



General Assembly

February Session, 2012

Amendment

LCO No. 4821

HB0538904821SR0

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 In lines 61, 110, and 147, after "arrest or prosecution" insert "under
2 state law"

3 Strike lines 168 to 187, inclusive, in their entirety and substitute the
4 following in lieu thereof:

5 "Sec. 5. (NEW) (*Effective October 1, 2012*) (a) Each qualifying patient
6 who is issued a written certification for the palliative use of marijuana
7 under subdivision (1) of subsection (a) of section 2 of this act, and the
8 primary caregiver of such qualifying patient, shall register with the
9 Department of Consumer Protection. Such registration shall be
10 effective from the date the Department of Consumer Protection issues
11 a certificate of registration until the expiration of the written
12 certification issued by the physician. The qualifying patient and the
13 primary caregiver shall provide sufficient identifying information, as
14 determined by the department, to establish the personal identity of the
15 qualifying patient and the primary caregiver. The qualifying patient or

16 the primary caregiver shall report any change in such information to
 17 the department not later than five business days after such change. The
 18 department shall issue a registration certificate to the qualifying
 19 patient and to the primary caregiver and may charge a reasonable fee,
 20 not to exceed twenty-five dollars, for each registration certificate
 21 issued under this subsection. The department shall include on such
 22 certificate of registration a statement, in not less than ten point
 23 boldface type, that the issuance of such certificate of registration does
 24 not limit the power of a federal law enforcement agency to arrest or
 25 prosecute the qualifying patient or primary caregiver pursuant to
 26 federal law. Any registration fees collected by the department under
 27 this subsection shall be paid to the State Treasurer and credited to the
 28 account established pursuant to section 19 of this act."

29 In lines 207, 360, 373, 500 and 507, after "prosecution" insert "under
 30 state law"

31 After the last section, add the following and renumber sections and
 32 internal references accordingly:

33 "Sec. 501. (NEW) (*Effective October 1, 2012*) Nothing in sections 1 to
 34 17, inclusive, of this act, section 19 of this act, or subsection (e) of
 35 section 21a-243 of the general statutes, as amended by this act, shall be
 36 construed to supersede any federal law concerning the criminalization,
 37 acquisition, cultivation, distribution, dispensing, possession, sale,
 38 transportation and use of marijuana and of paraphernalia related to
 39 marijuana."

This act shall take effect as follows and shall amend the following sections:		
Sec. 5	<i>October 1, 2012</i>	New section
Sec. 501	<i>October 1, 2012</i>	New section