

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1024 Session of 2021

INTRODUCED BY SCHEMEL, BURGOS, POLINCHOCK, RAPP, RYAN, ZIMMERMAN, WHEATLEY, SHUSTERMAN, FRANKEL, COX, GUZMAN AND GAINNEY, MARCH 26, 2021

SENATOR REGAN, LAW AND JUSTICE, IN SENATE, AS AMENDED, JUNE 15, 2021

AN ACT

1 Amending the act of April 17, 2016 (P.L.84, No.16), entitled "An
2 act establishing a medical marijuana program; providing for
3 patient and caregiver certification and for medical marijuana
4 organization registration; imposing duties on the Department
5 of Health; providing for a tax on medical marijuana
6 organization gross receipts; establishing the Medical
7 Marijuana Program Fund; establishing the Medical Marijuana
8 Advisory Board; establishing a medical marijuana research
9 program; imposing duties on the Department of Corrections,
10 the Department of Education and the Department of Human
11 Services; and providing for academic clinical research
12 centers and for penalties and enforcement," in preliminary
13 provisions, further providing for definitions; in program,
14 further providing for confidentiality and public disclosure
15 and for lawful use of medical marijuana; in practitioners,
16 further providing for duration; in patients, further
17 providing for caregivers; in medical marijuana organizations,
18 further providing for permits, for relocation and for
19 convictions prohibited; in medical marijuana controls,
20 further providing for electronic tracking, for
21 grower/processor, for storage and transportation and for
22 laboratory; in dispensaries, further providing for dispensing
23 to patients and caregivers and for facility requirements; IN <--
24 ACADEMIC CLINICAL RESEARCH CENTERS AND CLINICAL REGISTRANTS,
25 FURTHER PROVIDING FOR ACADEMIC CLINICAL RESEARCH CENTERS AND
26 FOR CLINICAL REGISTRANTS; and, in miscellaneous provisions,
27 further providing for applicability.

28 The General Assembly of the Commonwealth of Pennsylvania
29 hereby enacts as follows:

1 Section 1. The definitions of "caregiver" and "continuing
2 care" in section 103 of the act of April 17, 2016 (P.L.84,
3 No.16), known as the Medical Marijuana Act, are amended and the
4 section is amended by adding a definition to read:

5 Section 103. Definitions.

6 The following words and phrases when used in this act shall
7 have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 * * *

10 "Caregiver." The [individual] person designated by a patient
11 or, if the patient is under 18 years of age, an individual under
12 section 506(2), to deliver medical marijuana.

13 * * *

14 "Continuing care." Treating a patient, in the course of
15 which the practitioner has completed a full assessment of the
16 patient's medical history and current medical condition,
17 including [an in-person] a consultation with the patient.

18 * * *

19 "Person." Any natural person, corporation, foundation,
20 organization, business trust, estate, limited liability company,
21 licensed corporation, trust, partnership, limited liability
22 partnership, association or other form of legal business entity.

23 * * *

24 Section 2. Sections 302(b), 303(b)(4), 405, 502(b), 602(a)
25 (4), 609 AND 614 of the act are amended to read:

26 Section 302. Confidentiality and public disclosure.

27 * * *

28 (b) Public information.--The following records are public
29 records and shall be subject to the Right-to-Know Law:

30 (1) Applications for permits submitted by medical

1 marijuana organizations.

2 (2) The names, business addresses and medical
3 credentials of practitioners authorized to provide
4 certifications to patients to enable them to obtain and use
5 medical marijuana in this Commonwealth. All other
6 practitioner registration information shall be confidential
7 and exempt from public disclosure under the Right-to-Know
8 Law.

9 (3) Information relating to penalties or other
10 disciplinary actions taken against a medical marijuana
11 organization or practitioner by the department for violation
12 of this act.

13 (4) The names of the individuals retained by the
14 department to review applications submitted by a medical
15 marijuana organization seeking a permit.

