

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1420

Page 4, line 18, after "plant" insert "of the genus"

Page 4, line 18, overstrike "sativa L."

Page 4, line 18, overstrike the semicolon and insert immediately thereafter ", and"

Page 4, line 19, overstrike "; the resin extracted from any part of the plant; and every compound,"

Page 4, line 20, overstrike "manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin"

Page 4, line 22, after "a." insert "The tetrahydrocannabinol extracted or isolated from the plant, or any compound, manufacture, salt, derivative, mixture, or preparation from the resin of oil, including natural or synthetic tetrahydrocannabinol;

b."

Page 4, line 27, replace "b." with "c."

Page 4, line 28, replace "c." with "d."

Page 5, line 1, replace "d." with "e."

Page 7, line 7, after the period insert "Other names: Delta-8-tetrahydrocannabinol."

Page 7, line 12, replace "does" with "do"

Page 7, line 13, replace "Tetrahydrocannabinols" with "The allowable amount of total tetrahydrocannabinol"

Page 7, line 15, after "(b)" insert "A prescription drug approved by the United States food and drug administration under section 505 of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 355].

(c)"

Page 7, line 27, remove the overstrike over "~~except the term does not include less than~~"

Page 7, line 27, after "~~one-half~~" insert "one"

Page 7, line 27, remove the overstrike over "~~ounce of~~"

Page 7, line 28, remove the overstrike over "~~marijuana~~" and insert immediately thereafter "or an amount up to the applicable maximum possession amount of tetrahydrocannabinol"

Page 8, line 10, remove the overstrike over "~~This subsection does not apply to ingesting, inhaling,~~"

Page 8, line 11, remove the overstrike over "~~injecting, or otherwise taking into the body marijuana~~" and insert immediately thereafter "or tetrahydrocannabinol"

Page 8, line 11, remove the overstrike over the overstruck period

Page 11, line 6, replace "two" with "eight and eighty-two hundredths"

Page 11, line 7, replace "56.70" with "250"

Page 11, line 8, replace "two" with "eight and eighty-two hundredths"

Page 11, line 8, replace "56.70" with "250"

Page 11, line 8, replace "500" with "seventeen and sixty-four hundredths ounces [500"

Page 11, line 8, after "grams" insert an underscored closing bracket

Page 11, after line 9, insert:

"(d) More than seventeen and sixty-four hundredths ounces [500 grams] is guilty of a class C felony."

Page 11, line 11, after "maximum" insert "possession"

Page 11, line 13, after "maximum" insert "possession"

Page 11, line 14, replace "two" with "four"

Page 11, line 14, after "maximum" insert "possession"

Page 11, line 14, after "amount" insert "of tetrahydrocannabinol"

Page 11, line 16, replace "two" with "four"

Page 11, line 16, after "maximum" insert "possession"

Page 11, line 17, after "19-24.2" insert "but less than eight times the applicable maximum possession amount of tetrahydrocannabinol authorized by chapter 19-24.2"

Page 11, after line 17, insert:

"(d) More than eight times the applicable maximum possession amount of tetrahydrocannabinol authorized by chapter 19-24.2 is guilty of a class C felony."

Page 11, line 19, after "(1)" insert "Marijuana:

(a)"

Page 11, line 19, remove "of marijuana"

Page 11, line 19, replace "two" with "eight and eighty-two hundredths"

Page 11, line 20, replace "56.70" with "250"

Page 11, line 20, remove "of marijuana"

Page 11, line 21, replace "(2)" with "(b)"

Page 11, line 21, replace "two" with "eight and eighty-two hundredths"

Page 11, line 21, replace "56.70" with "250"

Page 11, line 21, after the second "than" insert "seventeen and sixty-four hundredths ounces ["

Page 11, line 21, after "grams" insert an underscored closing bracket

Page 11, after line 22, insert:

"(c) More than seventeen and sixty-four hundredths ounces [500 grams] is guilty of a class C felony.

(2) Tetrahydrocannabinol:"

Page 11, line 23, replace "(3)" with "(a)"

Page 11, line 23, after "maximum" insert "possession"

Page 11, line 24, replace "two" with "four"

Page 11, line 25, after "maximum" insert "possession"

Page 11, line 27, replace "(4)" with "(b)"

Page 11, line 27, replace "two" with "four"

Page 11, line 27, after "maximum" insert "possession"

Page 11, line 28, after "19-24.2" insert "but less than eight times the applicable maximum possession amount of tetrahydrocannabinol authorized by chapter 19-24.2"

Page 11, after line 28, insert:

"(c) More than eight times the applicable maximum possession amount of tetrahydrocannabinol authorized by chapter 19-24.2 is guilty of a class C felony."

