

SENATE BILL NO. 416—SENATORS SPEARMAN,
SEGERBLOM; AND FARLEY

MARCH 20, 2017

Referred to Committee on Judiciary

SUMMARY—Authorizes the formation of apprenticeship programs for medical marijuana establishment agents. (BDR 40-1140)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to marijuana; authorizing a medical marijuana establishment, an association of medical marijuana establishments or a joint committee consisting of representatives of a labor organization and medical marijuana establishments to propose and enter into an agreement to carry out a program of apprenticeship for medical marijuana establishment agents; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires a person who volunteers or works at or provides labor to
2 a medical marijuana establishment as a medical marijuana establishment agent to
3 register with the Division of Public and Behavioral Health of the Department of
4 Health and Human Services. (NRS 453A.332) Existing law also requires the State
5 Apprenticeship Council to register and approve or reject proposed programs and
6 standards for apprenticeship. (NRS 610.095) This bill authorizes a medical
7 marijuana establishment, an association of medical marijuana establishments or a
8 joint committee consisting of representatives of a labor organization and medical
9 marijuana establishments to propose and enter into an agreement to carry out a
10 program of apprenticeship for medical marijuana establishment agents.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 453A.352 is hereby amended to read as follows:

453A.352 1. The operating documents of a medical marijuana establishment must include procedures:

(a) For the oversight of the medical marijuana establishment; and

(b) To ensure accurate recordkeeping, including, without limitation, the provisions of NRS 453A.354 and 453A.356.

2. Except as otherwise provided in this subsection, a medical marijuana establishment:

(a) That is a medical marijuana dispensary must have a single entrance for patrons, which must be secure, and shall implement strict security measures to deter and prevent the theft of marijuana and unauthorized entrance into areas containing marijuana.

(b) That is not a medical marijuana dispensary must have a single secure entrance and shall implement strict security measures to deter and prevent the theft of marijuana and unauthorized entrance into areas containing marijuana.

➤ The provisions of this subsection do not supersede any state or local requirements relating to minimum numbers of points of entry or exit, or any state or local requirements relating to fire safety.

3. A medical marijuana establishment is prohibited from acquiring, possessing, cultivating, manufacturing, delivering, transferring, transporting, supplying or dispensing marijuana for any purpose except to:

(a) Directly or indirectly assist patients who possess valid registry identification cards; and

(b) Assist patients who possess valid registry identification cards or letters of approval by way of those patients' designated primary caregivers.

➤ For the purposes of this subsection, a person shall be deemed to be a patient who possesses a valid registry identification card or letter of approval if he or she qualifies for nonresident reciprocity pursuant to NRS 453A.364.

4. All cultivation or production of marijuana that a cultivation facility carries out or causes to be carried out must take place in an enclosed, locked facility at the physical address provided to the Division during the registration process for the cultivation facility. Such an enclosed, locked facility must be accessible only by medical marijuana establishment agents who are lawfully associated with the cultivation facility, except that limited access by persons necessary to perform construction or repairs or provide other labor



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1 is permissible if such persons are supervised by a medical marijuana
2 establishment agent.

3 5. A medical marijuana dispensary and a cultivation facility
4 may acquire usable marijuana or marijuana plants from a person
5 who holds a valid registry identification card, including, without
6 limitation, a designated primary caregiver. Except as otherwise
7 provided in this subsection, the patient or caregiver, as applicable,
8 must receive no compensation for the marijuana. A patient who
9 holds a valid registry identification card, and the designated primary
10 caregiver of such a patient, or the designated primary caregiver of a
11 person who holds a letter of approval may sell usable marijuana to a
12 medical marijuana dispensary one time and may sell marijuana
13 plants to a cultivation facility one time.

14 6. A medical marijuana establishment shall not allow any
15 person to consume marijuana on the property or premises of the
16 establishment.

17 7. Medical marijuana establishments are subject to reasonable
18 inspection by the Division at any time, and a person who holds a
19 medical marijuana establishment registration certificate must make
20 himself or herself, or a designee thereof, available and present for
21 any inspection by the Division of the establishment.

22 8. *A medical marijuana establishment, an association of*
23 *medical marijuana establishments or a joint committee consisting*
24 *of representatives of a labor organization and medical marijuana*
25 *establishments may, in accordance with the provisions of chapter*
26 *610 of NRS, propose and enter into an agreement to carry out a*
27 *program of apprenticeship for medical marijuana establishment*
28 *agents.*

29 9. *As used in this section, "labor organization" has the*
30 *meaning ascribed to it in NRS 613.230.*

31 **Sec. 2.** This act becomes effective on July 1, 2017.

