

MEDICAL MARIJUANA

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting. (5-4-105, MCA; [Chapter 309, Laws of 2017](#)) The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: In 2004, Montana voters passed Initiative 184 to allow the use of marijuana for certain debilitating medical conditions. The initiative required the Department of Public Health and Human Services (DPHHS) to set up a system for registering people authorized under the law to use or grow marijuana. People were allowed to use marijuana only if a doctor provided written certification that the person had a debilitating medical condition and might benefit from the use of marijuana. Doctors are unable to write prescriptions for marijuana because the drug is a Schedule I controlled substance under federal law, making its sale and distribution illegal.

Initiative 184 essentially created an exemption from state drug laws for people who were authorized to use or cultivate marijuana. The measure allowed patients to possess up to 6 plants and 1 ounce of usable marijuana. People named as caregivers could possess the same amount of marijuana for each person for whom they were growing marijuana.

The program had relatively few participants in its early years. A year after its approval in November 2004, 176 people were registered as patients and 66 as caregivers. Three years later, at the end of 2008, there were 1,577 registered patients and 465 caregivers.

In October 2009, then-Deputy U.S. Attorney General David Ogden issued a memo to federal prosecutors saying the federal government wouldn't focus its resources on people who were clearly in compliance with state medical marijuana laws. Just over a year later, in December 2010, there were 27,292 people registered to use marijuana in Montana. The program's fast growth led to the introduction of 15 bills in the 2011 Legislature, generally trying to put more restrictions on the program. The lone bill that passed established a limit of three patients per caregiver, prohibited the acceptance of remuneration for marijuana, and placed other limits on the program. It was immediately challenged and tied up in court for 5 years before almost all of the elements were found constitutional and went into effect on Aug. 31, 2016.

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However, the strictest limits were in effect for only a couple of months before voters passed Initiative 182 in 2016. That measure lifted the most stringent requirements, required licensing for individuals or businesses that grew marijuana, allowed for sale of marijuana products through dispensaries, and added Post-Traumatic Stress Disorder (PTSD) as a condition for which marijuana could be used. The 2017 Legislature subsequently enacted SB 333 to tax the gross sales of medical marijuana, require the use of a seed-to-sale tracking system, and establish different limits on the number of plants and usable marijuana. The 2019 Legislature further changed the law to allow cardholders to buy marijuana from any licensed provider, revise licensing fees and the manner in which cultivation space is calculated, establish limits on cardholder purchases, and revise procedures for testing marijuana and infused products.

Marijuana remains a Schedule I controlled substance. In January 2018, U.S. Attorney General Jeff Sessions withdrew previous guidance issued by the Justice Department on the topic of state medical marijuana laws. In a memo to U.S. attorneys across the country, Sessions said longstanding principles regarding federal prosecutions were sufficient to cover the topic. Those principles, he said, require federal prosecutors to weight all relevant considerations, “including federal law enforcement priorities set by the Attorney General, the seriousness of the crime, the deterrent effect of criminal prosecution, and the cumulative impact of particular crimes on the community.”

Legislative Services Division Materials:

Children, Families, Health, and Human Services Interim Committee Web Pages

(All Reports, Statistics, and Related Materials Compiled for the Interim)

2019-2020 Interim: [Montana Medical Marijuana Act](#)

2017-2018 Interim: [Montana Medical Marijuana Act](#)

2015-2016 Interim: [SB 423 Monitoring](#)

2013-2014 Interim: [SB 423 Monitoring](#)

2011-2012 Interim: [SB 423 Monitoring Reports](#) (click on the Staff Reports tab and scroll down to the SB 423 reports)

2009-2010 Interim: [Emerging Issue--Medical Marijuana](#)

Selected Staff Briefing Papers

[Overview of SB 265 Changes and Effective Dates](#), June 2019

[Recent Developments](#), May 3, 2018

[Medical Marijuana Act: Summary of Proposed and Adopted Rules](#), March 2018

[From SB 423 to I-182 and SB 333](#), June 14, 2017

[How SB 423 Changes Current Law](#), June 2011

Other Materials:

U.S. Department of Justice Materials

[Sessions Memo on Marijuana Enforcement](#), Jan. 4, 2018

[U.S. Attorney Kurt Alme Statement Regarding Marijuana Prosecutions in Montana](#), Jan. 5, 2018

