

Senate Bill 346

By: Senators Thompson of the 5th, Jones II of the 22nd, Henson of the 41st, Davenport of the 44th, Rhett of the 33rd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to
2 repeal the Low THC Oil Patient Registry; to amend Chapter 34 of Title 43 of the Official
3 Code of Georgia Annotated, relating to physicians, acupuncture, physician assistants, cancer
4 and glaucoma treatment, respiratory care, clinical perfusionists, and orthotics and prosthetics
5 practice, so as to repeal provisions relating to use of marijuana for treatment of cancer and
6 glaucoma and provide for medical use of marijuana; to provide for a short title; to provide
7 for legislative findings; to provide for definitions; to provide for additional debilitating
8 conditions; to provide for controlled substances therapeutic relief, limitations, and rule
9 making; to provide for registration of marijuana dispensaries; to provide for a tracking
10 system; to provide for registration of qualifying patients and designated caregivers; to
11 provide for the issuance, revocation, suspension, and expiration of registry identification
12 cards; to provide for the automatic registration of individuals registered under former Code
13 Section 31-2A-18; to provide for facility restrictions; to provide for dispensary locations; to
14 provide for dispensing marijuana for medical use; to provide for a verification system; to
15 provide for notices and civil penalties; to provide for annual reporting; to provide for
16 confidentiality; to prohibit discrimination under certain circumstances; to provide for
17 funding; to provide for enforcement; to provide for fingerprinting; to provide for related
18 matters; to repeal conflicting laws; and for other purposes.

19 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

20 **SECTION 1.**

21 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by
22 repealing Code Section 31-2A-18, relating to the establishment of the Low THC Oil Patient
23 Registry, definitions, purpose, registration cards, semiannual reports, and waiver forms, and
24 designating said Code section as reserved.

25 **SECTION 2.**

26 Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to physicians,
 27 acupuncture, physician assistants, cancer and glaucoma treatment, respiratory care, clinical
 28 perfusionists, and orthotics and prosthetics practice, is amended by repealing Article 5,
 29 relating to use of marijuana for treatment of cancer and glaucoma, and enacting a new
 30 Article 5 to read as follows:

31 **"ARTICLE 5**32 43-34-120.

33 This article shall be known and may be cited as the 'Controlled Substances Therapeutic
 34 Relief Act.'

35 43-34-121.36 The General Assembly finds and declares the following:

37 (1) The federal government, pursuant to the Consolidated Appropriations Act of 2016,
 38 P.L. 114-113, determined that none of the funds made available in such act to the
 39 Department of Justice may be used, with respect to any of the enumerated states, which
 40 includes Georgia, the District of Columbia, Guam, or Puerto Rico, to prevent the
 41 implementation of state laws that authorize the use, distribution, possession, and
 42 cultivation of medical marijuana;

43 (2) Marijuana's recorded use as a medicine goes back nearly 5,000 years, and modern
 44 medical research has confirmed beneficial uses for marijuana in treating or alleviating the
 45 pain, nausea, and other symptoms associated with a variety of debilitating medical
 46 conditions, including cancer, multiple sclerosis, and HIV/AIDS, as found by the National
 47 Academy of Sciences' Institute of Medicine in March, 1999;

48 (3) Studies published since the 1999 Institute of Medicine report have continued to show
 49 the therapeutic value of marijuana in treating a wide array of debilitating medical
 50 conditions. Such therapeutic value includes relief of neuropathic pain caused by multiple
 51 sclerosis, HIV/AIDS, and other illnesses that often fail to respond to conventional
 52 treatments and relief of nausea, vomiting, and other side effects of drugs used to treat
 53 HIV/AIDS and hepatitis C, increasing the chances of patients continuing on lifesaving
 54 treatment regimens;

55 (4) Marijuana currently has many accepted medical uses in the United States and has
 56 been recommended by thousands of licensed physicians to at least 260,000 patients in the
 57 states with medical marijuana laws. Marijuana's medical utility has been recognized by
 58 a wide range of medical and public health organizations, including the American

59 Academy of HIV Medicine, American College of Physicians, American Nurses
 60 Association, American Public Health Association, Leukemia & Lymphoma Society, and
 61 many others;

62 (5) Data from the Federal Bureau of Investigation's Uniform Crime Reports and the
 63 Compendium of Federal Justice Statistics show that approximately 99 out of every 100
 64 marijuana arrests in the United States are made under state law rather than under federal
 65 law. Consequently, changing state law will have the practical effect of protecting from
 66 arrest the vast majority of seriously ill patients who have a medical need to use
 67 marijuana;

68 (6) Alaska, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia,
 69 Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi,
 70 Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New
 71 York, Oregon, Rhode Island, Vermont, and Washington have removed state-level
 72 criminal penalties for the medical use and cultivation of marijuana. Georgia joins in this
 73 effort for the health and welfare of its citizens;

74 (7) State law should make a distinction between the medical and nonmedical uses of
 75 marijuana. Hence, the purpose of this Act is to protect qualifying patients, as well as
 76 their physicians and designated caregivers, from arrest and prosecution, criminal and
 77 other penalties, and property forfeiture if such qualifying patients engage in the medical
 78 use of marijuana; and

79 (8) It is the intent of the General Assembly in enacting this article to permit registered
 80 qualifying patients to use and possess medical marijuana and its derivatives and to allow
 81 dispensation of medical marijuana and its derivatives by licensed, registered medical
 82 marijuana dispensaries within this state.

83 43-34-122.

