

Proposed Bill Amendments For: SB168 | BDR 56-553

Sponsor: Senator Rochelle Nguyen

Summary: Revises provisions relating to cannabis.

Section I: Purpose and Scope

1. **Purpose:**

To amend **NRS 678C** (MMP silo C) and **NAC 453A**, and any other relevant statutes, to establish a framework of rights, protections, and oversight costs effectiveness for medical marijuana patients in the State of Nevada.

2. **Scope:**

This bill is intended to provide legal definitions, medical, and affordable safeguards for registered medical cannabis patients, ensuring compliance with all Nevada laws while acknowledging the need to protect public health and safety.

Section II: Definitions

As used in this section: NRS 678A (NRS 678A.010 Definitions. As used in this title, unless the context otherwise requires, the words and terms defined in NRS 678A.020 to 678A.240, inclusive, have the meanings ascribed to them in those sections). Added to NRS by 2019, 3770; A 2021, 2141, 2357, 3147; 2023, 3100)

1. **“Medical Marijuana”** means cannabis or cannabis-derived products legally used under the Nevada Medical Marijuana Program (NV-MMP), as authorized by NRS 678C and related statutes, for therapeutic medical conditions.
2. **“Registered Medical Marijuana Patient (MMP)”** means an individual approved under the NV-MMP with a valid recommendation from a healthcare provider, who is registered and holds a registry identification card or letter of approval with the NDHHS.
3. **“Medical Marijuana Product”** means any flower produced or product made for medical uses and sold through the cannabis establishments, targeting medical patients and sold in accordance with this bill.
4. **“Certificate of Analysis (COA)”** means a document produced by a laboratory describing the results of the laboratory’s testing of a cannabis product.
5. **“Soil Report”** means a document produced by a laboratory describing the results of the laboratory’s testing of a cannabis product’s soil. The "soil report" as designated by NRS Title 56 and NRS 588.140 defines "soil amendments" as substances that are used to improve soil quality, increase plant productivity, or promote plant growth. This includes substances like peat, leaf mold, sand, straws, and hays.

Section III: Chapter 678C of NRS (Title 56, 678C) is hereby amended by adding thereto a new section to read as follows:

1. A registered medical marijuana patient (MMP) or caregiver may:
 - (a) cultivate up to twelve (12) marijuana plants for personal medicinal use, with a maximum of thirty-six (36) plants per household, in perpetuity.
 - (b) process cannabis into therapeutic forms, including infusions, tinctures, topicals, suppositories and extracts for personal use.
 - (c) store up to three (3) pounds of usable marijuana flower and one (1) pound of concentrate, strictly for personal medicinal use. These provisions supersede any proximity restrictions to dispensaries previously established under NRS 453A or NRS 678C.
 - (d) purchase up to (16) ounces of usable flower or (1) ounce of concentrated oil from a licensed cannabis establishment or 16 ounces of a medical cannabis product in a solid form or 72 ounces of medical cannabis product in a liquid form.
2. Affordability and Cost Considerations:
 - (a) Requires that all state, county, and municipal taxes (including excise taxes) be eliminated for registered medical marijuana patients. Medical cannabis-related transactions between patients and licensed dispensaries shall remain tax-exempt to ensure affordability and access.
 - (b) Elimination of NV-MMP Patient Application & Renewal Fees. No state-level fees shall be charged for initial or renewal applications to patients who qualify for the NV-MMP. NDHHS may not impose administrative costs on patients as a condition of participation. Funding will be from SB277 (82nd Session- 2023). As Enrolled: Pg. 34, item 6:
 6. For the purpose of subsections 4 and 5, a total amount of \$5,000,000 of the revenues collected from the excise tax imposed pursuant to subsection 1 and the excise tax imposed pursuant to subsection 2 in each fiscal year shall be deemed sufficient to pay the costs of all local governments to carry out the provisions of chapters 678C and 678D of NRS. The Board shall, by regulation, determine the manner in which local governments may be reimbursed for the costs of carrying out the provisions of chapters 678C and 678D of NRS.
<https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10126/Text#>
 - (c) NDHHS shall issue permanent registration cards to Veterans (regardless of their disability percentage) and to all Social Security Disability Insurance (SSDI) recipients. Registered MMPs must update any changes to their contact information with the NDHHS within 30 days of the change.
3. A Soil Report and COA must be made available and provided to Medical Marijuana Patients immediately upon purchase and request, and be listed and made available in the COA Repository of the CCB. (immuno-compromised patients need to know)

NAC 453A.658 Testing: Selection of representative samples and random samples; segregation period for entire lot; duties of testing laboratory; disposal of lot if sample fails test; release of lot if sample passes test; filing of electronic copy of certificate of analysis for tests performed by testing laboratory; grounds for disciplinary action for failure to comply. ([NRS 453A.370](#)) <https://www.leg.state.nv.us/NAC/NAC-453A.html>

4. A Medical Marijuana Advisory Committee (MMAC) shall be formed under NDHHS to steer policy, address emerging issues and maintain accountability to Nevada's most vulnerable citizens.

NDHHS shall form a Medical Marijuana Advisory Committee consisting of:

- i. Two healthcare professionals including one medical doctor or doctor of osteopathy and one nurse or nurse practitioner representing medicine.
- ii. Two regulatory officials including one judicial and one law enforcement.
- iii. A majority of no fewer than six registered patients unaffiliated with state agencies or lawmakers (to avoid any potential conflicts of interest).
- b. The Medical Marijuana Advisory Committee (MMAC) shall:
 - i. Submit an Annual Bill Draft Request (BDR) to the Nevada Legislature's Committees on Health & Human Services (Senate and Assembly).
 - ii. Hold quarterly open public meetings in conjunction with the Nevada Department of Health and Human Services (NDHHS) on the current state of the NV-MMP and will hold one annual public hearing in July of each year to address emerging research, regulatory gaps, and policy suggestions, with the administrative staff of NDHHS providing support and recording of the minutes, testimony and exhibits of each meeting for publication. The MMAC shall submit their annual BDR to the interim committee chairs by November 1 of the year prior to any upcoming Legislative session so that the committees may collaborate on a BDR.

Under NRS 678C, the CCB shall reserve and submit a Bill Draft Request (BDR) during each Nevada legislative session on behalf of patients. This BDR will be presented to the Nevada State Legislature's Committees on Commerce and Labor and/or Health & Human Services to address patient needs within state programs.

[End of Amendment Request]
