

Amendment No. 41

Assembly Amendment to Assembly Bill No. 164	(BDR 40-619)
<b>Proposed by:</b> Assembly Committee on Judiciary	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will REMOVE the 2/3s majority vote requirement from A.B. 164.
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ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.





ASSEMBLY BILL NO. 164—ASSEMBLYMAN YEAGER

FEBRUARY 15, 2019

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to marijuana. (BDR 40-619)

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

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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; imposing certain requirements relating to advertising by a marijuana establishment and a medical marijuana establishment; revising provisions relating to medical marijuana establishment agents; providing for the registration of agents who work or volunteer at or contract with a marijuana establishment; revising provisions relating to disciplinary action against a medical marijuana establishment agent and a marijuana establishment agent; authorizing civil penalties for certain violations relating to advertising; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law authorizes the Department of Taxation to adopt regulations governing medical marijuana establishments and marijuana establishments. (NRS 453A.370, 453D.200) Existing regulations prohibit a medical marijuana establishment from using a name, logo, sign or advertisement and a marijuana establishment from using a name, logo, sign, advertisement or packaging without obtaining the approval of the Department prior to use. (NAC 453A.402 [~~section 231 of Adopted Reg. of Dep’t of Taxation, LCB File No. R092-17~~], **453D.473**) **Sections 4 and 11** of this bill prohibit the Department from requiring a medical marijuana establishment or a marijuana establishment to obtain the approval of the Department before using a logo, sign or advertisement, thereby voiding the conflicting regulatory provisions.

Existing law that becomes effective January 1, 2020, imposes restrictions on advertising by a marijuana establishment. One such restriction prohibits a marijuana establishment from placing an advertisement at a sports or entertainment event to which persons who are less than 21 years of age are allowed entry. (NRS 453D.310) **Section 12** of this bill authorizes a marijuana establishment to place an advertisement at such an entertainment event if it is reasonably estimated that less than 30 percent of the persons who will attend that entertainment event are less than 21 years of age. Existing law also prohibits a marijuana establishment from advertising on certain mediums if 30 percent or more of the audience of that medium is reasonably expected to be persons who are less than 21 years of age. (NRS 453D.310) **Section 12** requires a marijuana establishment that engages in advertising for which it is required to determine the percentage of persons less than 21 years of age that may reasonably be expected to view or hear the advertisement to maintain certain documentation relating to the manner in which it determined the reasonably expected age of the audience for that advertisement. **Section 12** also authorizes the Department to impose a civil penalty ~~of not more than \$10,000~~ on a marijuana establishment for violating certain provisions relating to advertising. **Section 4** imposes similar restrictions on advertising by a medical marijuana

26 establishment and authorizes the Department to impose a civil penalty ~~for not more than~~  
 27 ~~§10,000~~ on a medical marijuana establishment for violating such provisions. Sections 4, 12,  
 28 12.3 and 12.7 of this bill authorize a local government to adopt an ordinance regulating  
 29 the content of advertisements used by a marijuana establishment or medical marijuana  
 30 establishment if such an ordinance sets forth specific prohibited content for such  
 31 advertisements.

32 Existing law prohibits a person from volunteering or working at, contracting to provide  
 33 labor to or being employed by an independent contractor to provide labor to a medical  
 34 marijuana establishment unless the person is registered with the Department and issued a  
 35 medical marijuana establishment agent registration card. (NRS 453A.332) **Section 6** of this  
 36 bill establishes a similar prohibition for marijuana establishments.

37 Existing law establishes the application process and fees required to obtain a medical  
 38 marijuana establishment agent registration card. (NRS 453A.332) Existing regulations  
 39 provide for a similar application process and similar fees to obtain a marijuana  
 40 establishment agent registration card. (NAC 453D.340) Section 6 establishes ~~for a similar~~  
 41 ~~application process and similar fees to obtain a marijuana establishment agent registration~~  
 42 ~~card.~~ this process in statute. Section 6: (1) transfers, from regulation to statute, existing  
 43 authority to collect a fee; and (2) limits the amount of that fee to the amount currently  
 44 authorized by existing regulations. Sections 1 and 6 of this bill expand the period of  
 45 validity for a medical marijuana establishment agent registration card and a marijuana  
 46 establishment agent registration card from 1 year to 2 years. Section 1 of this bill removes  
 47 provisions authorizing a medical marijuana establishment to submit the application and fees  
 48 for a medical marijuana registration card on behalf of a prospective agent.