16 Section 303. Lawful use of medical marijuana.

17 * * *

18 (b) Requirements.--The lawful use of medical marijuana is
19 subject to the following:

20 * * *

21 [(4) An individual may not act as a caregiver for more
22 than five patients.]

23 * * *

24 Section 405. Duration.

25 Receipt of medical marijuana by a patient or caregiver from a
26 dispensary may not exceed a [30-day] 90-day supply of individual
27 doses. During the last seven days of any 30-day period during
28 the term of the identification card, a patient may obtain and
29 possess a [30-day] 90-day supply for the subsequent 30-day
30 period. Additional [30-day] 90-day supplies may be provided in

1 accordance with this section for the duration of the authorized
2 period of the identification card unless a shorter period is
3 indicated on the certification.

4 Section 502. Caregivers.

5 * * *

6 (b) Criminal history.--A caregiver who has not been
7 previously approved by the department under this section shall
8 submit fingerprints for the purpose of obtaining criminal
9 history record checks, and the Pennsylvania State Police or its
10 authorized agent shall submit the fingerprints to the Federal
11 Bureau of Investigation for the purpose of verifying the
12 identity of the applicant and obtaining a current record of any
13 criminal arrests and convictions. Any criminal history record
14 information relating to a caregiver obtained under this section
15 by the department may be interpreted and used by the department
16 only to determine the applicant's character, fitness and
17 suitability to serve as a caregiver under this act. The criminal
18 history record information provided under this subsection may
19 not be subject to the limitations under 18 Pa.C.S. § 9121(b)(2)
20 (relating to general regulations). The department shall also
21 review the prescription drug monitoring program relating to the
22 caregiver. The department shall deny the application of a
23 caregiver who has been convicted of a criminal offense that
24 occurred within the past five years relating to the sale or
25 possession of drugs, narcotics or controlled substances. The
26 department may deny an application if the applicant has a
27 history of drug abuse or of diverting controlled substances or
28 illegal drugs.

29 Section 602. Permits.

30 (a) Application.--An application for a grower/processor or

1 dispensary permit to grow, process or dispense medical marijuana
2 shall be in a form and manner prescribed by the department and
3 shall include:

4 * * *

5 (4) A criminal history record check. Medical marijuana
6 organizations applying for a permit shall submit fingerprints
7 of principals, financial backers, operators and employees to
8 the Pennsylvania State Police for the purpose of obtaining
9 criminal history record checks and the Pennsylvania State
10 Police or its authorized agent shall submit the fingerprints
11 to the Federal Bureau of Investigation for the purpose of
12 verifying the identity of the principals, financial backers,
13 operators and employees and obtaining a current record of any
14 criminal arrests and convictions. Any criminal history record
15 information relating to principals, financial backers,
16 operators and employees obtained under this section by the
17 department may be interpreted and used by the department only
18 to determine the principal's, financial backer's, operator's
19 and employee's character, fitness and suitability to serve as
20 a principal, financial backer, operator and employee under
21 this act. The criminal history record information provided
22 under this subsection may not be subject to the limitations
23 under 18 Pa.C.S. § 9121(b) (2) (relating to general
24 regulations). AFTER SUBMISSION OF REQUIRED DOCUMENTATION TO <--
25 THE DEPARTMENT, MEDICAL MARIJUANA ORGANIZATIONS MAY ALLOW
26 EMPLOYEES TO WORK IN A SUPERVISED CAPACITY UNTIL THE
27 DEPARTMENT FORMALLY APPROVES THE EMPLOYEE'S AFFILIATION WITH
28 THE MEDICAL MARIJUANA ORGANIZATION. ANY EMPLOYEE WHO THE
29 DEPARTMENT DETERMINES TO BE UNABLE TO MEET THE AFFILIATION
30 REQUIREMENTS UNDER SECTION 614 SHALL BE TERMINATED BY THE

1 MEDICAL MARIJUANA ORGANIZATION IMMEDIATELY. This paragraph
2 shall not apply to an owner of securities in a publicly
3 traded corporation or an owner of 5% or less in a privately
4 held business entity if the department determines that the
5 owner of the securities is not substantially involved in the
6 activities of the medical marijuana organization.

