

Legislative update



Medical Cannabis Policy Advisory Board, 2/20/2024

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1. **S.B. 233 Medical Cannabis Amendments** (Sen. Luz Escamilla)
2. **H.B. 389 Medical Cannabis Pharmacy Modifications** (Rep. Walt Brooks)
3. **S.B. 71 Cannabis Business Tax Credit Amendments** (Sen. Evan Vickers)

* This presentation is a brief summary, not comprehensive, and is for general information purposes only and is not intended to be and should not be used as legal advice.

Active medical cannabis bills

S.B. 233 Medical Cannabis Amendments

UDAF

1. Allows a medical cannabis processor to engage in targeted marketing.
2. Prohibits anti-competitive behavior.
3. Allows medical cannabis deliveries to more address types.
4. Changes all medical cannabis industry positions to <10 year old felony conviction disqualification.
5. Makes changes to the Cannabis Production Establishment Licensing Advisory Board.
6. Allows a medical cannabis processor to engage in targeted marketing. UDAF to make rules.
7. Requires UDAF to make rules dividing the state into at least 4 regions for purposes of issuing medical cannabis pharmacy licenses.
8. Medical cannabis processors are prohibited from producing products whose name or packaging includes terms related to recreational marijuana.

S.B. 233 Medical Cannabis Amendments

DHHS

1. Adds suppositories and homogenous, rectangular or spherical confections as legal dosage forms.
2. Clarifies that a QMP or their medical clinic/office may: (1) engage in targeted marketing. DHHS to make rules. (2) can only include certain information in their public advertising.
3. Adds definition of acceptable identification requirements at a medical cannabis pharmacy.
4. Allows a QMP to petition DHHS to waive the 28-day purchasing period limit if certain criteria are met.
5. Clarifies that law enforcement can only access EVS to verify a card for the administration of criminal justice.

Other

1. Allows a public employee to file a complaint with the Labor Commission regarding discriminatory practices related to medical cannabis use.

H.B. 389 Medical Cannabis Pharmacy Modifications

UDAF

1. Creates a pharmacy ownership limit at 30% of all pharmacy licenses.
2. Clarifies that a pharmacist-in-charge determines which products are stocked at the medical cannabis pharmacy.
3. Authorizes the use of a closed-door medical cannabis pharmacy to deliver medical cannabis orders and limits the amount of closed-door medical cannabis pharmacies in certain areas of the state.

DHHS

1. Requires MCPAB to annually designate a chair and vice-chair and requires the either the MCPAB chair or vice-chair to be a DHHS appointee.

S.B. 71 Cannabis Business Tax Credit Amendments

- Establishes a tax credit for businesses engaged in medical cannabis activity.
- 1.8% multiplied by Utah taxable income (4.65%) that is related to medical cannabis activity.