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3 ORR AMENDMENT NO. 5 TO SUBSTITUTE FOR SB165  
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8 On page 16, after line 11, insert the following:

9 (d) Nothing in this chapter shall prohibit the  
10 Department of Human Resources from considering a parent or  
11 caretaker's use of medical cannabis as a factor for  
12 determining the welfare of a child in any of the following  
13 circumstances:

14 (1) There is evidence of child abuse or neglect.

15 (2) The best interest of a child is determined for  
16 custody purposes.

17 (3) A background check is performed for a  
18 prospective foster, adoptive, or kinship caretaker.  
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20 On page 37, after line 12, insert the following:

21 (h) A registered certifying physician may not  
22 lawfully recommend the use of medical cannabis with a potency  
23 greater than three percent tetrahydrocannabinol to any minor  
24 for any qualifying medical condition. A minor may not legally  
25 use medical cannabis with a potency greater than three percent  
26 tetrahydrocannabinol, whether or not the minor has a valid  
27 medical cannabis card. A parent or legal guardian of a minor

1       who holds a medical cannabis card may not legally possess  
2       medical cannabis with a potency greater than three percent  
3       tetrahydrocannabinol, unless the parent or guardian holds a  
4       valid medical cannabis card for his or her own qualifying  
5       medical condition.