84 As used in this article, the term:

85 (1)(A) 'Allowable amount of marijuana' means:

86 (i) With respect to a qualifying patient:

87 (I) Two ounces of usable marijuana; and

88 (II) If the qualifying patient's registry identification card provides that the
 89 qualifying patient is authorized to cultivate marijuana plants, eight marijuana plants
 90 contained in an enclosed, locked facility, provided that such plants are not required
 91 to be in an enclosed, locked facility if such plants are being transported because the
 92 qualifying patient is moving; and

93 (ii) With respect to a designated caregiver, for each qualifying patient assisted by the
 94 designated caregiver under this article;

- 95 (I) Two ounces of usable marijuana; and
- 96 (II) If the designated caregiver's registry identification card provides that the
 97 designated caregiver is authorized to cultivate marijuana plants, eight marijuana
 98 plants contained in an enclosed, locked facility, provided that such plants are not
 99 required to be in an enclosed, locked facility if such plants are being transported
 100 because the designated caregiver is moving.
- 101 (B) Marijuana that is incidental to medical use, but is not usable marijuana as defined
 102 in this article, shall not be counted toward a qualifying patient's or designated
 103 caregiver's allowable amount of marijuana.
- 104 (2) 'Cardholder' means a qualifying patient, designated caregiver, or medical marijuana
 105 dispensary agent who has been issued and possesses a valid registry identification card.
- 106 (3) 'Debilitating medical condition' means one or more of the following:
- 107 (A) Cancer, glaucoma, positive status for human immunodeficiency virus, acquired
 108 immune deficiency syndrome, hepatitis C, amyotrophic lateral sclerosis, Crohn's
 109 disease, agitation of Alzheimer's disease, post-traumatic stress disorder, or the treatment
 110 of such conditions;
- 111 (B) A chronic or debilitating disease or medical condition or its treatment that produces
 112 one or more of the following: cachexia or wasting syndrome; severe and chronic pain;
 113 severe nausea; seizures, including those characteristic of epilepsy; or severe and
 114 persistent muscle spasms, including those characteristic of multiple sclerosis; or
- 115 (C) Any other medical condition or its treatment added by the department pursuant to
 116 Code Section 43-34-123.
- 117 (4) 'Department' means the Department of Public Health or its successor agency.
- 118 (5) 'Designated caregiver' means a person who:
- 119 (A) Is at least 21 years of age;
- 120 (B) Has agreed to assist with a qualifying patient's medical use of marijuana;
- 121 (C) Has not been convicted of a felony offense;
- 122 (D) Assists no more than five qualifying patients with the medical use of marijuana;
 123 and
- 124 (E) May receive reimbursement for actual costs incurred in assisting a registered
 125 qualifying patient's medical use of marijuana if the registered designated caregiver is
 126 connected to the registered qualifying patient through the department's registration
 127 process. The designated caregiver shall not be paid any fee or compensation for his or
 128 her service as a caregiver. Payment for costs under this subparagraph shall not
 129 constitute an offense under Article 2 of Chapter 13 of Title 16, the 'Georgia Controlled
 130 Substances Act.'

- 131 (6) 'Enclosed, locked facility' means a closet, room, greenhouse, or other enclosed area
132 equipped with locks or other security devices that permit access only by a cardholder.
- 133 (7) 'Medical marijuana' means all parts of the plant of the genus Cannabis, whether
134 growing or not, the seed thereof, the resin extracted from any part of such plant, and
135 every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its
136 seed, or resin that has been converted into a liquid or solid substance.
- 137 (8) 'Medical marijuana dispensary' means a Georgia entity that acquires, possesses,
138 cultivates, manufactures, delivers, transfers, transports, supplies, sells, or dispenses
139 marijuana or related supplies and educational materials to cardholders.
- 140 (9) 'Medical marijuana dispensary agent' means a principal officer, board member,
141 employee, or volunteer of a medical marijuana dispensary who is at least 21 years of age
142 and has not been convicted of a felony offense.
- 143 (10) 'Medical use' means the acquisition, possession, cultivation, manufacture, use,
144 administration, delivery, transfer, or transportation of marijuana or paraphernalia relating
145 to the administration of marijuana to treat or alleviate a registered qualifying patient's
146 debilitating medical condition or symptoms associated with such qualifying patient's
147 debilitating medical condition.
- 148 (11) 'Physician' means a doctor of medicine who holds a valid and existing license to
149 practice medicine pursuant to Article 2 of this chapter.
- 150 (12) 'Qualifying patient' means a person who has been diagnosed by a physician as
151 having a debilitating medical condition.
- 152 (13) 'Registration certificate' means a document issued by the Department of Revenue
153 to a medical marijuana dispensary.
- 154 (14) 'Registry identification card' means a document issued by the department that
155 identifies a person as a registered qualifying patient or a registered designated caregiver
156 or a document issued by the Department of Revenue that identifies a person as a
157 registered medical marijuana dispensary agent.
- 158 (15) 'Tracking system' means an electronic tracking process that monitors marijuana
159 seedlings, clones, plants, flowers, other plant material, oils, waste, and any other
160 marijuana derived products from production to processing to dispensary sale.
- 161 (16) 'Usable marijuana' means the dried flowers of the marijuana plant, and any mixture
162 or preparation thereof, but shall not include the seeds, stalks, and roots of the plant or the
163 weight of any nonmarijuana ingredients combined with marijuana and prepared for
164 consumption as food or drink.
- 165 (17) 'Verification system' means a secure, password protected, web based system
166 established and maintained by the department and the Department of Revenue that is

167 available to law enforcement personnel and medical marijuana dispensary agents on a 24
 168 hour basis for verification of registry identification cards.

169 (18) 'Visiting qualifying patient' means a person who:

170 (A) Is not a resident of Georgia or who has been a resident of Georgia for fewer than
 171 30 days; and

172 (B) Has been diagnosed with a debilitating medical condition by a person who is
 173 licensed with authority to prescribe drugs to humans in the state of the person's
 174 residence or, in the case of a person who has been a resident of Georgia for fewer than
 175 30 days, the state of the person's former residence.

176 (19) 'Written certification' means a document dated and signed by a physician stating
 177 that, in the physician's professional opinion, the qualifying patient is likely to receive
 178 therapeutic or palliative benefit from the medical use of marijuana to treat or alleviate the
 179 qualifying patient's debilitating medical condition or symptoms associated with the
 180 debilitating medical condition. The physician shall:

181 (A) Specify the qualifying patient's debilitating medical condition in the written
 182 certification; and

183 (B) Sign and date the written certification only in the course of a physician-patient
 184 relationship after the physician has completed a full assessment of the qualifying
 185 patient's medical history.

186 43-34-123.

187 The public may petition the department to add debilitating medical conditions or treatments
 188 to the list of debilitating medical conditions set forth in paragraph (3) of Code Section
 189 43-34-122. The department shall consider petitions in the manner required by department
 190 rule, including public notice and hearing. The department shall approve or deny a petition
 191 within 180 days of its submission. The approval or denial of a petition is a final decision
 192 of the department subject to judicial review pursuant to Chapter 13 of Title 50, the 'Georgia
 193 Administrative Procedure Act.' Initial judicial review of a final decision of the department
 194 shall be held solely in the Superior Court of Fulton County.