[Cole Memo on Marijuana Enforcement](#), Aug. 29, 2013

[Ogden Memo on Marijuana Enforcement](#), Oct. 19, 2009

Introduced Legislation

2019

[House Bill No. 445](#) -- (H) Tabled in Committee -- AN ACT REVISING THE MONTANA MEDICAL MARIJUANA ACT TO PROVIDE PROTECTIONS TO PEOPLE REGISTERED TO USE MARIJUANA FOR DEBILITATING MEDICAL CONDITIONS; ESTABLISHING RESTRICTIONS ON LANDLORD AND EMPLOYER ACTIONS; ALLOWING USE OF MARIJUANA FOR ADDITIONAL DEBILITATING MEDICAL CONDITIONS; PROVIDING RECIPROCITY FOR CARDS ISSUED IN OTHER STATES; REDUCING THE TIME PERIOD FOR ISSUING CARDS; PROHIBITING ADDITIONAL PROVIDER TRANSACTIONS WITH PHYSICIANS; ESTABLISHING IN STATUTE THE FEE FOR A REGISTRY IDENTIFICATION CARD; AMENDING SECTIONS 50-46-302, 50-46-303, 50-46-307, 50-46-320, 50-46-327, 50-46-330, AND 50-46-344, MCA; AND PROVIDING AN EFFECTIVE DATE.

[House Bill No. 498](#) -- (H) Tabled in Committee -- AN ACT ALLOWING PROBATIONERS AND PAROLEES TO USE MARIJUANA FOR DEBILITATING MEDICAL CONDITIONS; ESTABLISHING LIMITATIONS ON USE; AMENDING SECTIONS 50-46-302, 50-46-307, AND 50-46-320, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

[House Bill No. 577](#) -- (H) Tabled in Committee -- AN ACT REVISING THE MONTANA MEDICAL MARIJUANA ACT TO INCLUDE PROTECTIONS FOR POSSESSION AND PURCHASE OF FIREARMS; PROHIBITING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FROM PROVIDING INFORMATION RELATING TO BACKGROUND CHECKS FOR PURCHASE OF FIREARMS; AMENDING SECTION 50-46-303, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 598](#) -- Chapter Number Assigned -- AN ACT REQUIRING THE STATE ENVIRONMENTAL LABORATORY TO LICENSE AND INSPECT TESTING LABORATORIES UNDER THE MONTANA MEDICAL MARIJUANA ACT; PROVIDING RULEMAKING AUTHORITY; AND AMENDING SECTIONS 50-46-302, 50-46-303, 50-46-311, 50-46-312, 50-46-326, 50-46-329, AND 50-46-344, MCA.

[Senate Bill No. 265](#) -- Chapter Number Assigned -- AN ACT GENERALLY REVISING THE MONTANA MEDICAL MARIJUANA ACT; TEMPORARILY INCREASING THE TAX ON GROSS SALES TO 4%; ELIMINATING THE REQUIREMENT THAT MEDICAL MARIJUANA PROVIDERS AND MARIJUANA-INFUSED PRODUCTS PROVIDERS BE NAMED BY A REGISTERED CARDHOLDER; ESTABLISHING REQUIREMENTS FOR ISSUANCES OF REGISTRY IDENTIFICATION CARDS AND LICENSES; ESTABLISHING REQUIREMENTS FOR TESTING LABS AND INSPECTION OF REGISTERED PREMISES; PROVIDING FOR THE ADDITIONAL RELEASE OF INFORMATION; ESTABLISHING CANOPY TIERS AND LICENSING FEES; ESTABLISHING A TEMPORARY MORATORIUM ON PROVIDER LICENSING; ESTABLISHING LIMITS ON CARDHOLDER PURCHASES; CLARIFYING THE PROHIBITION ON PHYSICIAN-PROVIDER AFFILIATIONS; ALLOWING USE OF TELEMEDICINE FOR WRITTEN CERTIFICATIONS; CLARIFYING ADVERTISING RESTRICTIONS; ESTABLISHING PENALTIES; PROVIDING RULEMAKING AUTHORITY; PROVIDING FOR THE TRANSFER OF FUNDS; AMENDING SECTIONS 15-64-102, 18-7-101, 50-46-302, 50-46-303, 50-46-307, 50-46-308, 50-46-309, 50-46-310, 50-46-311, 50-46-317, 50-46-319, 50-46-320, 50-46-326, 50-46-327, 50-46-329, 50-46-330, 50-46-341, 50-46-343, 50-46-344, AND 50-46-345, MCA; AND PROVIDING EFFECTIVE DATES, AN APPLICABILITY DATE, AND A CONTINGENT TERMINATION DATE.

