

I Mina'Trentai Kuåttro Na Liheslaturan
BILL STATUS

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES | NOTES |
|---------------------|----------------|--|----------------------|---------------|---------------|---------------------|-----------------------------|--------------|-------|
| 302-34 (COR) | Louise B. Muña | AN ACT TO ADD A NEW § 122530 TO ARTICLE 25, CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO PERMITTING THE HOME CULTIVATION OF MEDICINAL CANNABIS UNDER CERTAIN CONDITIONS. | 6/18/18 2:49 p.m. | | | | | | |

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2018 (SECOND) Regular Session

Bill No. 302-34 (COR)
Introduced by:

Louise B. Muña



**AN ACT TO ADD A NEW § 122530 TO ARTICLE 25,
CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED,
RELATIVE TO PERMITTING THE HOME
CULTIVATION OF MEDICINAL CANNABIS UNDER
CERTAIN CONDITIONS.**

2018 JUN 18 PM 2:49

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1.** A new § 122530 is added to Article 25, Chapter 12, Title 10, Guam
3 Code Annotated to read as follows:

4
5 **“§ 122530. Home Cultivation: When permitted.**

6 (a) Upon written certification as provided by § 122526 of this Chapter, the
7 Department shall issue a permit for the patient or patient’s caregiver to cultivate
8 cannabis if there is no operational dispensary for cannabis products.

9 (b) The following conditions are required of the patient and/or patient’s caregiver
10 for home cultivation permit eligibility:

11 1. The application fee.

12 2. An application, including:

13 a. Name, mailing address, residence address and date of birth of the
14 qualifying patient.

15 b. Name, address and telephone number of the qualifying patient's
16 physician.

1 c. Name, mailing address, residence address and date of birth of the
2 qualifying patient's designated caregiver, if any.

3 d. A statement signed by the qualifying patient pledging not to divert
4 cannabis to anyone who is not allowed to possess cannabis pursuant to
5 this chapter.

6 e. A signed statement from the designated caregiver, if any, agreeing
7 to be the patient's designated caregiver and pledging not to divert
8 cannabis to anyone who is not allowed to possess cannabis pursuant to
9 this Chapter.

10 f. Caregiver must be at least eighteen (18) years of age

11 g. Caregiver must register with the Department

12
13 (c) A patient or caregiver is authorized to grow cannabis for medicinal purposes
14 subject to the following conditions:

15 1. That the patient possesses no more than three (3) flowering mature plants
16 and six (6) juvenile plants at any given time,

17 2. Cannabis plants must be cultivated indoors and not be visible from any
18 public location or in outdoor areas secured by a locked gate that is not
19 visible from any public location or neighbors,

20 3. The Department may inspect the area(s) where cannabis is cultivated at
21 any time,

22 4. A caregiver may cultivate cannabis on behalf of the patient in the event
23 that the patient is unable to cultivate cannabis,

1 5. Harvested cannabis must be stored in a secure area and not accessible to
2 persons other than the patient or patient's caregiver,

3 6. Cannabis shall not be cultivated in the common areas of any multifamily
4 complex,

5 7. Medical cannabis may be grown only at one of the following locations
6 and that location must be identified

7 a. the residence of the qualifying patient, or

8 b. the residence of the designated caregiver, or

9 c. another site that is either owned or controlled by the qualifying
10 patient or the designated caregiver.

11 (d) A patient or patient's caregiver is not authorized to cultivate cannabis if the
12 patient's or patient's caregiver's landlord or homeowner's association prohibits
13 such practice.

14 (e) The fee for the permit herein shall be Fifteen Dollars (\$15) per year.

15 (f) The Department may revoke a permit for failure to adhere to the provision of
16 this section.

17 (g) Nothing herein is to be construed or interpreted as to prevent or prohibit any
18 person from providing a patient or caregiver advice on the methods or techniques
19 of cultivation or the administering/dosing of cannabis.”

20
21 **Section 2.** Effective Date: This Act is effective on the date of enactment.