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3 HOUSE JUDICIARY COMMITTEE AMENDMENT #9 TO SB46, AS ENGROSSED  
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8 On page 3, after line 21, insert the following:

9 (7) The State of Alabama, therefore, wishes to  
10 create a health care market for medical cannabis.

11 Notwithstanding any medical benefit of cannabis or cannabis  
12 derivatives, the recreational use of marijuana remains a  
13 significant threat to public health and safety. Allowing the  
14 cultivation, processing, dispensing, and use of cannabis for  
15 medical use without appropriate safeguards to prevent unlawful  
16 diversion for recreational use would pose a risk to public  
17 health and safety.

18 (8) The power to regulate intrastate commerce  
19 is vested in the several states under the Ninth and Tenth  
20 Amendments to the United States Constitution.

21 (9) The Ninth Amendment to the United States  
22 Constitution guarantees to the people rights not granted in  
23 the United States Constitution and reserves to the people of  
24 Alabama certain rights as they were understood at the time  
25 Alabama was admitted into statehood in 1819, and the guarantee  
26 of these rights is a matter of contract between the State  
27 of Alabama and its people and the United States as of the time

1 that the compact with the United States was agreed upon and  
2 adopted by Alabama and the United States in 1819.

3 (10) It is the intent of the Legislature to create  
4 within Alabama a wholly intrastate system for the cultivation,  
5 processing, and distribution of medical cannabis in the  
6 interest of protecting its own residents from the danger that  
7 recreational cannabis poses.

8 (11) Requiring licensees to prove a history of  
9 residency within the state for a period of time is directly  
10 related to avoiding an influx of companies engaged in the  
11 recreational production of marijuana; the state has a  
12 substantial interest in protecting its residents from the  
13 dangers of recreational marijuana.

14 (12) Requiring that licensed cultivators,  
15 processors, transporters, and dispensaries of cannabis for  
16 medical use possess the requisite skill, expertise, resources,  
17 and capital to conduct operations as proposed in their  
18 business plans, and favoring those applicants who already  
19 possess the requisite skill, expertise, resources, and  
20 capital, promotes the goals of stability in licensing and  
21 reduces the risks of unlawful diversion and misuse. A lengthy  
22 base of agronomic experience will help achieve those goals, as  
23 will past experience participating in an agronomic supply  
24 chain.

25 (13) Ensuring that all cultivation, processing,  
26 transportation, and dispensing operations remain intrastate in  
27 nature reduces the risk of exposing licensees to the potential

1 penalties of federal law based on the activities of their  
2 licensed operations.

3 (14) There is a pattern in states that have  
4 legalized the use of medical cannabis or medical marijuana;  
5 frequently, in the years following authorization of medical  
6 use, recreational marijuana is subsequently authorized. It is  
7 the intent of the Legislature to avoid a shift from medical  
8 cannabis usage to recreational marijuana usage. Therefore,  
9 safeguards to adequately protect the residents of this state  
10 are essential.

11  
12 On page 18, after line 26, insert a new Section  
13 20-2A-12 to read as follows:

14 §20-2A-12.

15 The provisions of this chapter are severable. If any  
16 part of this chapter is declared invalid or unconstitutional,  
17 the declaration shall not affect the part that remains.

18  
19 On page 51, after line 4, insert new subdivisions  
20 (10) and (11) as follows:

21 (10) Records indicating that a majority of ownership  
22 is attributable to an individual or individuals with proof of  
23 residence in this state for a continuous period of no less  
24 than 15 years preceding the application date.

25 (11) For an applicant seeking an integrated facility  
26 license or a cultivator license, records indicating that a  
27 majority of ownership is attributable to an individual or

1 individuals, or an entity or entities, with cumulative  
2 business experience in the field of commercial horticulture or  
3 agronomic production for a period of at least 15 years.

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5 On page 53, after line 21, insert the following new  
6 subdivisions (5) and (6) and renumber the remaining  
7 subdivision accordingly:

8 (5) The applicant cannot provide records described  
9 in subdivision (a)(10) of Section 20-2A-55.

10 (6) For an applicant seeking an integrated facility  
11 license or a cultivator license, the applicant cannot provide  
12 records described in subdivision (a)(11) of Section 20-2A-55.

13  
14 On page 65, lines 10 through 13, delete subdivision  
15 (2) in its entirety and renumber the remaining subdivisions  
16 accordingly

17  
18 On page 77, delete lines 2 through 9 and insert in  
19 lieu thereof the following:

20 integrated facility licenses.