195 43-34-124.

196 Not later than 120 days after the effective date of this article, the department shall adopt
 197 rules and regulations:

198 (1) Governing the manner in which it shall consider petitions from the public to add
 199 debilitating medical conditions or treatments to the list of debilitating medical conditions
 200 set forth in paragraph (3) of Code Section 43-34-122, including public notice of, and an
 201 opportunity to comment in a public hearing upon, petitions;

202 (2) Establishing the form and content of qualifying patient and designated caregiver
 203 registration and renewal applications submitted under this article;

204 (3) Governing the manner in which it shall consider applications for and renewals of
 205 registry identification cards; and

206 (4) Establishing application and renewal fees for registry identification cards according
 207 to the following:

208 (A) The total amount of all fees shall generate revenues sufficient to implement and
 209 administer the department's responsibilities under this article, provided that fee revenue
 210 may be offset or supplemented by private donations;

211 (B) The department may establish a sliding scale of qualifying patient application and
 212 renewal fees based upon a qualifying patient's household income; and

213 (C) The department may consider private donations under Code Section 43-34-139.1
 214 to reduce application and renewal fees.

215 43-34-125.

216 (a) A qualifying patient may apply to the department for a registry identification card by
 217 submitting:

218 (1) Written certification issued by a physician within the 90 days immediately preceding
 219 the date of application;

220 (2) The application fee; and

221 (3) An application that includes:

222 (A) The name, mailing address, residence address, and date of birth of the qualifying
 223 patient, provided that, if the applicant is homeless, no address is required;

224 (B) The name, address, and telephone number of the qualifying patient's physician;

225 (C) The name, address, and date of birth of the qualifying patient's designated
 226 caregiver, if any;

227 (D) A statement signed by the qualifying patient pledging not to divert marijuana to
 228 anyone who is not allowed to possess marijuana pursuant to this article;

229 (E) A signed statement from the designated caregiver, if any, agreeing to be the
 230 qualifying patient's designated caregiver and pledging not to divert marijuana to anyone
 231 who is not allowed to possess marijuana pursuant to this article; and

232 (F) A designation as to who shall be allowed to cultivate marijuana plants for the
 233 qualifying patient's medical use if a registered medical marijuana dispensary
 234 distribution center is not operating within 120 miles of the qualifying patient's home
 235 and such qualifying patient has other disabilities creating an undue hardship that
 236 prevents such access, including but not limited to transportation.

237 (b) The application for a qualifying patient's registry identification card shall ask whether
 238 the qualifying patient would like the department to notify him or her of any clinical studies
 239 needing human subjects for research on the medical use of marijuana. The department
 240 shall notify interested qualifying patients if it is notified of studies that will be conducted
 241 in the United States.

242 43-34-125.1.

243 (a) Except as provided in subsection (b) of this Code section, the department shall:

244 (1) Verify the information contained in an application or renewal submitted pursuant to
 245 this article and approve or deny an application or renewal within ten days of receiving a
 246 completed application or renewal; and

247 (2) Issue a registry identification card to a qualifying patient and his or her designated
 248 caregiver, if any, within five days of approving the application or renewal. A designated
 249 caregiver shall have a registry identification card for each of his or her qualifying
 250 patients.

251 (b) The department shall not issue a registry identification card to a qualifying patient who
 252 is under the age of 18 unless:

253 (1) The qualifying patient's physician has explained the potential risks and benefits of
 254 the medical use of marijuana to the custodial parent or legal guardian responsible for
 255 health care decisions for the qualifying patient;

256 (2) A custodial parent or legal guardian responsible for health care decisions for the
 257 qualifying patient submits a written certification from two physicians; and

258 (3) The custodial parent or legal guardian responsible for health care decisions for the
 259 qualifying patient consents in writing to:

260 (A) Allow the qualifying patient's medical use of marijuana;

261 (B) Serve as the qualifying patient's designated caregiver; and

262 (C) Control the acquisition of marijuana and the dosage and frequency of the medical
 263 use of marijuana by the qualifying patient.

264 (c) A registry identification card, or its equivalent, that is issued under the laws of another
 265 state, district, territory, commonwealth, or insular possession of the United States that
 266 allows a visiting qualifying patient to possess or use marijuana for medical purposes in the
 267 jurisdiction of issuance shall have the same force and effect when held by a visiting
 268 qualifying patient as a registry identification card issued by the department, provided that
 269 a visiting qualifying patient shall not be authorized to obtain marijuana from a medical
 270 marijuana dispensary.

271 (d) Any individual who on June 30, 2018, holds a valid low THC oil registration card
 272 issued under former Code Section 31-2A-18 shall be deemed to be automatically registered

273 under this Code section as of July 1, 2018, and shall be subject to the provisions of this
 274 article. Such provisionally issued registry cards shall be deemed to have been issued under
 275 this article on July 1, 2018, and shall be valid for all purposes of this article and applicable
 276 laws.

277 43-34-125.2.

278 (a) Registry identification cards for qualifying patients and designated caregivers shall
 279 contain the following:

280 (1) The name, address, and date of birth of the cardholder;

281 (2) A statement of whether the cardholder is a qualifying patient or designated caregiver;

282 (3) The date of issuance and expiration date of the registry identification card;

283 (4) A random 20 digit alphanumeric identification number, containing at least four
 284 numbers and at least four letters, that is unique to the cardholder;

285 (5) If the cardholder is a designated caregiver, the random identification number of the
 286 registered qualifying patient the designated caregiver is assisting;

287 (6) A photograph of the cardholder; and

288 (7) A clear indication of whether the cardholder has been authorized by this article to
 289 cultivate marijuana plants for the qualifying patient's medical use.

290 (b) If the registry identification card of either a qualifying patient or designated caregiver
 291 does not state that the cardholder is authorized to cultivate marijuana plants, then the
 292 department shall give written notice to the registered qualifying patient, when the
 293 qualifying patient's registry identification card is issued, of the name and address of all
 294 registered medical marijuana dispensaries.

295 43-34-125.3.

296 (a) The department shall deny an application or renewal of a qualifying patient's registry
 297 identification card if the applicant:

298 (1) Does not meet the requirements of paragraph (12) of Code Section 43-34-122;

299 (2) Does not provide the information required;

300 (3) Previously had a registry identification card revoked for violating this article; or

301 (4) Provides false information.