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2017

[House Bill No. 529](#) (Died in Standing Committee) -- AN ACT PROVIDING FOR A TAX ON THE SALE OF A MARIJUANA PRODUCT; PROVIDING DEFINITIONS; PROVIDING THE TAX RATE; PROVIDING FOR THE ASSESSMENT AND COLLECTION OF THE TAX; PROVIDING FOR THE DISPOSITION OF THE FUNDS; PROVIDING RULEMAKING AUTHORITY; PROVIDING FOR A STATUTORY APPROPRIATION; AMENDING SECTIONS 17-7-502, 50-46-303, AND 50-46-320, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[House Joint Resolution No. 36](#) (Died in Process) -- A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF MONTANA'S MEDICAL MARIJUANA LAWS AND REGULATORY SYSTEM; AND REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 66TH LEGISLATURE.

[Senate Bill No. 131](#) (Chapter Number Assigned) -- AN ACT PROVIDING THAT SECTIONS 7, 9, AND 27 OF INITIATIVE MEASURE NO. 182 (2016) ARE EFFECTIVE WHEN INITIATIVE MEASURE NO. 182 (2016) WAS PASSED AND APPROVED BY THE PEOPLE OF MONTANA ON NOVEMBER 8, 2016; AMENDING SECTION 27, INITIATIVE MEASURE NO. 182, APPROVED NOVEMBER 8, 2016; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 333](#) (Chapter Number Assigned) -- AN ACT REVISING THE MONTANA MEDICAL MARIJUANA ACT; REQUIRING SEED-TO-SALE TRACKING; REQUIRING LICENSING OF DISPENSARIES AND ENDORSEMENTS FOR CHEMICAL MANUFACTURING; ESTABLISHING REQUIREMENTS FOR TESTING LABORATORIES; REVISING ALLOWABLE AMOUNTS; REQUIRING TESTING OF SAMPLES COLLECTED DURING INSPECTIONS; ELIMINATING THE REQUIREMENT FOR A PARENT TO SERVE AS A MINOR'S PROVIDER; ESTABLISHING A TAX ON PROVIDERS; ESTABLISHING A FEE FOR DISPENSARIES; PROVIDING DEFINITIONS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTIONS 41-5-216, 50-46-302, 50-46-303, 50-46-307, 50-46-308, 50-46-311, 50-46-312, 50-46-319, 50-46-320, 50-46-327, 50-46-328, 50-46-329, 50-46-330, 50-46-343, 50-46-344, 50-46-345, AND 80-1-104, MCA; AND PROVIDING EFFECTIVE DATES.

2015

[House Bill No. 173](#) (Missed Deadline for General Bill Transmittal) -- 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.

[House Bill No. 456](#) (Missed Deadline for General Bill Transmittal) -- AN ACT ADDING POSTTRAUMATIC STRESS DISORDER TO THE LIST OF DEBILITATING MEDICAL CONDITIONS FOR WHICH MARIJUANA USE IS ALLOWED; AMENDING SECTION 50-46-302, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 611](#) (Missed Deadline for Revenue Bill Transmittal) -- AN ACT ALLOWING USE OF MARIJUANA BY MILITARY VETERANS WITH POSTTRAUMATIC STRESS DISORDER; PROVIDING FOR A REDUCED MARIJUANA REGISTRY FEE FOR VETERANS DIAGNOSED WITH POSTTRAUMATIC STRESS DISORDER; AMENDING SECTIONS 50-46-302, 50-46-307, AND 50-46-344, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 403](#) (Died in Standing Committee) -- AN ACT TRANSFERRING ADMINISTRATIVE RESPONSIBILITIES UNDER THE MONTANA MARIJUANA ACT FROM THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO THE DEPARTMENT OF LABOR AND INDUSTRY; INCREASING PENALTIES; AND AMENDING SECTIONS 41-5-216, 45-9-203, 46-18-202, 50-46-302, 50-46-319, 50-46-330, 50-46-331, 50-46-332, 50-46-343, AND 61-11-101, MCA.

