

## Senate Resolution 983

By: Senators Brass of the 28th, Unterman of the 45th, Watson of the 1st, Kennedy of the 18th, Kirk of the 13th and others

## A RESOLUTION

1 Creating the Joint Study Commission on Low THC Medical Oil Access; and for other  
2 purposes.

3 WHEREAS, the State of Georgia recognizes the legitimate use of medical cannabis oil for  
4 health care, including palliative care, while in no way diminishing this state's strong public  
5 policy and laws against illegal drug use and in no way advocating, authorizing, promoting,  
6 or legally or socially accepting the use of marijuana for any nonmedical use; and

7 WHEREAS, the use of low THC oil was legalized for a select number of Georgia patients  
8 in 2016; and

9 WHEREAS, since that time, many patients in Georgia have benefited from its use and  
10 pediatric patients with severe neurological disorders have made significant improvements as  
11 a result of treatment; and

12 WHEREAS, thousands of Georgians have serious medical conditions that have been or can  
13 be improved by the medically approved use of cannabis oil; and

14 WHEREAS, cannabis oil has many accepted uses in the United States, having been  
15 recommended by thousands of licensed physicians to more than one million patients in states  
16 with medical cannabis laws; and

17 WHEREAS, a wide range of medical and public health organizations, including the  
18 American Academy of HIV Medicine, the American College of Physicians, the American  
19 Nurses Association, the American Public Health Association, the Leukemia & Lymphoma  
20 Society, the Epilepsy Foundation, and many others, have recognized the medical utility of  
21 cannabis oil; and

22 WHEREAS, with the passage of Section 538 of the federal Consolidated and Further  
23 Continuing Appropriations Act of 2015, P.L. 113-235, 128 Stat. 2130 (2014) ("2015  
24 Appropriations Act"), the Congress of the United States of America has determined that  
25 states should not be prevented from implementing their own medical cannabis laws and their  
26 residents should not be prosecuted when acting in compliance with state medical cannabis  
27 laws, an opinion confirmed in the federal court opinion in the case of *United States of*  
28 *America v. Marin Alliance for Medical Marijuana and Lynette Shaw*, in the United States  
29 District Court for the Northern District of California in 2016; and

30 WHEREAS, the federal government continues to block the distribution and purchase of low  
31 THC oil across state lines; and

32 WHEREAS, this puts Georgia patients in the unacceptable position of needing medicine that  
33 is legal under state law and having no way to obtain it; and

34 WHEREAS, Georgia patients need a safe and legal way to obtain low THC medical oil that  
35 is authorized under state law; and

36 WHEREAS, no steps taken to provide low THC medical oil to patients should in any way  
37 foster the growth of a recreational marijuana industry in Georgia; and

38 WHEREAS, the State of Georgia strongly opposes the creation of a recreational marijuana  
39 industry of any kind in Georgia; and

40 WHEREAS, to fulfill this need, the General Assembly should begin a study regarding the  
41 in-state access of medical cannabis, low THC oil, including, but not limited to, the security  
42 and control of all aspects of the process from acquisition and planting of seeds to final  
43 destruction of any unused portion of the plant; quality control of all aspects of the  
44 manufacturing process, including, but not limited to, product labeling and independent  
45 testing for purity and safety; and all aspects of dispensing the final product, including, but  
46 not limited to, security, competency of the dispensing staff, training on dosing, and proper  
47 delivery methods; and

48 WHEREAS, such study should provide findings on how to ensure proper security safeguards  
49 and systems for evaluating qualifications of potential licensees and contain a plan to ensure  
50 that low THC oil is readily available in all parts of the state at an affordable price to patients  
51 and caregivers who are properly registered in the state.

52 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
53 GEORGIA:

54 (1) **Creation of the commission.** There is created the Joint Study Commission on Low  
55 THC Medical Oil Access.

56 (2) **Members and officers.**

57 (A) The commission shall be composed of ten members.

58 (B) The President of the Senate shall appoint three members of the Senate as members  
59 of the commission and shall designate one of such members as cochairperson. The  
60 President of the Senate shall also appoint two citizens of this state to serve as members.

61 (C) The Speaker of the House of Representatives shall appoint three members of the  
62 House of Representatives as members of the commission and shall designate one of  
63 such members as cochairperson. The Speaker of the House of Representatives shall  
64 also appoint two citizens of this state to serve as members.

65 (3) **Powers and duties.** The commission shall undertake a study of the conditions,  
66 needs, issues, and problems mentioned above or related thereto and recommend any  
67 action or legislation which the commission deems necessary or appropriate.

68 (4) **Meetings.** The cochairpersons shall call all meetings of the commission. The  
69 commission may conduct such meetings at such places and at such times as it may deem  
70 necessary or convenient to enable it to exercise fully and effectively its powers, perform  
71 its duties, and accomplish the objectives and purposes of this resolution.

72 (5) **Allowances, expenses, and funding.**

73 (A) The legislative members of the commission shall receive the allowances provided  
74 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

75 (B) Members of the commission who are not legislators shall receive a daily expense  
76 allowance in an amount the same as that specified in subsection (b) of Code  
77 Section 45-7-21 of the Official Code of Georgia Annotated, as well as the mileage or  
78 transportation allowance authorized for state employees.

79 (C) The allowances and expenses authorized by this resolution shall not be received  
80 by any member of the commission for more than five days unless additional days are  
81 authorized. Funds necessary to carry out the provisions of this resolution shall come  
82 from funds appropriated to the Senate and the House of Representatives.

83 (6) **Report.**

84 (A) In the event the commission adopts any specific findings or recommendations that  
85 include suggestions for proposed legislation, the cochairpersons shall file a report of the  
86 same prior to the date of abolishment specified in this resolution, subject to  
87 subparagraph (C) of this paragraph.

88 (B) In the event the commission adopts a report that does not include suggestions for  
89 proposed legislation, the cochairpersons shall file the report, subject to  
90 subparagraph (C) of this paragraph.

91 (C) No report shall be filed unless the same has been approved prior to the date of  
92 abolishment specified in this resolution by majority vote of a quorum of the  
93 commission. A report so approved shall be signed by the cochairpersons of the  
94 commission and filed with the Secretary of the Senate and the Clerk of the House of  
95 Representatives.

96 (D) In the absence of an approved report, the cochairpersons may file with the  
97 Secretary of the Senate and the Clerk of the House of Representatives copies of the  
98 minutes of the meetings of the commission in lieu thereof.

99 (7) **Abolishment.** The commission shall stand abolished on December 1, 2018.