

Proposed Conceptual Amendment for Senate Bill No. 344

(Prepared by the Legal Division for Senator Farley)

1. Amend both secs. 1 and 2 of the bill to:
 - (a) Prohibit a marijuana establishment or medical marijuana establishment from marketing or labelling any product as candy;
 - (b) Require a marijuana product manufacturing facility or facility for the production of edible marijuana products or marijuana-infused products to label each marijuana product intended for human consumption by oral ingestion or edible marijuana product, as applicable, in a manner which must not mislead consumers and which must include:
 - (1) The words “Keep out of reach of children”;
 - (2) A list of all ingredients used in the product;
 - (3) A list of all allergens in the product;
 - (4) The name and address of the manufacturer; and
 - (5) The total weight of marijuana contained in the product.
 - (c) If the health authority where a marijuana product manufacturing facility, facility for the production of edible marijuana products or marijuana-infused products, retail marijuana store which sells marijuana products intended for human consumption by oral ingestion or medical marijuana dispensary which sells edible marijuana products is located requires persons who handle food at a food establishment to obtain certification, require at least one employee of such an establishment to maintain such certification.
 - (d) Require each marijuana product manufacturing facility or facility for the production of edible marijuana products or marijuana-infused products to:
 - (1) Maintain a washing area with hot water, soap and a hand dryer or disposable towels which is located away from any area in which products are cooked or otherwise prepared; and
 - (2) Require each person who handles products to wear a hairnet and clean clothing and keep his or her fingernails neatly trimmed.
 - (e) Require each marijuana product manufacturing facility or facility for the production of edible marijuana products or marijuana-infused products to package marijuana products and edible marijuana products and marijuana infused products, as applicable, in the place where the products are made.
 - (f) Prohibit a label on a marijuana product, edible marijuana product or marijuana-infused product from being attractive to children or visually conspicuous.
 - (g) Require the written notification provided with each sale to include the following information:
 - (1) That edible marijuana can cause severe illness in children;
 - (2) That allowing children to ingest marijuana can have severe legal consequences;

- (3) That first-time users of edible marijuana should initially ingest a small amount of edible marijuana and wait at least 4 hours before ingesting any additional edible marijuana;
- (4) That pregnant women should consult with a physician before ingesting marijuana; and
- (5) That marijuana should not be consumed with alcohol or prescription medication.
- (h) Prohibit the production or sale of a marijuana product or edible marijuana product in a form which resembles a lollipop.
- (i) Amend the provisions of sub. 1, para. (b), to: (1) delete the prohibition against packaging containing an image of fruit; and (2) allow the packaging to contain the logo of the marijuana product manufacturing facility or facility for the production of edible marijuana products or marijuana-infused products which produced the product even if that logo contains an image otherwise prohibited by this paragraph.
- (j) Delete the provisions of sub. 3, paras. (a) and (b) of both sections and replace with language prohibiting products in a shape that bears the likeness or contains characteristics of a realistic or fictional person, animal or fruit, including, without limitation, an artistic rendering, cartoon or caricature.
- (k) Amend the provisions of sub. 3, para. (d), to allow the making of a product by application of concentrated cannabis to a commercially available food item consisting of dried fruit, nuts or granola.
- (l) Delete the provisions of sub. 8.
- (m) Delete the provisions of sub. 9.

2. Amend only sec. 1 of the bill to:

- (a) Allow any person who has attained the age of 21 years to enter a medical marijuana dispensary.
- (b) Delete the provisions of sub. 2 which limit the amount of THC contained in a product or a package of a product.

3. Amend only sec. 2 of the bill to:

- (a) Prohibit the sale of ice cream containing marijuana.
- (b) Consistent with the attached regulations from the states of Colorado and Washington, impose certain restriction on advertising by a marijuana establishment as follows:
 - (1) Limit the number, location and size of signs advertising retail marijuana store;
 - (2) Prohibit advertising, including any label on marijuana or a marijuana product, from containing information which is false or misleading, promotes overconsumption, makes a claim relating to safety as a result of regulation or testing, indicates a curative or therapeutic effect or is targeted to minors;

- (3) Limit the location and forms of advertisements for marijuana establishments;
 - (4) Prohibit the use of certain promotions by a retail marijuana store; and
 - (5) Require advertising by a marijuana establishment to include certain warnings;
 - (c) Amend the provisions of sub. 2, paras. (a), (b), (d), (e) and (f) to increase the limit per package to 800mg of THC.
 - (d) Amend the provisions of sub. 2, para. (c), to lower the limit to 100mg of THC.
4. Add language to chapters 244, 268 and 269 of NRS to prohibit a local government from enacting or enforcing any ordinance which is more restrictive than or conflicts with a law or regulation of this State relating to:
- (a) The packaging, labeling, testing, dosage or potency of marijuana or related products;
 - (b) The kinds of marijuana and related products which may be sold under state law and regulation;
 - (c) The use of pesticides in the cultivation of marijuana;
 - (d) The tracking of marijuana from seed to sale;
 - (e) The transportation of marijuana or related products other than the direct transportation of marijuana or related products to a consumer or a requirement to notify the local government of any transportation of marijuana or related products;
 - (f) The issuance or verification of a registry identification card, letter of approval or written documentation from an attending physician;
 - (g) The training or certification of medical marijuana establishment agents or employees of a marijuana establishment; or
 - (h) The creation or maintenance of a registry or other system to obtain and track information relating to customers of marijuana establishments or holders of a registry identification card or letter of approval.