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[Senate Bill No. 406](#) (Missed Deadline for Revenue Bill Transmittal) – AN ACT GENERALLY REVISING THE MONTANA MARIJUANA ACT; CODIFYING THE DISTRICT COURT DECISION OF JANUARY 6, 2015; ALLOWING USE OF MARIJUANA FOR POSTTRAUMATIC STRESS DISORDER; ESTABLISHING FEES FOR PROVIDERS AND MARIJUANA-INFUSED PRODUCTS PROVIDERS; AMENDING SECTIONS 50-46-301, 50-46-302, 50-46-303, 50-46-308, AND 50-46-344, MCA; REPEALING SECTION 50-46-341, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 417](#) (Missed Deadline for Revenue Bill Transmittal) -- AN ACT REQUIRING LICENSURE OF INDIVIDUALS INVOLVED IN PROVIDING AND TESTING MARIJUANA UNDER THE MONTANA MARIJUANA ACT; ESTABLISHING LICENSING REQUIREMENTS AND FEES; REQUIRING A STUDY OF LICENSING AND REGULATION; CREATING A SPECIAL REVENUE ACCOUNT; TRANSFERRING FUNDS; AMENDING SECTIONS 41-5-216, 45-9-203, 46-18-202, 50-46-301, 50-46-302, 50-46-303, 50-46-307, 50-46-308, 50-46-309, 50-46-317, 50-46-318, 50-46-319, 50-46-320, 50-46-327, 50-46-328, 50-46-329, 50-46-330, 50-46-331, 50-46-332, 50-46-339, 50-46-340, 50-46-341, 50-46-342, 50-46-343, 50-46-344, AND 61-11-101, MCA; AND PROVIDING AN EFFECTIVE DATE AND A CONTINGENT TERMINATION DATE.

2013

[House Bill No. 340](#) (Died in Standing Committee) -- AN ACT ELIMINATING THE REQUIREMENT FOR BOARD OF MEDICAL EXAMINERS REVIEW OF CERTAIN PHYSICIANS WHO PROVIDE WRITTEN CERTIFICATION FOR THE USE OF MARIJUANA FOR A DEBILITATING MEDICAL CONDITION; AMENDING SECTION 50-46-303, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 341](#) (Died in Standing Committee) -- AN ACT ALLOWING INDIVIDUALS REGISTERED AS PROVIDERS OR MARIJUANA-INFUSED PRODUCTS PROVIDERS UNDER THE MONTANA MARIJUANA ACT TO RECEIVE COMPENSATION FOR PRODUCTS AND SERVICES; ALLOWING A PROVIDER TO SELL A PORTION OF THE PROVIDER'S INVENTORY TO ANOTHER PROVIDER; AMENDING SECTION 50-46-308, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 342](#) (Died in Standing Committee) -- AN ACT ELIMINATING THE LIMITATION ON THE NUMBER OF PATIENTS FOR WHOM A PROVIDER OR MARIJUANA-INFUSED PRODUCTS PROVIDER MAY CULTIVATE OR MANUFACTURE MARIJUANA UNDER THE MONTANA MARIJUANA ACT; AMENDING SECTIONS 50-46-301 AND 50-46-308, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 343](#) (Died in Standing Committee) -- AN ACT ELIMINATING INSPECTION AND RECORDKEEPING REQUIREMENTS FOR INDIVIDUALS WHO PROVIDE MARIJUANA AND MARIJUANA-INFUSED PRODUCTS TO INDIVIDUALS WITH DEBILITATING MEDICAL CONDITIONS; AMENDING SECTIONS 50-46-301 AND 50-46-319, MCA; REPEALING SECTION 50-46-329, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 310](#) (Died in Standing Committee) -- AN ACT ADDING POSTTRAUMATIC STRESS DISORDER TO THE LIST OF DEBILITATING MEDICAL CONDITIONS FOR WHICH MARIJUANA USE IS ALLOWED; AMENDING SECTION 50-46-302, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 377](#) (Died in Standing Committee) -- AN ACT GENERALLY REVISING THE MONTANA MARIJUANA ACT TO CREATE THE MONTANA MEDICINAL CANNABIS ACT; REVISING REQUIREMENTS FOR PROVIDERS AND INFUSED-PRODUCTS PROVIDERS; ALLOWING REGISTRATION OF AND ESTABLISHING REQUIREMENTS FOR COURIERS, CANNABIS EXCHANGE BROKERS, AND CANNABIS TESTING FACILITIES; ESTABLISHING FEES; ESTABLISHING AN ADVISORY COUNCIL; PROVIDING DEFINITIONS; PROVIDING RULEMAKING AUTHORITY; CREATING A SPECIAL REVENUE ACCOUNT; AMENDING SECTIONS 7-1-111, 37-3-203, 39-2-313, 39-71-407, 41-5-216, 50-40-103, 50-46-301, 50-46-302, 50-46-303, 50-46-307, 50-46-308, 50-46-309, 50-46-310, 50-46-317, 50-46-318, 50-46-319, 50-46-320, 50-46-327, 50-46-328, 50-46-329, 50-46-330, 50-46-331, 50-46-332, 50-46-339, 50-46-340, 50-46-343, 50-46-344, AND 61-11-101, MCA; AND REPEALING SECTION 50-46-341, MCA.

