

MOOT

Senator Cowser of the 46th offered the following amendment:

1 *Amend the AM #1 to the House substitute to SB 195 (LC 44 1755S) by inserting on line 4 the*
2 *following:*

3 To amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and
4 offenses, so as to update and revise provisions relating to access to medical cannabis; to
5 revise definitions; to provide for review of new treatment and delivery methods; to repeal
6 a provision relating to the role of Georgia universities and testing of specifications; to
7 revise provisions relating to dispensing; to provide for the issuance of dispensing licenses
8 to independent pharmacies and production licensees; to provide for recommendations and
9 input from the oversight committee; to provide for coordination with the Georgia
10 Composite Medical Board; to provide for permits to colleges and universities within this
11 state to conduct medical research via a bona fide partnership with a Class 1 or Class 2
12 production licensee; to move epidiolex from a Schedule V controlled substance to a
13 dangerous drug; to provide for related matters; to provide for legislative findings; to
14 provide for application; to repeal conflicting laws; and for other purposes.

15 *By striking lines 16 through 30 and inserting in lieu thereof the following:*

16 **SECTION 1.**

17 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
18 amended by revising Code Section 16-12-200, relating to definitions, as follows:

19 *By striking "SECTION 3." on line 73 and inserting in its place "SECTION 2."*

20 *By striking "SECTION 4." on line 118 and inserting in its place "SECTION 3."*

21 *By striking "SECTION 5." on line 157 and inserting in its place "SECTION 4."*

22 *By striking "SECTION 6." on line 160 and inserting in its place "SECTION 5."*

23 *By striking lines 164 through 194 and inserting in lieu thereof the following:*

24 (a)(1) The State Board of Pharmacy shall develop an annual, nontransferable specialty
25 dispensing license for a pharmacy to dispense low THC oil and products to registered
26 patients. The State Board of Pharmacy shall develop rules and regulations regarding
27 dispensing pharmacies in this state in accordance with the requirements contained in
28 subsection (b) of this Code section.

29 (2) Upon request by a licensed pharmacy in this state, the State Board of Pharmacy shall
30 be authorized to develop an annual, nontransferable specialty dispensing license for an
31 independent pharmacy with a registered office located within this state to dispense low
32 THC oil and products to registered patients. The State Board of Pharmacy shall develop
33 rules and regulations regarding dispensing pharmacies in this state in accordance with the
34 requirements contained in subsection (b) of this Code section.

35 ~~(2)~~(3) The commission shall be authorized to develop an annual, nontransferable
36 dispensing license for retail outlets to dispense low THC oil and products to registered
37 patients. The commission shall develop rules and regulations regarding retail dispensing
38 licensees in this state in accordance with the requirements contained in subsection (b) of
39 this Code section.

40 (4) The commission shall be authorized to develop an annual, nontransferable dispensing
41 license for other retail outlets operated by Class 1 and Class 2 production licensees to
42 dispense low THC oil and products to registered patients. The commission shall develop
43 rules and regulations regarding retail dispensing licensees in this state in accordance with
44 the requirements contained in subsection (b) of this Code section.

- 45 (5) The commission shall issue a sufficient number of dispensing licenses pursuant to
 46 paragraphs (3) and (4) of this subsection for retail outlets to make their products available
 47 to registered patients throughout the state. ~~The commission shall ensure that retail outlets~~
 48 are dispersed throughout the state for access by registered patients. In determining the
 49 sufficient number of retail licensees, the commission shall consider the following factors:
 50 (A) Provision of a sufficient number of licensees in each geographic area of the state
 51 to provide for market competition on pricing, product diversity, and treatment
 52 formulations between licensees; and
 53 (B) Enabling dispensing licensees to provide home delivery of products to medically
 54 fragile registered patients throughout the state.
- 55 (b) The State Board of Pharmacy and the commission shall jointly adopt rules relating to
 56 the dispensing of low THC oil and products by pharmacies and retail dispensing licensees.
 57 Such rules shall include but not be limited to:

58 *By striking lines 217 and 218 and inserting in lieu thereof the following:*

- 59 (10) Requirements for the issuance of dispensing licenses to pharmacies, independent
 60 pharmacies, retail outlets, and other retail outlets operated by Class 1 and Class 2
 61 production licensees."