302 (b) The department shall deny an application or renewal of a designated caregiver's
 303 registry identification card if the applicant:

304 (1) Does not meet the requirements of paragraph (5) of Code Section 43-34-122;

305 (2) Does not provide the information required;

306 (3) Previously had a registry identification card revoked for violating this article; or

307 (4) Provides false information.

308 (c) The department shall conduct a criminal records check of each designated caregiver
309 applicant to carry out this Code section.

310 (d) The department shall give written notice to the qualifying patient of the reason for
311 denying a registry identification card to such qualifying patient's designated caregiver.

312 (e) Denial of an application or renewal is considered a final decision of the department
313 subject to judicial review pursuant to Chapter 13 of Title 50, the 'Georgia Administrative
314 Procedure Act.'

315 43-34-125.4.

316 (a) All registry identification cards expire one year after date of issue.

317 (b) If a cardholder loses his or her registry identification card, he or she shall promptly
318 notify the department. Within five days of the notification, and upon payment of a fee to
319 be determined by the department, the department shall issue a new registry identification
320 card with a new random 20 digit alphanumeric identification number to the cardholder and,
321 if the cardholder is a registered qualifying patient, to such patient's registered designated
322 caregiver, if any.

323 43-34-125.5.

324 (a) A registered qualifying patient shall notify the department within 14 days of any
325 change in his or her name, address, designated caregiver, or preference regarding who may
326 cultivate marijuana plants for him or her or if he or she ceases to have his or her
327 debilitating medical condition.

328 (b) A registered designated caregiver shall notify the department within 14 days of any
329 change in his or her name or address.

330 (c) When a cardholder notifies the department of any changes listed in subsection (a) of
331 this Code section but remains eligible under this article, the department shall issue the
332 cardholder a new registry identification card with a new random 20 digit alphanumeric
333 identification number within ten days of receiving the updated information and a fee to be
334 determined by the department. If the cardholder notifying the department is a registered
335 qualifying patient, the department shall also issue his or her registered designated
336 caregiver, if any, a new registry identification card with a new random 20 digit
337 alphanumeric identification number within ten days of receiving the updated information.

338 (d) If the registered qualifying patient's certifying physician notifies the department in
339 writing that either the registered qualifying patient has ceased to suffer from a debilitating
340 medical condition or that the physician no longer believes the qualifying patient would
341 receive therapeutic or palliative benefit from the medical use of marijuana, the registry

342 identification card shall be void upon notification by the department to the qualifying
 343 patient.

344 (e) When a registered qualifying patient ceases to be a registered qualifying patient or
 345 changes registered designated caregiver, the department shall promptly notify the former
 346 designated caregiver that his or her duties and rights under this article as to that qualifying
 347 patient shall expire 15 days after notification by the department is sent.

348 (f) A registered qualifying patient or registered designated caregiver who fails to comply
 349 with subsection (a) or (b) of this Code section shall be subject to a civil penalty of not more
 350 than \$150.00.

351 43-34-126.

352 Not later than 120 days after the effective date of this article, the Department of Revenue
 353 shall adopt rules and regulations:

354 (1) Governing medical marijuana dispensaries for protection against diversion and theft
 355 without imposing an undue burden on medical marijuana dispensaries or compromising
 356 the confidentiality of cardholders, including:

357 (A) The manner in which the Department of Revenue shall consider applications for
 358 and renewals of registration certificates;

359 (B) Minimum oversight requirements for medical marijuana dispensaries;

360 (C) Minimum record-keeping requirements for medical marijuana dispensaries;

361 (D) Minimum security requirements for medical marijuana dispensaries, including
 362 requirements for protection of each registered medical marijuana dispensary location
 363 by a fully operational security alarm system; and

364 (E) Procedures for suspending or revoking the registration certificates of medical
 365 marijuana dispensaries that violate the provisions of this article or the rules adopted
 366 pursuant to this Code section; and

367 (2) Establishing application and renewal fees for medical marijuana dispensary
 368 registration certificates according to the following:

369 (A) The total amount of all fees shall generate revenues sufficient to implement and
 370 administer this article, provided that fee revenue may be offset or supplemented by
 371 private donations;

372 (B) Medical marijuana dispensary application fees shall not exceed \$5,000.00;

373 (C) Medical marijuana dispensary renewal fees shall not exceed \$1,000.00;

374 (D) The total amount of revenue from medical marijuana dispensary application and
 375 renewal fees and registry identification card fees for medical marijuana dispensary
 376 agents shall be sufficient to implement and administer the medical marijuana dispensary

377 provisions of this article, including the verification system, provided that the fee
 378 revenue may be offset or supplemented by private donations; and
 379 (E) The Department of Revenue may consider private donations under Code
 380 Section 43-34-139.1.

381 43-34-127.

382 (a) The Department of Revenue shall register a minimum of three in-state medical
 383 marijuana dispensaries. Each medical marijuana dispensary shall operate distribution
 384 facilities which may include the medical marijuana dispensary's single location for
 385 cultivation, harvesting, manufacturing, packaging, and processing. There shall be a
 386 minimum of 14 distribution centers required throughout the state, with a minimum of one
 387 per congressional district. Additional distribution center locations shall be determined by
 388 the department based on geographical need throughout the state to provide adequate patient
 389 access.

390 (b) Medical marijuana dispensaries shall register with the Department of Revenue. Not
 391 later than 90 days after receiving an application for a medical marijuana dispensary, the
 392 Department of Revenue shall register the medical marijuana dispensary and issue a
 393 registration certificate and a random 20 digit alphanumeric identification number if:

394 (1) The prospective medical marijuana dispensary has submitted the following:

395 (A) The application fee, to be set by the Department of Revenue;

396 (B) An application that includes:

397 (i) The legal name of the medical marijuana dispensary;

398 (ii) The physical address of the medical marijuana dispensary and the physical
 399 address of one additional location, if any, where marijuana will be cultivated, neither
 400 of which shall be within 500 feet of a public or private school existing before the date
 401 of the medical marijuana dispensary application; and

402 (iii) The name, address, and date of birth of each medical marijuana dispensary agent;

403 (C) Operating procedures consistent with Department of Revenue rules for oversight
 404 of medical marijuana dispensaries, including procedures to ensure accurate record
 405 keeping and adequate security measures; and

406 (D) If the city, town, or county in which the medical marijuana dispensary would be
 407 located has enacted zoning restrictions, a sworn statement certifying that the medical
 408 marijuana dispensary is in compliance with the restrictions;

409 (2) None of the principal officers or board members has been convicted of a felony
 410 offense;

411 (3) None of the principal officers or board members has served as a principal officer or
412 board member for a medical marijuana dispensary that has had its registration certificate
413 revoked; and

414 (4) None of the principal officers or board members is under 21 years of age.