49 Existing law requires each applicant for registration as a medical marijuana  
 50 establishment agent to submit to the Department a complete set of fingerprints and  
 51 written permission authorizing the Department to submit the fingerprints to the Central  
 52 Repository for Nevada Records of Criminal History for submission to the Federal  
 53 Bureau of Investigation for its report. (NRS 453A.332) Section 1 of this bill eliminates  
 54 this requirement and instead authorizes the Department to impose this requirement on  
 55 an applicant or conduct and accept any background check the Department determines  
 56 to be reliable and expedient. Section 6 makes a similar change concerning applicants for  
 57 registration as a marijuana establishment agent.

58 Existing law outlines the procedure, in accordance with federal law, for the suspension of  
 59 a medical marijuana establishment agent registration card in the event that the holder fails to  
 60 comply with certain requirements pertaining to the payment of child support. (NRS 453A.336,  
 61 453A.338) **Sections 7 and 8** of this bill provide a similar procedure for the suspension of a  
 62 marijuana establishment agent registration card.

63 Existing law specifies acts which constitute grounds for the immediate revocation of a  
 64 medical marijuana establishment agent registration card. (NRS 453A.342) **Section 3** of  
 65 this bill expands the grounds for revocation to include: (1) having been electronically recorded  
 66 stealing marijuana, edible marijuana products or marijuana-infused products; (2) having been  
 67 convicted of any crime involving the theft of marijuana or such other marijuana products; (3)  
 68 having been electronically recorded consuming marijuana on the premises of a marijuana  
 69 establishment; and (4) intentionally submitting false documents to the Department or a local  
 70 government. **Section 9** of this bill establishes similar grounds for revoking a marijuana  
 71 establishment agent registration card.

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

**Section 1.** NRS 453A.332 is hereby amended to read as follows:

2 453A.332 1. Except as otherwise provided in this section, a person shall not  
 3 volunteer or work at, contract to provide labor to or be employed by an independent  
 4 contractor to provide labor to a medical marijuana establishment as a medical  
 5 marijuana establishment agent unless the person is registered with the Department  
 6 pursuant to this section.

1           2. A person who wishes to volunteer or work at a medical marijuana  
2 establishment ~~[, or a medical marijuana establishment that wishes to retain as a~~  
3 ~~volunteer or employ such a person.]~~ shall submit to the Department an application  
4 on a form prescribed by the Department. The application must be accompanied by:

5           (a) The name, address and date of birth of the prospective medical marijuana  
6 establishment agent;

7           (b) A statement signed by the prospective medical marijuana establishment  
8 agent pledging not to dispense or otherwise divert marijuana to any person who is  
9 not authorized to possess marijuana in accordance with the provisions of this  
10 chapter;

11           (c) A statement signed by the prospective medical marijuana establishment  
12 agent asserting that he or she has not previously had a medical marijuana  
13 establishment agent registration card revoked;

14           (d) ~~[A complete set of the fingerprints and written permission of the~~  
15 ~~prospective medical marijuana establishment agent authorizing the Department to~~  
16 ~~forward the fingerprints to the Central Repository for Nevada Records of Criminal~~  
17 ~~History for submission to the Federal Bureau of Investigation for its report;~~

18 ~~—(e)]~~ The application fee, as set forth in NRS 453A.344; and

19 ~~[(f)]~~ (e) Such other information as the Department may require by regulation.

20           3. A person who wishes to contract to provide labor to or be employed by an  
21 independent contractor to provide labor to a medical marijuana establishment ~~[, or a~~  
22 ~~medical marijuana establishment that wishes to contract with such a person.]~~ shall  
23 submit to the Department an application on a form prescribed by the Department  
24 for the registration of the independent contractor and each employee of the  
25 independent contractor who will provide labor as a medical marijuana  
26 establishment agent. The application must be accompanied by:

27           (a) The name, address and, if the prospective medical marijuana establishment  
28 agent has a state business license, the business identification number assigned by  
29 the Secretary of State upon compliance with the provisions of chapter 76 of NRS;

30           (b) The name, address and date of birth of each employee of the prospective  
31 medical marijuana establishment agent who will provide labor as a medical  
32 marijuana establishment agent;

33           (c) A statement signed by the prospective medical marijuana establishment  
34 agent pledging not to dispense or otherwise divert marijuana to, or allow any of its  
35 employees to dispense or otherwise divert marijuana to, any person who is not  
36 authorized to possess marijuana in accordance with the provisions of this chapter;

