**PSS1 to SB47 – Medicinal Cannabis:**

Section-by-Section Summary

**Section 1 (pg. 1)**

Creates a new section of KRS Chapter 218A to define terms used in Sections 1 to 30

**Section 2 (pg. 7)**

Creates a new section of KRS Chapter 218A to provide general legal protections for cardholders, cannabis businesses, practitioners and other professionals involved in the medicinal cannabis industry or who may provide services to cannabis businesses

**Section 3 (pg. 9)**

Creates a new section of KRS Chapter 218A to establish the Cabinet for Health and Family Services' regulatory authority for the medicinal cannabis program and to establish the D Board of Physicians and Advisors

**Section 4 (pg. 15)**

Creates a new section of KRS Chapter 218A to establish purchase and possession limits for medicinal cannabis cardholders

**Section 5 (pg. 19)**

Creates a new section of KRS Chapter 218A to establish limits on search and seizure related to medicinal cannabis

**Section 6 (pg. 20)**

Creates a new section of KRS Chapter 218A to establish restrictions on the use of medicinal cannabis including while operating a motor vehicle, smoking, and public consumption

**Section 7 (pg. 22)**

Creates a new section of KRS Chapter 218A to establish employer rights related to medicinal cannabis

**Section 8 (pg. 23)**

Creates a new section of KRS Chapter 218A to establish civil rights (including parental and custodial rights, health care, and education rights) related to medicinal cannabis

**Section 9 (pg. 25)**

Creates a new section of KRS Chapter 218A to establish the authorization process for practitioners and the responsibilities and duties of practitioners authorized to recommend the use of medicinal cannabis

**Section 10 (pg. 29)**

Creates a new section of KRS Chapter 218A to establish eligibility for registry identification cards and the registry identification card application process

**Section 11 (pg. 33)**

Creates a new section of KRS Chapter 218A to establish requirements for registry identification cards and registry identification card fees

**Section 12 (pg. 36)**

Creates a new section of KRS Chapter 218A to establish the registry identification card application approval process

**Section 13 (pg. 39)**

Creates a new section of KRS Chapter 218A to require registry identification cardholders to make certain notifications to the department

**Section 14 (pg. 40)**

Creates a new section of KRS Chapter 218A to permit revocation of registry identification cards for certain violations

**Section 15 (pg. 41)**

Creates a new section of KRS Chapter 218A to establish cannabis business licenses and licensure fees and renewal fees

**Section 16 (pg. 42)**

Creates a new section of KRS Chapter 218A to establish the cannabis business license application process

**Section 17 (pg. 43)**

Creates a new section of KRS Chapter 218A to establish the cannabis business license application approval process

**Section 18 (pg. 45)**

Creates a new section of KRS Chapter 218A to establish general cannabis business requirements

**Section 19 (pg. 48)**

Creates a new section of KRS Chapter 218A to permit revocation of cannabis business licenses

**Section 20 (pg. 50)**

Creates a new section of KRS Chapter 218A to establish cultivator specific requirements

**Section 21 (pg. 51)**

Creates a new section of KRS Chapter 218A to establish dispensary specific requirements

**Section 22 (pg. 54)**

Creates a new section of KRS Chapter 218A to establish processor specific requirements

**Section 23 (pg. 55)**

Creates a new section of KRS Chapter 218A to establish producer specific requirements

**Section 24 (pg. 57)**

Creates a new section of KRS Chapter 218A to establish safety compliance facility specific requirements

**Section 25 (pgs. 58)**

Creates a new section of KRS Chapter 218A to permit local governments to prohibit the operation of cannabis businesses in their jurisdictions and to establish the process for prohibiting such operations

**Section 26 (pg. 63)**

Creates a new section of KRS Chapter 218A to establish date maintenance requirements for the department and to exempt certain information from Open Records requests

**Section 27 (pg. 65)**

Creates a new section of KRS Chapter 218A to establish the duties of the cabinet related to administration of the medicinal cannabis program and the promulgation of administrative regulations

**Section 28 (pg. 72)**

Creates a new section of KRS Chapter 218A to permit the Kentucky Center for Cannabis to approve additional medical conditions and diseases for the list of qualifying medical conditions

**Section 29 (pg. 73)**

Creates a new section of KRS Chapter 218A to establish that no third-party payer (including Medicaid, private insurance providers, etc) is required to provide coverage benefits for medicinal cannabis

**Section 30 (pg. 73)**

Creates a new section of KRS Chapter 218A to exempt medicinal cannabis from the excise tax established in KRS 138.870 to 138.889

**Section 31 (pg. 73)**

Amends KRS 138.870 to conform

**Section 32 (pg. 74)**

Amends KRS 139.480 to exempt medicinal cannabis from the state sales tax

**Section 33 (pg. 84)**

Amends KRS 216B.402 to require hospitals to report cases of cannabinoid hyperemesis syndrome to the department

**Section 34 (pg. 85)**

Amends KRS 218A.010 to exclude medicinal cannabis from the definition of marijuana

**Sections 35 to 37 (pg. 99)**

Amends KRS 218A.1421, 218A.1422, and 218A.1423 to exempt medicinal cannabis, medicinal cannabis cardholders, and cannabis businesses from the crimes of trafficking in marijuana, possession of marijuana, and marijuana cultivation

**Section 38 (pg. 102)**

Amends KRS 218A.202 to permit the use of the electronic system for monitoring controlled substances (KASPER) for all tracking and monitoring purposes under the medicinal cannabis program

**Section 39 (pg. 119)**

Amends KRS 218A.500 to exclude medicinal cannabis accessories from the definition of "drug paraphernalia"

**Section 40 (pg. 122)**

Amends KRS 260.850 to exclude medicinal cannabis from the definition of "industrial hemp" and "industrial hemp products"

**Section 41 (pg. 123)**

Amends KRS 342.815 to permit the employers' mutual insurance authority to deny coverage if providing coverage would subject the authority to violation of federal or state law

**Section 42 (pg. 124)**

Noncodified section to delay effective date of certain sections to January 1, 2025; administrative sections necessary for the cabinet to begin establishing the program have a normal effective date