415 (c) The Department of Revenue may conduct a criminal records check in order to carry out
416 this Code section.

417 43-34-127.1.

418 (a) A medical marijuana dispensary agent shall be registered with the Department of
419 Revenue before working or volunteering at a medical marijuana dispensary.

420 (b) A medical marijuana dispensary may apply to the Department of Revenue for a registry
421 identification card for a medical marijuana dispensary agent by submitting:

422 (1) The name, address, and date of birth of the medical marijuana dispensary agent;

423 (2) A medical marijuana dispensary agent application;

424 (3) A statement signed by the prospective medical marijuana dispensary agent pledging
425 not to divert marijuana to anyone who is not allowed to possess marijuana pursuant to
426 this article; and

427 (4) The application fee.

428 (c) A registered medical marijuana dispensary shall notify the Department of Revenue
429 within ten days after a medical marijuana dispensary agent ceases to be employed by or
430 volunteer at the registered medical marijuana dispensary.

431 (d) No person who has been convicted of a felony offense shall be a medical marijuana
432 dispensary agent.

433 (e) The Department of Revenue may conduct a criminal records check in order to carry out
434 this Code section.

435 43-34-127.2.

436 The Department of Revenue shall issue each medical marijuana dispensary agent a registry
437 identification card and log-in information for the verification system within five days of
438 approving the application or renewal.

439 43-34-127.3.

440 Registry identification cards for medical marijuana dispensary agents shall contain the
441 following:

442 (1) The name, address, and date of birth of the medical marijuana dispensary agent;

443 (2) A statement that the cardholder is a medical marijuana dispensary agent;

- 444 (3) The legal name of the registered medical marijuana dispensary with which the
445 medical marijuana dispensary agent is affiliated;
446 (4) A random 20 digit alphanumeric identification number that is unique to the
447 cardholder;
448 (5) The date of issuance and expiration date of the registry identification card; and
449 (6) A photograph, if required by the Department of Revenue.

450 43-34-127.4.

451 (a) The Department of Revenue shall deny a registry identification card to a medical
452 marijuana dispensary agent if:

453 (1) The applicant does not meet the requirements of paragraph (9) of Code Section
454 43-34-122;

455 (2) The applicant or medical marijuana dispensary did not provide the required
456 information;

457 (3) The applicant previously had a registry identification card revoked for violating this
458 article; or

459 (4) The applicant or medical marijuana dispensary provides false information.

460 (b) The Department of Revenue may conduct a criminal records check of each medical
461 marijuana dispensary agent applicant to carry out this Code section.

462 (c) The Department of Revenue shall give written notice to the registered medical
463 marijuana dispensary of the reason for denying a registry identification card to a medical
464 marijuana dispensary agent.

465 (d) Denial of an application or renewal is considered a final decision of the Department
466 of Revenue subject to judicial review pursuant to Chapter 13 of Title 50, the 'Georgia
467 Administrative Procedure Act.' Initial judicial review of a final decision of the Department
468 of Revenue shall be held solely in the Superior Court of Fulton County.

469 43-34-127.5.

470 (a) All registry identification cards and registration certificates expire one year after date
471 of issue.

472 (b) A registry identification card of a medical marijuana dispensary agent shall be canceled
473 and his or her access to the verification system shall be deactivated upon notification to the
474 Department of Revenue by a registered medical marijuana dispensary that the medical
475 marijuana dispensary agent is no longer employed by or no longer volunteers at the
476 registered medical marijuana dispensary.

477 (c) A renewal medical marijuana dispensary registration certificate shall be issued within
478 ten days of receipt of the prescribed renewal application and renewal fee from a registered

479 medical marijuana dispensary if its registration certificate is not under suspension and has
 480 not been revoked.

481 (d) If a medical marijuana dispensary agent loses his or her registry identification card, he
 482 or she shall promptly notify the Department of Revenue. Within five days of the
 483 notification, and upon payment of a fee to be determined by the Department of Revenue,
 484 the Department of Revenue shall issue a new registry identification card with a new
 485 random 20 digit alphanumeric identification number to the medical marijuana dispensary
 486 agent.

487 43-34-127.6.

488 (a) A medical marijuana dispensary agent shall notify the Department of Revenue within
 489 14 days of any change in his or her name or address.

490 (b) When a cardholder notifies the Department of Revenue of any changes listed in
 491 subsection (a) of this Code section but remains eligible under this article, the Department
 492 of Revenue shall issue the cardholder a new registry identification card with a new random
 493 20 digit alphanumeric identification number within ten days of receiving the updated
 494 information and a fee to be determined by the Department of Revenue.

495 (c) A medical marijuana dispensary agent who fails to comply with subsection (a) of this
 496 Code section shall be subject to a civil penalty of not more than \$150.00.

497 43-34-128.

498 Cities, towns, and counties may enact reasonable zoning regulations that limit the use of
 499 land for registered medical marijuana dispensaries to specified areas in the manner
 500 provided in Chapter 66 of Title 36, 'The Zoning Procedures Law.'

501 43-34-129.

502 (a) Any nursing care institution, hospice, assisted living center, assisted living facility,
 503 assisted living home, residential care institution, adult day health care facility, or other
 504 adult care facility licensed under Chapter 7 of Title 31 may adopt reasonable restrictions
 505 on the use of marijuana by its residents or persons receiving inpatient services, including
 506 that:

507 (1) The facility shall not store or maintain the qualifying patient's supply of marijuana;

508 (2) The facility, caregivers, or hospice agencies serving the facility's residents are not
 509 responsible for providing the marijuana for qualifying patients;

510 (3) Marijuana shall be consumed by a method other than smoking; and

511 (4) Marijuana shall be consumed only in a place specified by the facility.

512 (b) Nothing in this Code section requires a facility listed in subsection (a) of this Code
513 section to adopt restrictions on the medical use of marijuana.