2011

[House Bill No. 18](#) (Chapter Number Assigned) -- AN ACT CLARIFYING THAT SMOKING FOR THE PURPOSES OF THE MONTANA CLEAN INDOOR AIR ACT INCLUDES THE SMOKING OF MARIJUANA FOR MEDICAL USE; AMENDING SECTION 50-40-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 43](#) (Chapter Number Assigned) -- AN ACT CLARIFYING EMPLOYER RIGHTS RELATED TO WORKERS' COMPENSATION, DRUG TESTING, AND DISCIPLINARY ACTION INVOLVING AN EMPLOYEE'S MEDICAL USE OF MARIJUANA; EXPANDING THE TYPES OF EMPLOYEES COVERED BY THE WORKFORCE DRUG AND ALCOHOL TESTING ACT; CREATING EMPLOYMENT-RELATED EXCEPTIONS TO THE PROTECTIONS OF THE MEDICAL MARIJUANA ACT; PROVIDING DEFINITIONS; AMENDING SECTIONS 39-2-206, 39-2-210, 39-2-313, 39-71-407, 50-46-201, AND 50-46-205, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 68](#) – (Died in Standing Committee) -- AN ACT REVISING THE MEDICAL MARIJUANA ACT TO CREATE A LICENSING AND REGULATORY SYSTEM FOR PEOPLE WHO GROW, MANUFACTURE, DISTRIBUTE, OR SELL MEDICAL MARIJUANA; REQUIRING MONTANA RESIDENCY TO OBTAIN A REGISTRY IDENTIFICATION CARD OR A LICENSE; CLARIFYING REQUIREMENTS FOR PHYSICIANS WHO PROVIDE WRITTEN CERTIFICATION; PROVIDING LOCAL GOVERNMENT AUTHORITY TO REGULATE MEDICAL MARIJUANA LICENSEES; ESTABLISHING PROHIBITIONS ON THE MEDICAL USE OF MARIJUANA BY CERTAIN PEOPLE; EXPANDING THE LIMITATIONS ON THE MEDICAL USE OF MARIJUANA; PROVIDING DEFINITIONS; PROVIDING RULEMAKING AUTHORITY; CREATING A SPECIAL REVENUE ACCOUNT; APPROPRIATING FUNDS; AMENDING SECTIONS 7-1-111, 50-46-101, 50-46-102, 50-46-103, 50-46-201, 50-46-202, 50-46-205, 50-46-207, 50-46-210, AND 61-11-101, MCA; REPEALING SECTION 50-46-206, MCA; AND PROVIDING EFFECTIVE DATES, APPLICABILITY DATES, AND A TERMINATION DATE.

[House Bill No. 82](#) (Chapter Number Assigned) -- AN ACT REQUIRING THE BOARD OF MEDICAL EXAMINERS TO PROVIDE AN ANNUAL REPORT ON THE NUMBER AND TYPES OF COMPLAINTS INVOLVING PHYSICIAN PRACTICES IN PROVIDING WRITTEN CERTIFICATION FOR THE MEDICAL USE OF MARIJUANA; AMENDING SECTIONS 37-3-203, 50-46-103, AND 50-46-202, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 161](#) (Vetoed by the Governor) -- AN ACT REPEALING THE MEDICAL MARIJUANA ACT; AMENDING SECTIONS 37-1-136, 45-9-101, 45-9-102, 45-9-103, 45-9-110, 45-9-127, 45-10-103, AND 45-10-107, MCA; REPEALING SECTIONS 50-46-101, 50-46-102, 50-46-103, 50-46-201, 50-46-202, 50-46-205, 50-46-206, 50-46-207, AND 50-46-210, MCA; AND PROVIDING AN EFFECTIVE DATE.

