

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2144 – SB 2125

March 21, 2016

SUMMARY OF ORIGINAL BILL: Exempts the cannabis plant with less than nine tenths of one percent of tetrahydrocannabinol, whether growing or not, including the seeds or the resin or oil extracted from any part of the plant, from the definition of “marijuana” under Tenn. Code Ann. § 39-17-402(16), when the plant is manufactured, processed, transferred, dispensed, or possessed by a four-year public institution of higher education as part of a clinical research study on antiseizure, antibacterial, anticancer, antifungal, antiprotozoal, antiviral, or immunomodulatory activity or properties of the cannabis plant.

Deletes the expiration provision from the effective clause of Public Chapter 936 or the Acts of 2014 (Public Chapter 936).

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (014737): Deletes all language after the enacting clause and rewrites the bill to (1) reduce the amount tetrahydrocannabinol permissible in the exempted cannabis oil from 0.9 percent to 0.3 percent, (2) apply to private, as well as public, institutions of higher learning certified by the drug enforcement administration, and (3) broaden the permissible research beyond seizures to cancer and other diseases.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

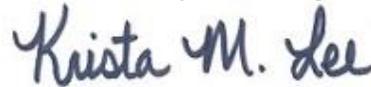
- Public Chapter 936 exempted cannabis oil containing less than 0.9 percent tetrahydrocannabinol from the definition of “marijuana” under Tenn. Code Ann. § 39-17-402(16) when the oil is manufactured, processed, transferred, dispensed, or possessed by a four-year public institution of higher education located in Putnam County as part of a clinical research study on the treatment of intractable seizures.
- Public Chapter 936 is currently set to expire on June 30, 2018.

HB 2144 – SB 2125

- The legislation broadens the exemption to apply to all public institutions of higher education in Tennessee in Public Chapter 936, restricts the exemption to cannabis oil with 0.3 percent tetrahydrocannabinol rather than 0.9 percent, and deletes the expiration provision from the effective clause in Public Chapter 936.
- The fiscal note for Public Chapter 936 estimated the impact as “NOT SIGNIFICANT”. It is assumed that neither broadening the exemption to all public institutions of higher education in Tennessee, nor restricting the permissible amount of tetrahydrocannabinol in cannabis oil will significantly impact incarceration costs or significantly impact the caseloads of the courts, district attorneys, or public defenders.
- The Department of Correction, Administrative Office of the Courts, District Attorneys General Conference, and District Public Defenders Conference confirm that the legislation will not significantly impact their operations.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

/trm