

HOUSE BILL NO. 173

INTRODUCED BY D. MOORE

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A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING AGENCY RULEMAKING CONCERNING THE USE OR SALE OF MARIJUANA EXCEPT MARIJUANA INTENDED FOR USE OR SALE SOLELY FOR THE PURPOSES OF ALLEVIATING A DEBILITATING MEDICAL CONDITION; AND PROVIDING AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Recreational marijuana -- rulemaking prohibition.** (1) For the purposes of this section, marijuana is defined as provided in 50-32-101.

(2) An agency may not make any rule concerning the use or sale of marijuana for any purpose other than the purposes provided in 50-46-301, including the recreational use of marijuana or the sale of marijuana intended for recreational use. This section may not be interpreted to prohibit otherwise authorized rulemaking with respect to the use or sale of marijuana solely for the purposes of alleviating a debilitating medical condition as authorized by Title 50, chapter 46, part 3.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 2, chapter 4, and the provisions of Title 2, chapter 4, apply to [section 1].

NEW SECTION. **Section 3. Applicability.** [This act] applies to rules adopted on or after [the effective date of this act].

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