514 (c) A facility listed in subsection (a) of this Code section shall not unreasonably limit a
515 registered qualifying patient's access to or use of marijuana authorized under this article
516 unless failing to do so would cause such facility to lose a monetary or licensing related
517 benefit under federal law or regulations.

518 43-34-130.

519 (a) The operating procedures of a registered medical marijuana dispensary shall include
520 procedures for the oversight of the registered medical marijuana dispensary and procedures
521 to ensure accurate record keeping.

522 (b) A registered medical marijuana dispensary shall have a single secure entrance and shall
523 implement appropriate security measures to deter and prevent the theft of marijuana and
524 unauthorized entrance into areas containing marijuana.

525 (c) A registered medical marijuana dispensary shall be prohibited from acquiring,
526 possessing, cultivating, manufacturing, delivering, transferring, transporting, supplying, or
527 dispensing marijuana for any purpose except to assist registered qualifying patients with
528 the medical use of marijuana directly or through the registered qualifying patients'
529 designated caregivers.

530 (d) All cultivation of marijuana shall take place in an enclosed, locked facility at a physical
531 address provided to the Department of Revenue during the registration process, and such
532 facility shall be accessed only by registered medical marijuana dispensary agents associated
533 in the registry with the medical marijuana dispensary.

534 (e) A registered medical marijuana dispensary may acquire usable marijuana or marijuana
535 plants from a registered qualifying patient or registered designated caregiver only if the
536 registered qualifying patient or registered designated caregiver receives no compensation
537 for the marijuana.

538 (f) A registered medical marijuana dispensary shall not permit any person to consume
539 marijuana on the property of such medical marijuana dispensary.

540 (g) Registered medical marijuana dispensaries shall be subject to reasonable inspection by
541 the Department of Revenue. The Department of Revenue shall give reasonable notice of
542 an inspection under this subsection.

543 43-34-131.

544 (a) Before marijuana may be dispensed to a registered qualifying patient or registered
545 designated caregiver, a medical marijuana dispensary agent shall access the verification
546 system and shall determine for whom the marijuana is intended and any registered

547 designated caregiver transporting the marijuana to the registered qualifying patient and
 548 that:

549 (1) The registry identification card presented to the registered medical marijuana
 550 dispensary agent is valid;

551 (2) Each person presenting a registry identification card is the person identified on the
 552 registry identification card presented to the medical marijuana dispensary agent; and

553 (3) The amount to be dispensed would not cause the registered qualifying patient to
 554 exceed the allowable amount of marijuana during any 14 day period.

555 (b) After making the determinations required in subsection (a) of this Code section, but
 556 before dispensing marijuana to a registered qualifying patient or registered designated
 557 caregiver on a registered qualifying patient's behalf, a medical marijuana dispensary agent
 558 shall enter the following information in the verification system:

559 (1) How much marijuana is being dispensed to the registered qualifying patient;

560 (2) Whether marijuana was dispensed directly to the registered qualifying patient or to
 561 the registered qualifying patient's registered designated caregiver;

562 (3) The date and time the marijuana was dispensed; and

563 (4) The registry identification card number of the medical marijuana dispensary and of
 564 the medical marijuana dispensary agent who dispensed the marijuana.

565 43-34-132.

566 (a) The department shall establish, maintain, and utilize, directly or by contract, a tracking
 567 system to monitor medical marijuana that is grown, processed, transferred, stored, or
 568 disposed of pursuant to this article.

569 (b) The tracking system shall have the functions and capabilities described in this Code
 570 section and shall be operated in compliance with the federal Health Insurance Portability
 571 and Accountability Act of 1996, P.L. 104-191.

572 (c) The tracking system shall be hosted on a platform that allows for:

573 (1) Dynamic allocation of resources;

574 (2) Data redundancy; and

575 (3) Recovery from natural disaster within hours.

576 (d) The tracking system shall be capable of:

577 (1) Tracking all plants, products, packages, qualifying patient and designated caregiver
 578 purchase totals, waste, transfers, conversions, sales, and returns that, if practicable, are
 579 linked to unique identification numbers;

580 (2) Tracking lot and batch information throughout the entire chain of custody;

581 (3) Tracking all products, conversions, and derivatives throughout the entire chain of
 582 custody;

- 583 (4) Tracking plant, batch, and product destruction;
584 (5) Tracking transportation of product;
585 (6) Performing complete batch recall tracking that clearly identifies all of the following
586 details relating to the specific batch subject to the recall:
587 (A) Sold product;
588 (B) Product inventory that is finished and available for sale;
589 (C) Product that is in the process of transfer;
590 (D) Product being processed into another form; and
591 (E) Postharvest raw product, such as product that is in the drying, trimming, or curing
592 process;
593 (7) Reporting and tracking loss, theft, or diversion of product containing cannabis;
594 (8) Reporting and tracking all inventory discrepancies;
595 (9) Reporting and tracking adverse qualifying patient responses or dose related efficacy
596 issues;
597 (10) Reporting and tracking all sales and refunds;
598 (11) Tracking qualifying patient purchase limits and flagging purchases in excess of
599 authorized limits;
600 (12) Receiving electronically submitted information required to be reported under this
601 Code section;
602 (13) Receiving testing results electronically from a safety compliance facility via a
603 secured application program interface into the tracking system and directly linking the
604 testing results to each applicable source batch and sample;
605 (14) Flagging test results that have characteristics indicating that they may have been
606 altered;
607 (15) Providing information to cross-check that product sales are made to a qualifying
608 patient or designated caregiver and that the product received the required testing;
609 (16) Providing the department, local law enforcement agencies, and state law
610 enforcement agencies with real-time access to information in the database; and
611 (17) Providing real-time analytics to the department regarding key performance
612 indicators including:
613 (A) Total daily sales;
614 (B) Total plants in production;
615 (C) Total plants destroyed; and
616 (D) Total inventory adjustments.
617 (e) A medical marijuana dispensary shall supply the relevant tracking or testing
618 information in the form the department requires regarding each plant, product, package,
619 batch, test, transfer, conversion, sale, recall, or disposition of medical marijuana in or from

620 the dispensary's possession or control. The medical marijuana dispensary shall include
 621 information identifying the qualifying patient to or for whom each sale was made and, if
 622 applicable, the designated caregiver to whom each sale was made. The department may
 623 require that the information be submitted electronically.

624 43-34-133.

