



313234

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/01/2022	.	
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The Committee on Appropriations (Rodriguez) recommended the following:

Senate Amendment (with title amendment)

Delete lines 305 - 327

and insert:

department rule. The department may ~~select a random~~ sample marijuana from any medical marijuana treatment center ~~edibles~~ ~~available for purchase in a dispensing~~ facility which shall be tested by the department to determine whether ~~that~~ the edible meets the potency requirements of this section, whether the marijuana is safe for human consumption, and whether the edible



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11 labeling of the tetrahydrocannabinol and cannabidiol
12 concentration is accurate. The department may also compare the
13 marijuana labeling of tetrahydrocannabinol and cannabidiol
14 concentration to the testing laboratory results and may sample
15 marijuana delivery devices from a dispensing facility to
16 determine whether the marijuana delivery devices are functioning
17 in accordance with the specifications provided to, and approved
18 by, the department. A medical marijuana treatment center may not
19 require payment from the department for the sample. If ordered
20 by the department, a medical marijuana treatment center must
21 recall all edibles, including all edibles made from the same
22 batch of marijuana, which fail to meet the potency requirements
23 of this section, which are unsafe for human consumption, or for
24 which the labeling of the tetrahydrocannabinol and cannabidiol
25 concentration is inaccurate; recall all other marijuana from the
26 same batch of marijuana tested which is unsafe for human
27 consumption; and recall all marijuana delivery devices
28 determined to not be functioning in accordance with the
29 specifications provided to, and approved by, the department. At
30 any time before marijuana is dispensed to qualified patients or
31 caregivers, the medical marijuana treatment center may correct
32 the labeled potency to display accurate concentrations. By
33 October 1, 2022, the department shall establish by rule an
34 expedited process for retesting samples of marijuana and
35 marijuana delivery devices before ordering a recall, a process
36 for notifying patients of dispensed marijuana if the
37 concentration labeling differs from the laboratory testing
38 results, and a process for randomly auditing and inspecting
39 testing laboratories to ensure accurate marijuana testing



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40 results. The medical marijuana treatment

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42 ===== T I T L E A M E N D M E N T =====

43 And the title is amended as follows:

44 Delete lines 20 - 28

45 and insert:

46 department to sample marijuana from medical marijuana
47 treatment center facilities for certain testing;
48 authorizing the department to sample marijuana
49 delivery devices from dispensing facilities to
50 determine whether such devices are functioning in
51 accordance with approved specifications; requiring
52 medical marijuana treatment centers to recall
53 marijuana and marijuana delivery devices, rather than
54 only edibles, under certain circumstances; authorizing
55 medical marijuana treatment centers to correct the
56 potency labeling on marijuana at any time before
57 dispensing; requiring the department to establish
58 certain processes by rule by a specified date;
59 exempting the department and