37           (d) A statement signed by the prospective medical marijuana establishment  
38 agent asserting that it has not previously had a medical marijuana establishment  
39 agent registration card revoked and that none of its employees who will provide  
40 labor as a medical marijuana establishment agent have previously had a medical  
41 marijuana establishment agent registration card revoked;

42           (e) ~~[A complete set of the fingerprints of the prospective medical marijuana~~  
43 ~~agent, if a natural person, and each employee of the prospective medical~~  
44 ~~marijuana establishment agent who will provide labor as a medical marijuana~~  
45 ~~establishment agent and written permission of the prospective medical marijuana~~  
46 ~~establishment agent and each employee of the prospective medical marijuana~~  
47 ~~establishment agent authorizing the Department to forward the fingerprints to the~~  
48 ~~Central Repository for Nevada Records of Criminal History for submission to the~~  
49 ~~Federal Bureau of Investigation for its report;~~

50 ~~—(f)]~~ The application fee, as set forth in NRS 453A.344; and

51 ~~[(g)]~~ (f) Such other information as the Department may require by regulation.

52           4. The Department may conduct any investigation of a prospective medical  
53 marijuana establishment agent and, for an independent contractor, each

1 employee of the prospective medical marijuana establishment agent who will  
2 provide labor as a medical marijuana establishment agent, that the Department  
3 deems appropriate. In connection with such an investigation, the Department  
4 may:

5 (a) Conduct or accept any background check the Department determines to  
6 be reliable and expedient to determine the criminal history of the prospective  
7 medical marijuana establishment agent or the employee;

8 (b) Require a prospective medical marijuana establishment agent, if a  
9 natural person, and each employee of a prospective medical marijuana  
10 establishment agent who will provide labor as a medical marijuana establishment  
11 agent to submit to the Department a complete set of fingerprints and written  
12 permission authorizing the Department to forward the fingerprints to the Central  
13 Repository for Nevada Records of Criminal History for submission to the Federal  
14 Bureau of Investigation for its report; and

15 (c) If the Department imposes the requirement described in paragraph (b),  
16 submit the fingerprints of the prospective medical marijuana establishment agent  
17 and each employee of the prospective medical marijuana establishment agent  
18 who will provide labor as a medical marijuana establishment agent to the Central  
19 Repository for Nevada Records of Criminal History for submission to the Federal  
20 Bureau of Investigation for its report.

21 5. A medical marijuana establishment shall notify the Department within 10  
22 days after a medical marijuana establishment agent ceases to be employed by,  
23 volunteer at or provide labor as a medical marijuana establishment agent to the  
24 medical marijuana establishment.

25 ~~5.~~ 6. A person who:

26 (a) Has been convicted of an excluded felony offense; or

27 (b) Is less than 21 years of age,

28 ↪ shall not serve as a medical marijuana establishment agent.

29 ~~[6. The Department shall submit the fingerprints of an applicant for~~  
30 ~~registration as a medical marijuana establishment agent to the Central Repository~~  
31 ~~for Nevada Records of Criminal History for submission to the Federal Bureau of~~  
32 ~~Investigation to determine the criminal history of the applicant.]~~

33 7. The provisions of this section do not require a person who is an owner,  
34 officer or board member of a medical marijuana establishment to resubmit  
35 information already furnished to the Department at the time the establishment was  
36 registered with the Department.

37 8. If an applicant for registration as a medical marijuana establishment agent  
38 satisfies the requirements of this section and is not disqualified from serving as  
39 such an agent pursuant to this section or any other applicable law, the Department  
40 shall issue to the person and, for an independent contractor, to each person  
41 identified in the independent contractor's application for registration as an  
42 employee who will provide labor as a medical marijuana establishment agent, a  
43 medical marijuana establishment agent registration card. If the Department does not  
44 act upon an application for a medical marijuana establishment agent registration  
45 card within 30 days after the date on which the application is received, the  
46 application shall be deemed conditionally approved until such time as the  
47 Department acts upon the application. A medical marijuana establishment agent  
48 registration card expires ~~1 year~~ 2 years after the date of issuance and may be  
49 renewed upon:

50 (a) Resubmission of the information set forth in this section; and

51 (b) Payment of the renewal fee set forth in NRS 453A.344.

52 9. A medical marijuana establishment agent registration card issued pursuant  
53 to this section to an independent contractor or an employee of an independent

1 contractor authorizes the independent contractor or employee to provide labor to  
2 any medical marijuana establishment in this State.

