

Amendment No. 1 to HB1749

Lamberth
Signature of Sponsor

AMEND Senate Bill No. 1710*

House Bill No. 1749

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-427, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) It is an exception to §§ 39-17-417 and 39-17-418 if a person:

(1)

(A) Has been diagnosed by a licensed doctor of medicine or doctor of osteopathic medicine with one (1) or more of the following debilitating medical conditions:

(i) Cancer;

(ii) Human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS);

(iii) Hepatitis C;

(iv) Amyotrophic lateral sclerosis (ALS);

(v) Post-traumatic stress disorder (PTSD);

(vi) Alzheimer's disease;

(vii) Severe arthritis;

(viii) Inflammatory bowel disease, including Crohn's disease and ulcerative colitis;

(ix) Multiple sclerosis;

(x) Parkinson's disease;

(xi) Schizophrenia;

Amendment No. 1 to HB1749

Lamberth
Signature of Sponsor

AMEND Senate Bill No. 1710*

House Bill No. 1749

(xii) Sickle-cell anemia; or

(xiii) A chronic or debilitating disease or medical condition, with a confirmation of diagnosis, or the treatment of such disease or condition that produces one (1) or more of the following:

(a) Cachexia or wasting syndrome;

(b) Peripheral neuropathy;

(c) Severe chronic pain;

(d) Severe nausea;

(e) Seizures, including those characteristic of epilepsy; or

(f) Severe or persistent muscle spasms;

(B) Retains proof of a legal order or recommendation from a licensed doctor of medicine or doctor of osteopathic medicine that states that the person is likely to receive therapeutic or palliative benefit from the medical use of marijuana to treat or alleviate the person's debilitating medical condition or symptoms associated with the debilitating medical condition. Such proof includes, but is not limited to, a valid medical marijuana card issued by the person's state of residence for a debilitating medical condition identified in subdivision (b)(1)(A);

(C) Possesses marijuana in one (1) or more of the following forms in a container that is labeled by the manufacturer as containing marijuana or one (1) or more cannabinoids and including information regarding the

number of doses or amount of marijuana or cannabinoids present in the product:

- (i) Ointment;
- (ii) Lotion;
- (iii) Transdermal patch;
- (iv) Suppository;
- (v) Nasal spray;
- (vi) Tincture;
- (vii) Oil; or
- (viii) Capsule; and

(D) Possesses marijuana in an amount that does not exceed a one-month supply of individual doses; or

(2)

(A)

(i) Is a parent, legal guardian, conservator, or spouse of a person described in subdivision (b)(1)(A); or

(ii) Is an attorney-in-fact under a durable power of attorney for health care or a designated agent in an advance directive for health care for a person described in subdivision (b)(1)(A);

(B) Retains proof of:

(i) The relationship described in subdivision (b)(2)(A); and

(ii) The legal order or recommendation described in subdivision (b)(1)(B) for the person described in subdivision (b)(1)(A); and

(C) Possesses marijuana in accordance with subdivisions (b)(1)(C) and (D) solely for the benefit of the person described in subdivision (b)(1)(A).

SECTION 2. Tennessee Code Annotated, Section 39-17-402(16), is amended by adding the following new subdivisions:

() The term "marijuana" does not include oil containing the substance cannabidiol, with less than nine-tenths of one percent (0.9%) of tetrahydrocannabinol, if:

(i) The bottle containing the oil is labeled by the manufacturer as containing cannabidiol in an amount less than nine-tenths of one percent (0.9%) of tetrahydrocannabinol; and

(ii) The person in possession of the oil retains:

(a) Proof of the legal order or recommendation from the issuing state; and

(b) Proof that the person or the person's immediate family member has been diagnosed with one (1) of the following conditions by a medical doctor or doctor of osteopathic medicine who is licensed to practice medicine in the state of Tennessee:

(1) Intractable seizures or epilepsy; or

(2) Autoimmune disease, including psoriatic and rheumatoid arthritis, psoriasis, Lupus, and Crohn's disease; and

() The term "marijuana" does not include cannabis oil containing the substance cannabidiol, with less than six tenths of one percent (0.6%) of tetrahydrocannabinol, including the necessary seeds and plants, when manufactured, processed, transferred, dispensed, or possessed by a four-year public or private institution of higher education certified by the drug enforcement administration located in the state as part of a clinical research study on the treatment of intractable seizures, cancer, or other diseases;

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.