

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 197 - SB 280

February 21, 2015

SUMMARY OF BILL: Redefines “marijuana” by removing the requirement that cannabis oil containing cannabidiol and less than nine-tenths of one percent (0.9%) of tetrahydrocannabinol (THC) be transferred, dispensed, possessed, or administered as part of a clinical research study to be legal possession.

Creates a Class C misdemeanor for knowingly possessing cannabis oil containing cannabidiol and less than nine-tenths of one percent (0.9%) of THC unless (1) the bottle is labeled by the manufacturer as having less than nine-tenths of one percent (0.9%) of THC and (2) the cannabis oil was obtained legally in the United States and outside of the State.

Requires any physician conducting a clinical research study pursuant to Chapter 936 of the Public Acts of 2014 to report the results of the study to the Commissioner of Health, the Speaker of the House of Representatives, and the Speaker of the Senate by January 15, 2018.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

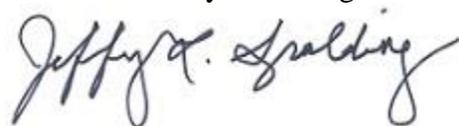
Assumptions:

- Under current law, “marijuana” includes cannabis oil unless it is being transferred, dispensed, possessed, or administered as part of a clinical research study. The bill removes the requirement that the oil be in possession as part of some study.
- Fiscal Review was not able to find any data on convictions for this specific instance. It is assumed that removing the clinical study requirement will not significantly impact misdemeanor or felony convictions.
- The bill creates a new Class C misdemeanor for possessing cannabis oil unless the bottle is labeled by a manufacturer as having less than 0.9% THC and was obtained legally outside of Tennessee.
- It is assumed that the new misdemeanor will not generate a significant number of misdemeanor convictions.
- The Administrative Office of the Courts, the District Attorneys General Conference, and the District Public Defenders Conference confirm that the bill will not significantly impact their caseloads.

CERTIFICATION:

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

A handwritten signature in black ink, reading "Jeffrey L. Spalding". The signature is written in a cursive style with a large, prominent initial "J".

Jeffrey L. Spalding, Executive Director

/trm