7 * * *

8 Section 609. Relocation.

9 (a) Authorization.--The department may approve an
10 application from a medical marijuana organization to relocate
11 within this Commonwealth or to add or delete activities or
12 facilities.

13 (b) Designations.--Notwithstanding the provisions of
14 subsection (a), a dispensary may interchange the designation of
15 a primary, secondary or tertiary location at any time, including
16 the period before a location becomes operational, by providing
17 written notice to the department at least 14 days before the
18 change in designation. A change in designation under this
19 subsection may not be subject to approval by the department.

20 Section 614. Convictions prohibited.

21 (A) PROHIBITIONS.--The following individuals may not hold <--
22 volunteer positions or positions with remuneration in or be
23 affiliated with a medical marijuana organization, including a
24 clinical registrant under Chapter 20, in any way if the
25 individual has been convicted of any felony criminal offense
26 related to the sale or possession of illegal drugs, narcotics or
27 controlled substances:

28 (1) Financial backers.

29 (2) Principals.

30 (3) Employees.

1 (B) EXCLUSION.--THIS SECTION SHALL NOT APPLY TO INDIVIDUALS <--
2 WHO HAVE BEEN CONVICTED OF A NONVIOLENT FELONY OFFENSE IF AT
3 LEAST 10 YEARS HAVE PASSED SINCE THE SATISFACTORY DISPOSITION OF
4 THE INDIVIDUAL'S MOST RECENT FELONY SENTENCE.

5 Section 3. Section 701 of the act is amended by adding a
6 subsection to read:

7 Section 701. Electronic tracking.

8 * * *

9 (c.1) Application programming interface.--The department and
10 or the department's contracted seed-to-sale vendor shall allow
11 two-way communication, AUTOMATION and application-programming <--
12 interface of a medical marijuana organization's ENTERPRISE <--
13 RESOURCE PLANNING, inventory, accounting and point-of-sale
14 software with the software of the department or the department's
15 contracted seed-to-sale vendor. The department or the
16 department's contracted seed-to-sale vendor shall provide for
17 the development and use of a seed-to-sale cannabis tracking
18 system, which shall include a secure application program
19 interface capable of accessing all data required to be
20 transmitted to the advisory board to ensure compliance with the
21 operational reporting requirements established under this act
22 and the regulations of the advisory board.

23 * * *

24 Section 4. Sections 702, 703(8), 704, ~~801(e)~~ 801(B) AND (E), <--
25 802(a)(1), 2001.1(A), 2002(A) AND (B) and 2109(a) of the act are <--
26 amended to read:

27 Section 702. Grower/processors.

28 (a) Authorization.--Subject to subsection (b), a
29 grower/processor may do all of the following in accordance with
30 department regulations:

1 (1) Obtain seed and immature plant material from outside
2 this Commonwealth during at least one 30-day period per year
3 as designated by the department to [initially] grow medical
4 marijuana.

5 (2) Obtain seed and plant material from another
6 grower/processor within this Commonwealth to grow medical
7 marijuana.

8 (2.1) Obtain AND TRANSPORT BULK postharvest MEDICAL <--
9 MARIJUANA plant material from another grower/processor within
10 this Commonwealth. As used in this paragraph, the term
11 "postharvest plant material" includes all unfinished plant
12 and plant-derived material, whether fresh, dried, partially
13 dried, frozen or partially frozen, oil, concentrate or
14 similar byproducts derived OR PROCESSED from medical <--
15 marijuana OR MEDICAL MARIJUANA PLANTS. The department shall <--
16 establish a process to implement the provisions of this
17 paragraph within 60 days of the effective date of this
18 paragraph.

