

1 H.500

2 Introduced by Representatives Spengler of Colchester, Burke of Brattleboro,  
3 Christie of Hartford, Cross of Winooski, French of Randolph,  
4 Macaig of Williston, Malcolm of Pawlet, Martin of Springfield,  
5 Masland of Thetford, McCullough of Williston, Moran of  
6 Wardsboro, Mrowicki of Putney, O'Sullivan of Burlington,  
7 Townsend of South Burlington, Weed of Enosburgh,  
8 Woodward of Johnson, Yantachka of Charlotte, and Zagar of  
9 Barnard

10 Referred to Committee on

11 Date:

12 Subject: Health; therapeutic use of cannabis; caregivers; medical condition;  
13 state dispensaries

14 Statement of purpose of bill as introduced: This bill proposes to change the  
15 laws for the therapeutic use of cannabis to:

16 (1) allow for registered caregivers to care for up to five registered patients;

17 (2) permit the use of medical marijuana for treatment of post-traumatic  
18 stress disorder, anxiety, and insomnia; and

19 (3) remove the cap on the number of registered patients eligible to receive  
20 medical marijuana from dispensaries.

1 An act relating to medical marijuana caregivers, eligible medical conditions,  
2 and dispensaries

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 Sec. 1. 18 V.S.A. § 4472 is amended to read:

5 § 4472. DEFINITIONS

6 ~~For the purposes of~~ As used in this subchapter:

7 \* \* \*

8 (4) “Debilitating medical condition,” provided that, in the context of the  
9 specific disease or condition described in subdivision (A) or (B) of this  
10 subdivision (4), reasonable medical efforts have been made over a reasonable  
11 amount of time without success to relieve the symptoms, means:

12 (A) cancer, multiple sclerosis, positive status for human  
13 immunodeficiency virus, acquired immune deficiency syndrome,  
14 post-traumatic stress disorder, or the treatment of these conditions, if the  
15 disease or the treatment results in severe, persistent, and intractable  
16 symptoms; or

17 (B) a disease, medical condition, or its treatment that is chronic,  
18 debilitating, and produces severe, persistent, and one or more of the following  
19 intractable symptoms: cachexia or wasting syndrome; severe pain; severe  
20 nausea; ~~or seizures~~; anxiety; or insomnia.

21 \* \* \*

1           (10) “Possession limit” means the amount of marijuana collectively  
2 possessed between the registered patient and the patient’s registered caregiver  
3 which is no more than two mature marijuana plants, seven immature plants,  
4 and two ounces of usable marijuana. A registered caregiver may collectively  
5 possess with his or her registered patients no more than two mature marijuana  
6 plants, seven immature plants, and two ounces of usable marijuana for each  
7 registered patient.

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9           Sec. 2. 18 V.S.A. § 4474 is amended to read:

10       § 4474. REGISTERED CAREGIVERS; QUALIFICATION STANDARDS  
11           AND PROCEDURES

12       (a) A person may submit a signed application to the ~~department of public~~  
13 ~~safety~~ Department of Public Safety to become a registered patient’s registered  
14 caregiver. The ~~department~~ Department shall approve or deny the application  
15 in writing within 30 days. The ~~department~~ Department shall approve a  
16 registered caregiver’s application and issue the person an authorization card,  
17 including the caregiver’s name, photograph, and a unique identifier, after  
18 verifying:

- 19           (1) the person will serve as the registered caregiver for ~~one~~ not more  
20 than five registered ~~patient only~~ patients; and
- 21           (2) the person has never been convicted of a drug-related crime.

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(c) A registered caregiver may serve ~~only one~~ not more than five registered ~~patient~~ patients at a time, and a registered patient may have only one registered caregiver at a time.

Sec. 3. 18 V.S.A. § 4474f is amended to read:

§ 4474f. DISPENSARY APPLICATION, APPROVAL, AND  
REGISTRATION

\* \* \*

(b) Within 30 days of the adoption of rules, the ~~department~~ Department shall begin accepting applications for the operation of dispensaries. Within 365 days of the effective date of this section, the ~~department~~ Department shall grant registration certificates to four dispensaries, provided at least four applicants apply and meet the requirements of this section. No more than four dispensaries shall hold valid registration certificates at one time. ~~The total statewide number of registered patients who have designated a dispensary shall not exceed 1,000 at any one time.~~ Any time a dispensary registration certificate is revoked, is relinquished, or expires, the ~~department~~ Department shall accept applications for a new dispensary. If at any time after one year after the effective date of this section fewer than four dispensaries hold valid registration certificates in Vermont, the ~~department of public safety~~ Department of Public Safety shall accept applications for a new dispensary.

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Sec. 4. EFFECTIVE DATE

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This act shall take effect on July 1, 2013.