



General Assembly

February Session, 2012

Amendment

LCO No. 4280

HB0538904280SR0

Offered by:
SEN. BOUCHER, 26th Dist.

To: House Bill No. 5389

File No. 597

Cal. No. 430

"AN ACT CONCERNING THE PALLIATIVE USE OF MARIJUANA."

1 Strike lines 234 to 237, inclusive, in their entirety and substitute the
2 following in lieu thereof:

3 "Sec. 9. (NEW) (*Effective from passage*) (a) Until such time as the
4 United States Department of Justice provides written notice to the
5 Attorney General, the Chief State's Attorney and the Commissioner of
6 Consumer Protection setting forth that said department shall not
7 initiate a criminal prosecution against (1) a qualifying patient relating
8 to the patient's palliative use of marijuana, or (2) a licensed dispensary,
9 licensed producer, physician or primary caregiver relating to such
10 person's role in facilitating the palliative use of marijuana by a
11 qualifying patient, no person may act as a dispensary or represent that
12 such person is a licensed dispensary. Upon receipt of the written notice
13 described in this subsection from the United States Department of
14 Justice and upon the adoption of regulations as prescribed in
15 subsection (b) of this section, the Commissioner of Consumer
16 Protection shall establish a pilot program allowing for the

17 establishment of two licensed dispensaries in the state. The
18 commissioner shall administer the pilot program for a one-year period.
19 Upon the expiration of the one-year period, the pilot program shall
20 terminate and the commissioner shall permit the licensing of
21 additional dispensaries in accordance with the provisions of this
22 section. A dispensary licensed by the commissioner and selected to
23 participate in the pilot program, may, in the discretion of the
24 commissioner, retain such licensure upon the termination of the pilot
25 program."