19 (3) Remediate MICROBIAL contamination to seeds, immature <--
20 medical marijuana plants, medical marijuana plants, medical
21 marijuana flower or AND medical marijuana products at any <--
22 time before final processing, after a failed test or in <--
23 preparing a medical marijuana product for independent
24 laboratory testing AFTER A FAILED TEST BY AN INDEPENDENT <--
25 LABORATORY.

26 (4) Release a medical marijuana product after
27 independent laboratory testing concludes the MICROBIAL <--
28 contamination to the medical marijuana product has been
29 remediated.

30 (5) Add pharmaceutical-grade or food-grade additives to

1 medical marijuana, including hemp or hemp-derived
2 ingredients. Hemp or hemp-derived ingredients under this
3 paragraph shall be obtained from an entity that has an
4 appropriate permit from the Department of Agriculture of the
5 Commonwealth.

6 (b) Limitations.--

7 (1) A grower/processor may only grow, store, harvest or
8 process medical marijuana in an indoor, enclosed, secure
9 facility which:

10 (i) includes electronic locking systems, electronic
11 surveillance and other features required by the
12 department; and

13 (ii) is located within this Commonwealth.

14 (2) [(Reserved).] For the purpose of paragraph (1), the
15 department shall permit video surveillance with video
16 recordings triggered via motion sensors. A grower/processor
17 that utilizes the video surveillance authorized under this
18 paragraph shall retain the video recordings for a period of
19 no less than 90 days.

20 (c) Pesticides.--The following shall apply:

21 (1) A grower/processor may use a pesticide that is
22 registered by the Department of Agriculture under the act of
23 March 1, 1974 (P.L.90, No.24), known as the Pennsylvania
24 Pesticide Control Act of 1973.

25 (2) Notwithstanding any provision of the Pennsylvania
26 Pesticide Control Act of 1973 or any other State law or
27 regulation, the Secretary of Agriculture shall establish
28 procedures and operate a periodic process under which
29 pesticides are reviewed, approved and registered for use in
30 the cultivation of medical marijuana.

1 (3) The procedures established by the Secretary of
2 Agriculture under paragraph (2) shall be consistent with the
3 Pennsylvania Pesticide Control Act of 1973 and the Federal
4 Insecticide, Fungicide, and Rodenticide Act (61 Stat. 163, 7
5 U.S.C. § 136 et seq.)

6 (4) The Secretary of Agriculture may register pesticides
7 approved for use in the cultivation of medical marijuana by
8 other states or jurisdictions if the Secretary of Agriculture
9 determines that the pesticide registration and approval
10 requirements of another state or jurisdiction are
11 comprehensive, thorough and provide similar safeguards and
12 protections as those required under the Pennsylvania
13 Pesticide Control Act of 1973.

14 Section 703. Storage and transportation.

15 The department shall develop regulations relating to the
16 storage and transportation of medical marijuana among
17 grower/processors, testing laboratories and dispensaries which
18 ensure adequate security to guard against in-transit losses. The
19 tracking system developed by the department shall include all
20 transportation and storage of medical marijuana. The regulations
21 shall provide for the following:

22 * * *

23 (8) Requirements to utilize any electronic tracking
24 system required by the department, which shall allow for the
25 two-way communication, AUTOMATION and application-programming <--
26 interface between a medical marijuana organization's
27 ENTERPRISE RESOURCE PLANNING, inventory, accounting and <--
28 point-of-sale software and the software of the department or
29 the department's vendor.

30 * * *

1 Section 704. Laboratory.

2 (a) General testing.--A grower/processor shall contract with
3 [an independent laboratory] one or more independent laboratories
4 to test the medical marijuana produced by the grower/processor.
5 The department shall approve [the] a laboratory under this
6 subsection and require that the laboratory report testing
7 results in a manner as the department shall determine[,
8 including requiring a test at harvest and] of a test at final
9 processing. The possession by a laboratory of medical marijuana
10 shall be a lawful use.