[House Bill No. 175](#) (Died in Standing Committee) -- "AN ACT REPEALING THE MEDICAL MARIJUANA ACT; PROVIDING THAT THE PROPOSED ACT BE SUBMITTED TO THE QUALIFIED ELECTORS OF MONTANA; AMENDING SECTIONS 37-1-136, 45-9-101, 45-9-102, 45-9-103, 45-9-110, 45-9-127, 45-10-103, AND 45-10-107, MCA; ~~AND~~ REPEALING SECTIONS 50-46-101, 50-46-102, 50-46-103, 50-46-201, 50-46-202, 50-46-205, 50-46-206, 50-46-207, AND 50-46-210, MCA; AND PROVIDING AN EFFECTIVE DATE.

[House Bill No. 389](#) (Second Reading Not Passed) -- AN ACT REQUIRING A WARNING LABEL ON MARIJUANA SOLD FOR MEDICAL USE AND ON REGISTRY IDENTIFICATION CARDS ISSUED TO PATIENTS; PROVIDING PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

[House Bill No. 429](#) (Died in Standing Committee) -- AN ACT REVISING THE MEDICAL MARIJUANA ACT TO ESTABLISH PROCEDURES FOR OBTAINING APPROVAL FOR THE MEDICAL USE OF MARIJUANA; REQUIRING A PHYSICIAN'S AFFIDAVIT AND A COURT ORDER FOR THE MEDICAL USE OF MARIJUANA; ELIMINATING THE ISSUANCE OF REGISTRY IDENTIFICATION CARDS BY THE STATE; PROHIBITING THE USE OF ~~TELEMEDICINE~~ ELECTRONIC MEANS TO CONDUCT EXAMS; ALLOWING BLOOD TESTS FOR INDIVIDUALS SUSPECTED OF DRIVING UNDER THE INFLUENCE; REVISING DEFINITIONS;

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EXPANDING THE LIMITATIONS ON MEDICAL USE; AMENDING SECTIONS [37-1-316](#), [37-3-343](#), [37-3-347](#), [50-46-102](#), [50-46-103](#), [50-46-201](#), [50-46-205](#), AND [50-46-207](#), MCA; REPEALING SECTIONS [50-46-202](#), [50-46-206](#), AND [50-46-210](#), MCA; AND PROVIDING AN EFFECTIVE DATE.

[House Bill No. 488](#) (Died in Standing Committee) -- AN ACT LIMITING THE LOCATIONS WHERE THE USE OF MARIJUANA FOR MEDICAL PURPOSES MAY OCCUR; LIMITING SMOKING OF MARIJUANA TO A PERSON'S RESIDENCE; PROHIBITING THE SMOKING OF MARIJUANA IN THE PRESENCE OF CHILDREN; AMENDING SECTION [50-46-205](#), MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 154](#) (Died in Standing Committee) -- AN ACT REQUIRING LICENSURE OF AND ESTABLISHING A REGULATORY STRUCTURE FOR PERSONS WHO ACQUIRE, POSSESS, CULTIVATE, SELL, DELIVER, TRANSFER, OR TRANSPORT MARIJUANA FOR MEDICAL USE FOR A PERSON OTHER THAN THEMSELVES; ESTABLISHING LICENSING PROCEDURES AND FEES FOR GROWERS AND FOR PREMISES WHERE MARIJUANA FOR MEDICAL USE IS CULTIVATED OR WHERE OTHER ACTIVITIES INVOLVING THE MEDICAL USE OF MARIJUANA OCCUR; CREATING EXCEPTIONS FOR PARENTS OF MINOR CHILDREN WHO ARE REGISTERED FOR MEDICAL USE OF MARIJUANA; REQUIRING PUBLIC NOTICE OF AND OPPORTUNITY TO PROTEST APPLICATIONS TO LICENSE PREMISES OR CHANGE THE LOCATION OF LICENSED PREMISES; ESTABLISHING INSPECTION AND REPORTING REQUIREMENTS; ESTABLISHING A FEE ON SALES OF MARIJUANA FOR MEDICAL USE; CREATING A SPECIAL REVENUE ACCOUNT; PROVIDING RULEMAKING AUTHORITY; ESTABLISHING A TRANSITION PERIOD; AMENDING SECTIONS [50-46-102](#), [50-46-103](#), [50-46-201](#), [50-46-205](#), [50-46-206](#), AND [50-46-210](#), MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.