Page 12, line 25, after "maximum" insert "possession"

Page 14, line 20, after the semicolon insert "or"

Page 14, line 22, remove the overstrike over "ø"

Page 14, line 23, overstrike "(11) Five hundred grams or more of marijuana;"

Page 14, line 23, remove "or"

Page 14, remove line 24

Page 14, remove line 25 remove "maximum amount authorized by chapter 19-24.2;"

Page 14, line 25, overstrike "or"

Page 21, line 21, after "30." insert """Tetrahydrocannabinol" means tetrahydrocannabinols naturally contained in a plant of the genus Cannabis, and synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of the plant, including synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, including:

- a. Delta-1 cis or trans tetrahydrocannabinol, and their optical isomers. Other names: Delta-9-tetrahydrocannabinol.
- b. Delta-6 or trans tetrahydrocannabinol, and their optical isomers. Other names: Delta-8 tetrahydrocannabinol.
- c. Delta-3, 4 cis or trans tetrahydrocannabinol, and its optical isomers. (Since nomenclature of these substances is not intentionally standardized, compounds of these structures, regardless of numerical



designation or atomic positions covered.) Tetrahydrocannabinol does not include:

- (1) The allowable amount of total tetrahydrocannabinol found in hemp as defined in chapter 4.1-18.1; or
- (2) A prescription drug approved by the United States food and drug administration under section 505 of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 355].

31. "Total tetrahydrocannabinol" means the sum of the percentage by weight of tetrahydrocannabinolic acid multiplied by eight hundred seventy-seven thousandths plus the percentage of weight of tetrahydrocannabinol.

32."

Page 35, line 29, after "maximum" insert "possession"

Page 39, after line 6, insert:

"1."

Page 39, after line 13, insert:

"2. At least once every two years, an adult-use cannabis business must undergo an audit performed by a private certified public accountant or a private licensed public accountant. In lieu of an audit, the department may authorize an adult-use cannabis business to engage a private certified public accountant or a private licensed public accountant to perform an agreed upon procedures engagement. The department must approve the agreed upon procedures engagement."

Page 42, line 2, after "consumer" insert "only"

Page 42, line 8, remove "This chapter does not authorize an adult-use cannabis consumer to engage in, and"

Page 42, remove lines 9 through 31

Page 43, replace lines 1 through 14 with:

- "a. An adult-use cannabis consumer is prohibited from using or consuming adult-use cannabis products:
  - (1) In any public place, including an indoor or outdoor area used by, or open to, the general public, or on any form of public transportation.
  - (2) On the grounds of any adult-use cannabis business; or
  - (3) In a motor vehicle as defined by chapter 39-01.
- b. Unless a greater penalty is otherwise provided by law, an adult-use cannabis consumer who violates this subsection is guilty of an infraction."

Page 43, line 15, after "3." insert "An adult-use cannabis consumer may not undertake an activity under the influence of cannabis if doing so would constitute negligence or professional malpractice. An adult-use cannabis consumer who violates this subsection

may be subject to civil liability, criminal liability, or any other penalty as otherwise provided by law.

4. a. An adult use cannabis consumer may not possess, use, or consume adult-use cannabis products:
  - (1) On a school bus or school van used for school purposes.
  - (2) On the grounds of any public or private school, including all facilities, whether owned, rented, or leased, and all vehicles owned, leased, rented, contracted for, or controlled by a public or private school.
  - (3) At any location while a public or private school sanctioned event is occurring.
  - (4) On state or federal property, including all facilities whether owned, rented, or leased, and all vehicles leased, rented, contracted for, or controlled by the state or federal government.
  - (5) On the grounds of a correctional facility.
  - (6) On the grounds of a child care facility or licensed home day care unless authorized under the rules adopted by the department of human services.
- b. Unless a greater penalty is otherwise provided by law, an adult-use cannabis consumer who violates this subsection is guilty of an infraction.
5. An adult-use cannabis consumer may not use or consume an adult-use cannabis product if the smoke or vapor of an adult-use cannabis product would be inhaled by an individual who is under twenty-one years of age. Unless a greater penalty is otherwise provided by law, an adult-use cannabis consumer who violates this subsection is guilty of an infraction.
6. An adult-use cannabis consumer is prohibited from operating, navigating, or being in actual physical control of a motor vehicle, aircraft, train, snowmobile, or motorboat while under the influence of cannabis. An adult-use cannabis consumer may not be considered to be under the influence of cannabis solely because of the presence of metabolites or components of cannabis that appear in insufficient concentration to cause impairment. An adult-use cannabis consumer who violates this subsection may be subject to civil liability, criminal liability, or any other penalty as otherwise provided by law.

7."

Page 43, line 21, replace "4." with "8."

Page 44, line 1, replace "5." with "9."

Page 44, line 13, replace "6." with "10."

Page 44, line 29, replace "7." with "11."

Page 45, line 24, replace "Date" with "Data"

Renumber accordingly