11 (b) Stability testing.--A laboratory shall perform stability
12 testing to ensure the medical marijuana product's potency and
13 purity. A grower/processor shall retain a sample from each
14 harvest batch of medical marijuana and request that a sample be
15 identified and collected by a laboratory approved under
16 subsection (a) from a harvest batch to perform stability testing
17 under the following conditions:

18 (1) The harvest batch of medical marijuana is still in
19 inventory at a dispensary in this Commonwealth AS DETERMINED <--
20 BY THE SEED-TO-SALE SYSTEM.

21 (2) The stability testing is done at six-month intervals
22 for the duration of the expiration date period as listed on
23 the medical marijuana product AND ONCE WITHIN SIX MONTHS OF <--
24 THE EXPIRATION DATE.

25 Section 801. Dispensing to patients and caregivers.

26 * * *

27 (B) REQUIREMENTS.--A DISPENSARY SHALL HAVE A PHYSICIAN OR A <--
28 PHARMACIST [ONSITE] AVAILABLE, EITHER IN PERSON OR REMOTELY, TO
29 VERIFY PATIENT CERTIFICATIONS AND TO CONSULT WITH PATIENTS AND
30 CAREGIVERS AT ALL TIMES DURING THE HOURS THE DISPENSARY IS OPEN

1 TO RECEIVE PATIENTS AND CAREGIVERS. IF A DISPENSARY HAS MORE
2 THAN ONE SEPARATE LOCATION, A PHYSICIAN ASSISTANT OR A CERTIFIED
3 REGISTERED NURSE PRACTITIONER MAY [BE ONSITE AT] VERIFY PATIENT
4 CERTIFICATIONS AND CONSULT WITH PATIENTS AND CAREGIVERS, EITHER
5 IN PERSON OR REMOTELY, AT EACH OF THE OTHER LOCATIONS IN LIEU OF
6 THE PHYSICIAN OR PHARMACIST. A PHYSICIAN, A PHARMACIST, A
7 PHYSICIAN ASSISTANT OR A CERTIFIED REGISTERED NURSE PRACTITIONER
8 SHALL, PRIOR TO ASSUMING DUTIES UNDER THIS PARAGRAPH,
9 SUCCESSFULLY COMPLETE THE COURSE ESTABLISHED IN SECTION 301(A)
10 (6). A PHYSICIAN MAY NOT ISSUE A CERTIFICATION TO AUTHORIZE
11 PATIENTS TO RECEIVE MEDICAL MARIJUANA OR OTHERWISE TREAT
12 PATIENTS AT THE DISPENSARY.

13 * * *

14 (e) Supply.--When dispensing medical marijuana to a patient
15 or caregiver, the dispensary may not dispense an amount greater
16 than a [30-day] 90-day supply until the patient has exhausted
17 all but a seven-day supply provided pursuant to a previously
18 issued certification until additional certification is presented
19 under section 405.

20 * * *

21 Section 802. Facility requirements.

22 (a) General rule.--

23 (1) A dispensary may [only] dispense medical marijuana
24 in an indoor, enclosed, secure facility located within this
25 Commonwealth[,] or in accordance with a curbside delivery
26 protocol as determined by the department.