[Senate Bill No. 170](#) (Died in Standing Committee) -- AN ACT REVISING THE REQUIREMENTS FOR ISSUING A MEDICAL MARIJUANA REGISTRY IDENTIFICATION CARD FOR A DIAGNOSIS INVOLVING SEVERE AND CHRONIC PAIN; REQUIRING DOCUMENTATION OF THE DIAGNOSIS; REQUIRING A REVIEW PANEL TO EVALUATE AND CONFIRM THE DIAGNOSIS; REVISING DEFINITIONS; PROVIDING RULEMAKING AUTHORITY; AND AMENDING SECTIONS [50-46-102](#), [50-46-103](#), AND [50-46-210](#), MCA.

[Senate Bill No. 193](#) (Died in Standing Committee) -- AN ACT REVISING THE MEDICAL MARIJUANA ACT; REQUIRING STATEMENTS BY PHYSICIANS PROVIDING WRITTEN CERTIFICATION; REQUIRING NONDIVERSION STATEMENTS FROM INDIVIDUALS APPLYING FOR REGISTRY IDENTIFICATION CARDS; REQUIRING MONTANA RESIDENCY; ESTABLISHING APPLICATION AND RENEWAL FEES; ESTABLISHING PENALTIES; REVISING LIMITS ON POSSESSION AND DISTRIBUTION OF USABLE MARIJUANA; PROHIBITING SMOKING IN PUBLIC PLACES; AMENDING SECTIONS [50-46-102](#), [50-46-103](#), [50-46-201](#), [50-46-205](#), AND [50-46-210](#), MCA; AND PROVIDING AN EFFECTIVE DATE.

[Senate Bill No. 334](#) (Died in Standing Committee) -- AN ACT REPEALING THE MEDICAL MARIJUANA ACT; AMENDING SECTIONS [37-1-136](#), [45-9-101](#), [45-9-102](#), [45-9-103](#), [45-9-110](#), [45-9-127](#), [45-10-103](#), AND [45-10-107](#), MCA; REPEALING SECTIONS [50-46-101](#), [50-46-102](#), [50-46-103](#), [50-46-201](#), [50-46-202](#), [50-46-205](#), [50-46-206](#), [50-46-207](#), AND [50-46-210](#), MCA; AND PROVIDING AN EFFECTIVE DATE.

[Senate Bill No. 336](#) (Died in Standing Committee) -- AN ACT REVISING THE MEDICAL MARIJUANA ACT TO AUTHORIZE POSTTRAUMATIC STRESS DISORDER AS A DEBILITATING MEDICAL CONDITION QUALIFYING A PERSON FOR MEDICAL MARIJUANA; AND AMENDING SECTION [50-46-102](#), MCA.

[Senate Bill No. 423](#) (Chapter Number Assigned) -- AN ACT ESTABLISHING THE MONTANA MARIJUANA ACT AND REVISING LAWS RELATING TO THE USE OF MARIJUANA; CREATING A REGISTRY PROGRAM FOR THE CULTIVATION, MANUFACTURE, TRANSPORTATION, AND TRANSFER OF MARIJUANA BY CERTAIN INDIVIDUALS; REQUIRING REPORTING; ALLOWING INSPECTIONS; REQUIRING LEGISLATIVE MONITORING; PROVIDING DEFINITIONS; PROVIDING RULEMAKING AUTHORITY; ESTABLISHING A TRANSITION PROCESS; AMENDING SECTIONS [37-1-316](#), [37-3-343](#), [37-3-347](#), [41-5-216](#), [45-9-203](#), [46-18-202](#), [50-46-](#)

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201, 50-46-202, AND 61-11-101, MCA; REPEALING SECTIONS 50-46-101, 50-46-102, 50-46-103, 50-46-201, 50-46-202, 50-46-205, 50-46-206, 50-46-207, AND 50-46-210, MCA; AND PROVIDING EFFECTIVE DATES.

2009

[House Bill No. 73](#) (Died in Standing Committee) -- AN ACT REVISING THE MONTANA MEDICAL MARIJUANA ACT TO ALLOW A LONGER REGISTRATION PERIOD FOR A PERSON WITH A PERMANENT MEDICAL CONDITION; EXPANDING THE TYPES OF HEALTH CARE PROVIDERS WHO MAY PROVIDE WRITTEN CERTIFICATION OF MEDICAL CONDITIONS; PROVIDING DEFINITIONS; AND AMENDING SECTIONS 50-46-102, 50-46-103, 50-46-201, AND 50-46-206, MCA.