625 (a) Within 120 days of the effective date of this article, the department and Department of
 626 Revenue shall establish a verification system.

627 (b) The verification system shall disclose:

628 (1) The name of the cardholder but shall not disclose the cardholder's address; and

629 (2) The amount of marijuana that each registered qualifying patient received from
 630 medical marijuana dispensaries during the past 60 days.

631 (c) The verification system shall include the following data security features:

632 (1) Any time an authorized user enters five invalid registry identification numbers within
 633 five minutes, such user cannot log in to the system again for ten minutes;

634 (2) An authorized user's log-in information shall be deactivated after five incorrect log-in
 635 attempts until the authorized user contacts the Department of Revenue and verifies his
 636 or her identity; and

637 (3) The server shall reject any log-in request that is not sent over an encrypted
 638 connection.

639 43-34-134.

640 The department and the Department of Revenue shall submit to the General Assembly an
 641 annual report that shall not disclose any identifying information about cardholders, medical
 642 marijuana dispensaries, or physicians but shall contain all of the following information:

643 (1) The number of registry identification card applications and renewals;

644 (2) The number of qualifying patients and designated caregivers approved in each
 645 county;

646 (3) The nature of the debilitating medical conditions of the qualifying patients;

647 (4) The number of registry identification cards revoked;

648 (5) The number of physicians providing written certifications for qualifying patients;

649 (6) The number of registered medical marijuana dispensaries; and

650 (7) The number of medical marijuana dispensary agents in each county.

651 43-34-135.

652 (a) The following information received and records kept by the department and the
 653 Department of Revenue for purposes of administering this article shall be confidential, in

654 accordance with this Code section except as necessary for authorized employees of the
655 department and the Department of Revenue to perform their official duties pursuant to this
656 article:

657 (1) Applications or renewals, their contents, and supporting information submitted by
658 qualifying patients and designated caregivers, including information regarding their
659 designated caregivers and physicians;

660 (2) Applications or renewals, their contents, and supporting information submitted by or
661 on behalf of medical marijuana dispensaries in compliance with this article, including the
662 physical addresses of medical marijuana dispensaries; and

663 (3) The individual names and other information identifying cardholders.

664 (b) Any dispensing information that is required to be kept under Code Section 43-34-131
665 or by department or Department of Revenue regulations shall identify cardholders by their
666 registry identification numbers and shall not contain names or other personally identifying
667 information.

668 (c) Any department and Department of Revenue hard drive or other data recording media
669 that are no longer in use and that contain cardholder information shall be destroyed. The
670 department and the Department of Revenue shall retain a signed statement from a
671 department or Department of Revenue employee confirming the destruction.

672 (d) Data subject to this Code section shall not be combined or linked in any manner with
673 any other list or data base, and it shall not be used for any purpose not provided for in this
674 article.

675 (e) Nothing in this Code section precludes the following notifications:

676 (1) Department employees and Department of Revenue employees may notify law
677 enforcement about falsified or fraudulent information submitted to the department and
678 Department of Revenue if the employee who suspects that falsified or fraudulent
679 information has been submitted has conferred with his or her supervisor and both agree
680 that the circumstances warrant reporting;

681 (2) The department and the Department of Revenue may notify state or local law
682 enforcement about apparent criminal violations of this article if the employee who
683 suspects the offense has conferred with his or her supervisor and both agree that the
684 circumstances warrant reporting; and

685 (3) Medical marijuana dispensary agents may notify the Department of Revenue of a
686 suspected violation or attempted violation of this article or Department of Revenue rules.

687 (f) Nothing in this Code section precludes submission of the annual report to the General
688 Assembly under Code Section 43-34-134. Such annual report shall be subject to Article 4
689 of Chapter 18 of Title 50, relating to open records.

690 43-34-136.

691 (a) No school or landlord shall refuse to enroll or lease to and shall not otherwise penalize
692 a person solely for his or her status as a cardholder unless failing to do so would cause the
693 school or landlord to lose a monetary or licensing related benefit under federal law or
694 regulations.

695 (b) Unless a failure to do so would cause an employer to lose a monetary or licensing
696 related benefit under federal law or regulations, an employer shall not discriminate against
697 a person in hiring, terminating, or imposing any term or condition of employment or
698 otherwise penalize a person based upon either:

699 (1) The person's status as a cardholder; or

700 (2) A registered qualifying patient's positive drug test for marijuana components or
701 metabolites, unless the qualifying patient used, possessed, or was impaired by marijuana
702 on the premises of the place of employment or during the hours of employment.

703 (c) For the purposes of medical care, including organ transplants, a registered qualifying
704 patient's authorized use of medical marijuana shall be considered the equivalent of the use
705 of any other medication under the direction of a physician and shall not constitute the use
706 of an illicit substance or otherwise disqualify a registered qualifying patient from medical
707 care.

708 (d) No person shall be denied custody of or visitation or parenting time with a minor, and
709 there shall be no presumption of neglect or child endangerment, for conduct allowed under
710 this article, unless the person's behavior creates an unreasonable danger to the safety of the
711 minor as established by clear and convincing evidence.

712 43-34-137.

713 (a) Nothing in this article shall require:

714 (1) A government medical assistance program or private health insurer to reimburse a
715 person for costs associated with the medical use of marijuana;

716 (2) Any person or establishment in lawful possession of property to allow a guest, client,
717 customer, or other visitor to use marijuana or medical marijuana on or in such property;
718 or

719 (3) An employer to allow the ingestion of medical marijuana in any workplace or any
720 employee to work while under the influence of medical marijuana, provided that a
721 registered qualifying patient shall not be considered to be under the influence of
722 marijuana solely because of the presence of metabolites or components of marijuana that
723 appear in insufficient concentration to cause impairment.

724 (b) Nothing in this article shall prohibit an employer from disciplining an employee for
725 ingesting marijuana or medical marijuana in the workplace or working while under the
726 influence of marijuana.

727 43-34-138.

728 (a) The Department of Revenue shall immediately revoke the registry identification card
729 of a medical marijuana dispensary agent who violates subsection (d) of Code Section
730 43-34-127.1 or subsection (b) of Code Section 43-34-139. The Department of Revenue
731 shall suspend or revoke the registry identification card of a medical marijuana dispensary
732 agent for other violations of this article.