27 * * *

28 SECTION 2001.1. ACADEMIC CLINICAL RESEARCH CENTERS. <--

29 (A) GENERAL RULE.--AN ACADEMIC CLINICAL RESEARCH CENTER MUST
30 BE APPROVED AND CERTIFIED BY THE DEPARTMENT BEFORE THE ACADEMIC

1 CLINICAL RESEARCH CENTER MAY CONTRACT WITH A CLINICAL
2 REGISTRANT. AN ACADEMIC CLINICAL RESEARCH CENTER SHALL ONLY
3 CONTRACT WITH ONE CLINICAL REGISTRANT. THE ACCREDITED MEDICAL
4 SCHOOL THAT IS SEEKING APPROVAL AND CERTIFICATION FROM THE
5 DEPARTMENT AS AN ACADEMIC CLINICAL RESEARCH CENTER MUST PROVIDE
6 ALL INFORMATION REQUIRED BY THE DEPARTMENT, INCLUDING
7 INFORMATION FOR THE INDIVIDUAL WHO WILL BE THE PRIMARY CONTACT
8 FOR THE ACADEMIC CLINICAL RESEARCH CENTER DURING THE
9 DEPARTMENT'S REVIEW OF THE APPLICATION. THE ACCREDITED MEDICAL
10 SCHOOL MUST ALSO PROVIDE ALL INFORMATION REQUIRED BY THE
11 DEPARTMENT FOR ANY LICENSED ACUTE CARE HOSPITAL THAT THE
12 ACCREDITED MEDICAL SCHOOL WILL OPERATE OR PARTNER WITH DURING
13 THE TIME THAT IT MAY BE APPROVED AND CERTIFIED AS AN ACADEMIC
14 CLINICAL RESEARCH CENTER BY THE DEPARTMENT.

15 * * *

16 SECTION 2002. CLINICAL REGISTRANTS.

17 (A) APPROVAL.--THE DEPARTMENT MAY APPROVE UP TO [EIGHT] TEN
18 CLINICAL REGISTRANTS. EACH CLINICAL REGISTRANT MAY PROVIDE
19 MEDICAL MARIJUANA AT NOT MORE THAN SIX SEPARATE LOCATIONS. THE
20 TOTAL NUMBER OF LOCATIONS AUTHORIZED TO DISPENSE MEDICAL
21 MARIJUANA UNDER THIS SECTION SHALL NOT EXCEED [48] 60. THE
22 GROWER/PROCESSOR AND DISPENSARY PERMITS ISSUED TO CLINICAL
23 REGISTRANTS APPROVED UNDER THIS SECTION SHALL BE IN ADDITION TO
24 THE 25 GROWER/PROCESSOR AND 50 DISPENSARY PERMITS ISSUED BY THE
25 DEPARTMENT IN ACCORDANCE WITH SECTION 616(1) AND (2). THE
26 LIMITATIONS RELATING TO NUMBER AND LOCATION IN SECTIONS 616(1)
27 AND (2) AND 603(D) DO NOT APPLY. A CLINICAL REGISTRANT MAY NOT
28 HOLD MORE THAN ONE GROWER/PROCESSOR AND ONE DISPENSARY PERMIT.
29 ONCE THE DEPARTMENT APPROVES [THE] AN ENTITY AS A CLINICAL
30 REGISTRANT, THE ENTITY SHALL COMPLY WITH THIS CHAPTER. THE

1 FOLLOWING SHALL APPLY:

2 (1) THE DEPARTMENT SHALL OPEN APPLICATIONS FOR
3 ADDITIONAL ACADEMIC CLINICAL RESEARCH CLINICS AND ISSUE
4 APPROVALS TO QUALIFIED ACADEMIC CLINICAL RESEARCH CLINICS
5 WITHIN 90 DAYS OF PASSAGE AND SHALL OPEN APPLICATIONS FOR
6 ADDITIONAL CLINICAL REGISTRANTS WITHIN 120 DAYS OF PASSAGE
7 AND ISSUE APPROVALS OR PERMITS TO QUALIFIED CLINICAL
8 REGISTRANTS WITHIN 180 DAYS OF PASSAGE. IF THE STATUTORY
9 MAXIMUM NUMBERS OF ACADEMIC CLINICAL RESEARCH CLINICS AND
10 CLINICAL REGISTRANTS ARE NOT APPROVED WITHIN 180 DAYS OF THE
11 PASSAGE, THE DEPARTMENT WILL REOPEN THE APPLICATION PROCESS
12 FOR ACADEMIC CLINICAL RESEARCH CLINICS AND CLINICAL
13 REGISTRANTS, IF AN ACADEMIC CLINICAL RESEARCH CENTER REQUESTS
14 IT TO DO SO.