[House Bill No. 473](#) (Died in Standing Committee) -- AN ACT REVISING THE MEDICAL MARIJUANA LAWS; PROVIDING FOR THE DENIAL OF A REGISTRY IDENTIFICATION CARD TO A QUALIFYING PATIENT OR CAREGIVER WHO HAS BEEN CONVICTED OF A FELONY DRUG OFFENSE; CLARIFYING THAT POSSESSION OF EXCESS MARIJUANA IS A CRIMINAL OFFENSE AND THAT REGISTRY IDENTIFICATION CARDS ARE REVOKED UPON CONVICTION; PROVIDING THAT THE PROTECTION OF A PHYSICIAN DOES NOT APPLY IN CASES OF NEGLIGENCE OR COLLUSION; PROVIDING THAT A REGISTRY IDENTIFICATION CARD ISSUED BY ANOTHER JURISDICTION SUBJECTS THE HOLDER TO THE TERMS, CONDITIONS, AND RESTRICTIONS OF MONTANA LAW; DIRECTING THE ADOPTION OF RULES FOR THE REVOCATION OF REGISTRY IDENTIFICATION CARDS; AND AMENDING SECTIONS 50-46-103, 50-46-201, 50-46-205, AND 50-46-210, MCA.

[Senate Bill N. 212](#) (Tabled in Committee) -- AN ACT REQUIRING REVOCATION OF A MEDICAL MARIJUANA REGISTRATION IF THE REGISTRANT VIOLATES LIMITATIONS SPECIFIED IN THE MEDICAL MARIJUANA ACT; DEFINING "THC"; PROVIDING STANDARDS FOR DETERMINING IF A REGISTRANT WAS IN VIOLATION OF THE ACT AT HEARING OR JUDICIAL REVIEW; REQUIRING A LAW ENFORCEMENT OFFICER TO REQUEST A BLOOD TEST FOR A DRIVER WHO IS A QUALIFYING MEDICAL MARIJUANA PATIENT; REQUIRING THE RESULTS OF THE BLOOD TEST TO BE FORWARDED TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES; REQUIRING A LAW ENFORCEMENT OFFICER TO SEIZE THE REGISTRY IDENTIFICATION CARD OF AN ARRESTED PERSON WHO IS A QUALIFYING MEDICAL MARIJUANA PATIENT AND REFUSES TO SUBMIT TO THE REQUESTED TESTS; AND AMENDING SECTIONS 50-46-102, 50-46-103, 50-46-205, 61-8-402, AND 61-8-409, MCA.

[Senate Bill No. 325](#) (Chapter Number Assigned) -- AN ACT CLARIFYING THAT A PERSON WHO IS A DESIGNATED CAREGIVER UNDER THE MEDICAL MARIJUANA ACT MAY NOT USE MARIJUANA AND MAY USE DRUG PARAPHERNALIA ONLY IN LIMITED CIRCUMSTANCES; AND AMENDING SECTIONS 45-10-103, 50-46-102, 50-46-103, 50-46-201, 50-46-205, AND 50-46-206, MCA.

[Senate Bill No. 326](#) (Died in Standing Committee) -- AN ACT REVISING THE MONTANA MEDICAL MARIJUANA ACT TO INCLUDE TREATMENT FOR ADDITIONAL DEBILITATING MEDICAL CONDITIONS; ALLOWING FOR A MINOR'S USE OF A PARENTALLY DESIGNATED CAREGIVER; ALLOWING REGISTERED PATIENTS AND CAREGIVERS TO OBTAIN MEDICAL MARIJUANA FROM ANY REGISTERED CAREGIVER; ALLOWING FOR DEPARTMENT INVENTORY AUDITS UNDER CERTAIN CONDITIONS; INCREASING THE AMOUNT OF MEDICAL MARIJUANA THAT PATIENTS AND CAREGIVERS MAY EACH POSSESS; PROTECTING ADDITIONAL RIGHTS OF APPROVED USERS AND REGISTRY IDENTIFICATION CARDHOLDERS; AND AMENDING SECTIONS 50-46-102, 50-46-103, AND 50-46-201, MCA.

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