733 (b) The Department of Revenue shall immediately revoke the registration certificate of a
734 registered medical marijuana dispensary that violates subsection (b) or (c) of Code Section
735 43-34-139, and its board members and principal officers shall not serve as the board
736 members or principal officers for any other registered medical marijuana dispensary.

737 (c) Any cardholder who sells marijuana to a person who is not allowed to possess
738 marijuana for medical purposes under this article shall have his or her registry
739 identification card revoked and shall be subject to other penalties for the unauthorized sale
740 of marijuana and other applicable offenses.

741 (d) The department or Department of Revenue may revoke the registry identification card
742 of any cardholder who knowingly violates this article, and the cardholder shall be subject
743 to other penalties for the applicable offense.

744 (e) Revocation under this Code section is a final decision of the department or the
745 Department of Revenue subject to judicial review pursuant to Chapter 13 of Title 50, the
746 'Georgia Administrative Procedure Act.'

747 43-34-139.

748 (a) A registered qualifying patient shall not directly, or through his or her designated
749 caregiver, obtain more than two ounces of marijuana from registered medical marijuana
750 dispensaries in any 14 day period.

751 (b) A registered medical marijuana dispensary or registered medical marijuana dispensary
752 agent shall not dispense, deliver, or otherwise transfer marijuana to a person other than
753 another registered medical marijuana dispensary, a registered qualifying patient, or a
754 registered qualifying patient's registered designated caregiver.

755 (c) A registered medical marijuana dispensary shall not acquire usable marijuana or mature
756 marijuana plants from any person other than another registered medical marijuana
757 dispensary, a registered qualifying patient, or a registered designated caregiver. Anyone
758 who knowingly violates this subsection shall be guilty of a felony and, upon conviction

759 thereof, shall be punished by imprisonment for not less than one nor more than five years,
760 a fine not to exceed \$5,000.00, or both.

761 (d) It shall be a misdemeanor of a high and aggravated nature which shall be punishable
762 by not more than 12 months' imprisonment and a fine not to exceed \$5,000.00 for any
763 person, including an employee or official of the department, the Department of Revenue,
764 or another state agency or local government, to breach the confidentiality of information
765 obtained pursuant to this article.

766 (e) Making false statements to a law enforcement official about any fact or circumstance
767 relating to the medical use of marijuana to avoid arrest or prosecution is subject to a civil
768 penalty of not more than \$500.00, which shall be in addition to any other penalties that may
769 apply for making a false statement or for the use of marijuana other than use undertaken
770 pursuant to this article.

771 43-34-139.1.

772 The department and the Department of Revenue may accept private grants, gifts, donations,
773 contributions, and devises to assist in carrying out the provisions of this article.

774 43-34-139.2.

775 (a) If the department or the Department of Revenue fails to issue a registry identification
776 card within 45 days of the submission of a valid application or renewal, the registry
777 identification card shall be deemed issued, and a copy of the registry identification card
778 application or renewal shall be deemed a valid registry identification card.

779 (b) If at any time after the 120 days following the effective date of this article the
780 department is not accepting applications or has not promulgated rules allowing qualifying
781 patients to submit applications, a notarized statement by a qualifying patient containing the
782 information required in an application pursuant to paragraph (3) of subsection (a) of Code
783 Section 43-34-125, together with a written certification issued by a physician within the 90
784 days immediately preceding the notarized statement, shall be deemed a valid registry
785 identification card.

786 43-34-139.3.

787 (a) As used in this Code section, the term 'conviction data' means a record of a finding or
788 verdict of guilty or plea of guilty or nolo contendere with regard to any crime regardless
789 of whether an appeal of the conviction has been sought.

790 (b) The department shall be authorized to obtain conviction data with respect to each
791 person applying as a designated caregiver under this article. The department shall submit
792 to the Georgia Crime Information Center two complete sets of fingerprints of the applicant

793 for appointment or employment, the required records search fees, and such other
794 information as may be required. Upon receipt of such material, the Georgia Crime
795 Information Center shall promptly forward one set of fingerprints to the Federal Bureau of
796 Investigation for a search of bureau records and the preparation of an appropriate report
797 concerning such records search and shall retain the other set and promptly conduct a search
798 of its own records and all records to which the center has access. The Georgia Crime
799 Information Center shall notify the department in writing of any derogatory finding,
800 including, but not limited to, any conviction data regarding the fingerprint records check
801 or if there is no such finding. All conviction data received by the department shall not be
802 a public record, shall be privileged, and shall not be disclosed to any other person or
803 agency except as provided in this Code section and except to any person or agency that
804 otherwise has a legal right to inspect the employment file. All such records shall be
805 maintained by the department pursuant to the laws regarding such records and the rules and
806 regulations of the Federal Bureau of Investigation and the Georgia Crime Information
807 Center, as applicable.

808 (c) The Department of Revenue shall be authorized to obtain conviction data with respect
809 to each person applying as a medical marijuana dispensary agent under this article. The
810 Department of Revenue shall submit to the Georgia Crime Information Center two
811 complete sets of fingerprints of the applicant for appointment or employment, the required
812 records search fees, and such other information as may be required. Upon receipt of such
813 material, the Georgia Crime Information Center shall promptly forward one set of
814 fingerprints to the Federal Bureau of Investigation for a search of bureau records and the
815 preparation of an appropriate report concerning such records search and shall retain the
816 other set and promptly conduct a search of its own records and all records to which the
817 center has access. The Georgia Crime Information Center shall notify the Department of
818 Revenue in writing of any derogatory finding, including, but not limited to, any conviction
819 data regarding the fingerprint records check or if there is no such finding. All conviction
820 data received by the Department of Revenue shall not be a public record, shall be
821 privileged, and shall not be disclosed to any other person or agency except as provided in
822 this Code section and except to any person or agency that otherwise has a legal right to
823 inspect the employment file. All such records shall be maintained by the Department of
824 Revenue pursuant to the laws regarding such records and the rules and regulations of the
825 Federal Bureau of Investigation and the Georgia Crime Information Center, as applicable.
826 (d) The department and the Department of Revenue shall promulgate rules and regulations
827 as are necessary to implement and effectuate the provisions of this Code section.

828 43-34-139.4.

829 Medical marijuana is exempt from taxation by the state or any county, municipality,

830 authority, or political subdivision of this state."

831

SECTION 3.

832 All laws and parts of laws in conflict with this Act are repealed.