



General Assembly

February Session, 2012

Amendment

LCO No. 3935

HB0538903935HRO

Offered by:
REP. CAFERO, 142nd Dist.

To: House Bill No. 5389

File No. 313

Cal. No. 254

(As Amended by House Amendment Schedule "A")

"AN ACT CONCERNING THE PALLIATIVE USE OF MARIJUANA."

1 Strike subsection (b) of section 4 in its entirety and substitute the
2 following in lieu thereof:

3 "(b) Any written certification for the palliative use of marijuana
4 issued by a physician under subsection (a) of this section shall be valid
5 for a period not to exceed one year from the date such written
6 certification is signed and dated by the physician. Not later than ten
7 calendar days after the expiration of such period, or at any time before
8 the expiration of such period should the qualifying patient no longer
9 wish to possess marijuana for palliative use, the qualifying patient or
10 the primary caregiver shall destroy all usable marijuana possessed by
11 the qualifying patient and the primary caregiver for palliative use. Not
12 later than ten calendar days after the expiration of a registration under
13 subsection (a) of section 5 of this act, the qualifying patient or the
14 primary caregiver shall destroy all usable marijuana possessed by the

15 qualifying patient and the primary caregiver for palliative use unless a
16 subsequent registration is issued under subsection (a) of section 5 of
17 this act to such qualifying patient and primary caregiver."

18 Strike subsection (a) of section 5 in its entirety and substitute the
19 following in lieu thereof:

20 "Sec. 5. (NEW) (*Effective October 1, 2012*) (a) (1) Each qualifying
21 patient who is issued a written certification for the palliative use of
22 marijuana under subdivision (1) of subsection (a) of section 2 of this
23 act, and the primary caregiver of such qualifying patient, shall register
24 with the Department of Consumer Protection. Any such registration
25 shall be effective from the date the Department of Consumer
26 Protection issues a certificate of registration until the expiration of the
27 written certification issued by the physician, except that the
28 registration of a primary caregiver shall also expire upon the death of
29 the qualifying patient, upon the occurrence of any other event that
30 renders the qualifying patient incapable of engaging in the palliative
31 use of marijuana, upon the qualifying patient's designation of a
32 different primary caregiver, or upon the occurrence of any other event
33 which has the effect of cancelling or terminating the qualifying
34 patient's registration. A qualifying patient's primary caregiver shall
35 provide written notice to the department not later than ten calendar
36 days after the death of the qualifying patient or the occurrence of any
37 other event that renders the qualifying patient incapable of engaging
38 in the palliative use of marijuana.

39 (2) The qualifying patient and the primary caregiver shall provide
40 sufficient identifying information, as determined by the department, to
41 establish the personal identity of the qualifying patient and the
42 primary caregiver. The qualifying patient or the primary caregiver
43 shall report any change in such information to the department not later
44 than five business days after such change. The department shall issue a
45 registration certificate to the qualifying patient and to the primary
46 caregiver and may charge a reasonable fee, not to exceed twenty-five
47 dollars, for each registration certificate issued under this subsection.

48 Any registration fees collected by the department under this
49 subsection shall be paid to the State Treasurer and credited to the
50 account established pursuant to section 19 of this act."