15 (2) (RESERVED).

16 (B) REQUIREMENTS.--THE FOLLOWING SHALL APPLY TO CLINICAL
17 REGISTRANTS:

18 * * *

19 (4) WHEN THE DEPARTMENT ISSUES A PERMIT AS A
20 GROWER/PROCESSOR OR A DISPENSARY TO AN ENTITY SEEKING
21 APPROVAL AS A CLINICAL REGISTRANT, THE ISSUANCE SHALL NOT BE
22 CONSTRUED TO REDUCE THE NUMBER OF PERMITS FOR
23 GROWERS/PROCESSORS AND DISPENSARIES AUTHORIZED UNDER SECTION
24 616(1) AND (2).

25 (I) THE DEPARTMENT SHALL NOT APPROVE AN APPLICANT
26 FOR A GROWER/PROCESSOR LICENSE IF THE APPLICANT HAS
27 PREVIOUSLY HAD A CONTRACTUAL RELATIONSHIP WITH AN
28 ACADEMIC CLINICAL RESEARCH CENTER WHEREBY THE ACADEMIC
29 CLINICAL RESEARCH CENTER OR ITS AFFILIATE PROVIDED ADVICE
30 TO THE APPLICANT REGARDING, AMONG OTHER AREAS, PATIENT

1 HEALTH AND SAFETY, MEDICAL APPLICATIONS AND DISPENSING
2 AND MANAGEMENT OF CONTROLLED SUBSTANCES AND THE APPLICANT
3 SUBSEQUENTLY SOLD OR ASSIGNED FOR PROFIT TO ANOTHER
4 ENTITY THEIR RESPONSIBILITY UNDER THE CONTRACTUAL
5 RELATIONSHIP.

6 (II) (RESERVED).

7 * * *

8 (7) THE CLINICAL REGISTRANT SHALL HAVE ALL OF THE SAME
9 RIGHTS AS A GROWER/PROCESSOR PERMITTEE AND MUST COMPLY WITH
10 ALL OTHER REQUIREMENTS, AND PROVIDED ALL RIGHTS OF OTHER
11 GROWER/PROCESSOR PERMITTEES, OF THIS ACT REGARDING GROWING,
12 PROCESSING AND DISPENSING MEDICAL MARIJUANA.

13 (8) A GROWER/PROCESSOR FACILITY OWNED BY A CLINICAL
14 REGISTRANT MAY SELL ITS MEDICAL MARIJUANA PRODUCTS ONLY TO
15 [THE CLINICAL REGISTRANT'S DISPENSARY FACILITIES AND THE] ALL
16 DISPENSARY FACILITIES [OF OTHER CLINICAL REGISTRANTS]. THE
17 FACILITY MAY SELL SEEDS, MEDICAL MARIJUANA PLANTS AND MEDICAL
18 MARIJUANA PRODUCTS TO, OR EXCHANGE SEEDS, MEDICAL MARIJUANA
19 PLANTS AND MEDICAL MARIJUANA PRODUCTS WITH, ANY OTHER
20 GROWER/PROCESSOR FACILITY HOLDING A PERMIT UNDER CHAPTER 6 OR
21 THIS CHAPTER.

22 * * *

23 Section 2109. Applicability.

24 [(a) Dispensaries.--The provisions of this act with respect
25 to dispensaries shall not apply beginning 1,095 days from the
26 effective date of an amendment to the Controlled Substances Act
27 (Public Law 91-513, 84 Stat. 1236) removing marijuana from
28 Schedule I of the Controlled Substances Act.]

29 * * *

30 Section 5. This act shall take effect in 60 days.