

Detailed list of proposed amendments to chapter 11-850, HAR

- 1) Establish standards for dispensary-to-dispensary sales of cannabis and manufactured cannabis products, to implement statutory changes made by 2022 SLH Act 309 [§§31, 36, 38, 41, 45 (new section), 61, and 72]
 - a) Allow dispensary-to-dispensary sales of cannabis and manufactured cannabis products, with conditions [§§31, 45 (new section), 72]
 - i) Proposed purchasing plan submitted to department for approval thirty days prior to purchase; department may approve or deny a plan at its discretion
 - ii) Thirty-day purchase limit of eight hundred ounces of cannabis and manufactured cannabis products, based on the equivalent physical weight of the cannabis used to manufacture the manufactured cannabis products, calculated by the seller pursuant to section 329D-9(c)
 - iii) Petition process to allow exceedance of thirty-day purchase limit or proposed purchasing plan less than thirty days in advance if unforeseeable circumstances, such as fire, flood, or blight, reduced the petitioner's inventory to such an extent that patient access is currently or imminently threatened; department may grant or deny a petition at its discretion
 - iv) Cannabis and manufactured cannabis products sold to another dispensary licensee shall meet all applicable testing requirements in subchapter 9 and all transportation requirements of section 11-850-36
 - v) Allowance for dispensary-to-dispensary sale of cannabis and manufactured cannabis products that do not require re-testing by the purchasing dispensary licensee: cannabis and manufactured cannabis products intended for direct retail sale meeting all applicable packaging and labeling requirements for retail sale in subchapter 10 at the time of transportation to the purchasing licensee's production center; repackaging bulk packaged cannabis into retail packaging; putting bulk packaged oil into products designed for safe pulmonary administration; relabeling
 - b) Transport requirements [§36]
 - c) Tracking, recordkeeping, and reporting requirements [§§38, 41, 61]
- 2) Require transport of cannabis and manufactured cannabis products to be accompanied by at least one dispensary employee (transport must currently be accompanied by two employees) [§36]
- 3) Clarify transport requirements for all shipments of cannabis and manufactured cannabis products [§36]
 - a) Containers shall be packed, secured, and loaded in full view of security surveillance cameras for all shipments from a dispensary facility
 - b) Container shall be unloaded and unpacked in full view of security surveillance cameras for all shipments to a dispensary facility
 - c) Immediate report to department, investigation, and written report are required if any seal on a container in an incoming shipment is broken
 - d) A dispensary licensee undertakes transportation with the understanding that state law and its protections do not affect federal law and its enforcement

- 4) Limit total tetrahydrocannabinol per dose, serving, or single wrapped item to ten milligrams for edible cannabis products only (this limit currently applies to all manufactured cannabis products) [§76, 135, 142, and 143]
 - a) Limit is moved from section 142 to section 76 to apply more narrowly to edible cannabis products only, in accordance with the statutory limit in section 329D-11(b)
 - b) Conforming changes are made to references in sections 135 and 143
- 5) Limit total tetrahydrocannabinol per pack or container to one thousand milligrams for manufactured cannabis products only (this limit currently applies to cannabis and manufactured cannabis products) [§142]
 - a) Limit is applied more narrowly to manufactured cannabis products only, in accordance with the statutory limit in section 329D-11(b)
- 6) Allow dispensary locations to post up to two signs (only one sign is currently allowed), conforming with statutory changes made by 2023 SLH Act 108 [§141]
- 7) Establish standards for entry of dispensary facilities by infrastructure repair workers not on a department-approved list in an emergency situation, conforming with and implementing statutory changes made by 2023 SLH Act 108 [§51]
- 8) Clarify that each day on which a violation occurs or continues shall be counted as a separate violation, conforming with statutory changes made by 2022 SLH Act 309 [§151]