or"

35. Page 43, line 17.
Strike: "."
Insert: "; or

(c) fails to cooperate with the department concerning an investigation or inspection if the person is registered and cultivating or manufacturing cannabis."

36. Page 45, line 28.
Strike: "40"
Insert: "38"

37. Page 46, line 5 through line 6.
Strike: "determine by" on line 5 through "must be" on line 6
Insert: "collect fees"

38. Page 46, line 7.

Following: "part"
Insert: "."
Strike: "and, except"
Insert: "Except"
Following: "(2),"
Insert: "fees"

39. Page 46, line 8.
Following: "$1,500"
Insert: "per year"

40. Page 46, line 9.
Following: "$1,000"
Insert: "per year"

41. Page 46, line 10.
Following: "$1,000"
Insert: "per year"

42. Page 46, line 11.
Following: "$100"
Insert: "per year"

43. Page 46, line 13.
Following: "$15"
Insert: "per quarter"

44. Page 46, line 15.
Following: "$1"
Insert: "per quarter"

45. Page 46.
Following: line 18
Insert: "(3) The department may determine by rule whether to collect annual fees on a quarterly basis."
Renumber: subsequent subsections

46. Page 46, line 20.
Strike: "40"
Insert: "38"

47. Page 46, line 21.
Strike: "40"
Insert: "38"

48. Page 47, line 8 through page 48, line 6.
Strike: section 39 in its entirety
Renumber: subsequent sections

49. Page 48, line 27 through page 50, line 5.
Strike: section 41 in its entirety
Renumber: subsequent sections

50. Page 50, line 12.
Strike: "26"
Insert: "25"
Strike: "37 through 40"
Insert: "36 through 38"

51. Page 50, line 13 through 14.
Strike: "26" on line 13
Insert: "25"
Strike: "37 through 40"
Insert: "36 through 38"

- END -