62 *By striking "SECTION 7." on line 219 and inserting in its place "SECTION 6."*

63 *By striking "SECTION 8." on line 246 and inserting in its place "SECTION 7."*

64 *By striking "SECTION 9." on line 277 and inserting in its place "SECTION 8."*

65 *By striking line 278 and inserting in lieu thereof the following:*

66 Said title is further amended by revising subsections (a) and (b) of Code Section

67 *By striking lines 330 through 332 and inserting in lieu thereof the following:*

68 (11) Sufficient documentation to prove that a \$1.5 million cash bond payable to the State
69 of Georgia or an irrevocable letter of credit can be

70 *By striking lines 349 through 352.*

71 *By striking "SECTION 10." on line 353 and inserting in its place "SECTION 9."*

72 *By striking line 354 and inserting in lieu thereof the following:*

73 Said title is further amended by revising subsections (a) and (b) of Code Section

74 *By striking lines 406 through 408 and inserting in lieu thereof the following:*

75 (11) Sufficient documentation to prove that a \$625,000.00 cash bond payable to the State
76 of Georgia or an irrevocable letter of credit can be

77 *By striking lines 425 through 428.*

78 *By striking "SECTION 11." on line 429 and inserting in its place "SECTION 10."*

79 *By striking "SECTION 12." on line 490 and inserting in its place "SECTION 11."*

80 *By striking lines 495 through 504 and inserting in lieu thereof the following:*

81 (a) No licensee shall operate in any location, whether for cultivation, harvesting, and
82 processing of marijuana or for processing, manufacturing, packaging, or distributing low
83 THC oil or products, within a ~~3,000~~ 1,000 foot radius of a covered entity, measured from
84 property boundary to property boundary. No dispensing licensee may operate in any

85 location within a 1,000 foot radius of a covered entity, measured from property boundary
86 to property boundary. As used in this subsection, the

87 *By striking "SECTION 13." on line 512 and inserting in its place "SECTION 12."*

88 *By striking "SECTION 14." on line 525 and inserting in its place "SECTION 13."*

89 *By striking lines 553 through 582.*

90 *By striking "SECTION 16." on line 583 and inserting in its place "SECTION 14."*

91 *By striking "SECTION 17." on line 603 and inserting in its place "SECTION 15."*

92 *By striking "SECTION 18." on line 625 and inserting in its place "SECTION 16."*

93 *By striking "SECTION 19." on line 631 and inserting in its place "SECTION 17."*

94 *By striking "SECTION 20." on line 641 and inserting in its place "SECTION 18."*

95 *By striking "SECTION 21." on line 665 and inserting in its place "SECTION 19."*

96 *By striking "SECTION 22." on line 674 and inserting in its place "SECTION 20."*

97 *By striking "SECTION 23." on line 686 and inserting in its place "SECTION 21."*

98 *By striking "SECTION 24." on line 704 and inserting in its place "SECTION 22."*

99 *By striking lines 735 through 760 and inserting in lieu thereof the following:*

100 **SECTION 23.**

101 Said title is further amended in Code Section 16-13-29, relating to Schedule V controlled
102 substances, by revising paragraph (1.5) as follows:

103 ~~"(1.5) Epidiolex: A drug product in finished dosage formulation in its original container~~
104 ~~that has been approved by and labeled in compliance with the U.S. Food and Drug~~
105 ~~Administration (FDA) that contains cannabidiol (CBD) derived from cannabis and~~
106 ~~contains no more than 0.1 percent (w/w) residual tetrahydrocannabinols; Reserved;"~~

107 **SECTION 24.**

108 Said title is further amended in Code Section 16-13-71, relating to the definition of
109 dangerous drug, by adding a new paragraph to subsection (b) to read as follows:

110 "(332.88) Epidiolex: A drug product in finished dosage formulation in its original
111 container that has been approved by and labeled in compliance with the United States
112 Food and Drug Administration (FDA) that contains cannabidiol (CBD) derived from
113 cannabis and contains no more than 0.1 percent (w/w) residual tetrahydrocannabinols;"

114 *By striking "SECTION 28." on line 761 and inserting in its place "SECTION 25."*

115 *By striking "SECTION 29." on line 765 and inserting in its place "SECTION 26."*