3 10. A medical marijuana establishment agent registration card issued pursuant  
4 to this section to a person who wishes to volunteer or work at a medical marijuana  
5 establishment authorizes the person to volunteer or work at any medical marijuana  
6 establishment in this State for which the category of the medical marijuana  
7 establishment agent registration card authorizes the person to volunteer or work.

8 11. Except as otherwise prescribed by regulation of the Department, an  
9 applicant for registration or renewal of registration as a medical marijuana  
10 establishment agent is deemed temporarily registered as a medical marijuana  
11 establishment agent on the date on which a complete application for registration or  
12 renewal of registration is submitted to the Department. A temporary registration as  
13 a medical marijuana establishment agent expires 30 days after the date upon which  
14 the application is received.

15 **Sec. 2.** NRS 453A.332 is hereby amended to read as follows:

16 453A.332 1. Except as otherwise provided in this section, a person shall not  
17 volunteer or work at, contract to provide labor to or be employed by an independent  
18 contractor to provide labor to a medical marijuana establishment as a medical  
19 marijuana establishment agent unless the person is registered with the Department  
20 pursuant to this section.

21 2. A person who wishes to volunteer or work at a medical marijuana  
22 establishment shall submit to the Department an application on a form prescribed  
23 by the Department. The application must be accompanied by:

24 (a) The name, address and date of birth of the prospective medical marijuana  
25 establishment agent;

26 (b) A statement signed by the prospective medical marijuana establishment  
27 agent pledging not to dispense or otherwise divert marijuana to any person who is  
28 not authorized to possess marijuana in accordance with the provisions of this  
29 chapter;

30 (c) A statement signed by the prospective medical marijuana establishment  
31 agent asserting that he or she has not previously had a medical marijuana  
32 establishment agent registration card *or marijuana establishment agent*  
33 *registration card, as defined in NRS 453D.030*, revoked;

34 (d) The application fee, as set forth in NRS 453A.344; and

35 (e) Such other information as the Department may require by regulation.

36 3. A person who wishes to contract to provide labor to or be employed by an  
37 independent contractor to provide labor to a medical marijuana establishment shall  
38 submit to the Department an application on a form prescribed by the Department  
39 for the registration of the independent contractor and each employee of the  
40 independent contractor who will provide labor as a medical marijuana  
41 establishment agent. The application must be accompanied by:

42 (a) The name, address and, if the prospective medical marijuana establishment  
43 agent has a state business license, the business identification number assigned by  
44 the Secretary of State upon compliance with the provisions of chapter 76 of NRS;

45 (b) The name, address and date of birth of each employee of the prospective  
46 medical marijuana establishment agent who will provide labor as a medical  
47 marijuana establishment agent;

48 (c) A statement signed by the prospective medical marijuana establishment  
49 agent pledging not to dispense or otherwise divert marijuana to, or allow any of its  
50 employees to dispense or otherwise divert marijuana to, any person who is not  
51 authorized to possess marijuana in accordance with the provisions of this chapter;

52 (d) A statement signed by the prospective medical marijuana establishment  
53 agent asserting that it has not previously had a medical marijuana establishment

1 agent registration card *or marijuana establishment agent registration card, as*  
2 *defined in NRS 453D.030*, revoked and that none of its employees who will  
3 provide labor as a medical marijuana establishment agent have previously had a  
4 medical marijuana establishment agent registration card *or marijuana*  
5 *establishment agent registration card, as defined in NRS 453D.030*, revoked;

6 (e) The application fee, as set forth in NRS 453A.344; and

7 (f) Such other information as the Department may require by regulation.

8 4. The Department may conduct any investigation of a prospective medical  
9 marijuana establishment agent and, for an independent contractor, each employee  
10 of the prospective medical marijuana establishment agent who will provide labor as  
11 a medical marijuana establishment agent, that the Department deems appropriate. In  
12 connection with such an investigation, the Department may:

13 (a) Conduct or accept any background check the Department determines to be  
14 reliable and expedient to determine the criminal history of the prospective medical  
15 marijuana establishment agent or the employee;

16 (b) Require a prospective medical marijuana establishment agent, if a natural  
17 person, and each employee of a prospective medical marijuana establishment agent  
18 who will provide labor as a medical marijuana establishment agent to submit to the  
19 Department a complete set of fingerprints and written permission authorizing the  
20 Department to forward the fingerprints to the Central Repository for Nevada  
21 Records of Criminal History for submission to the Federal Bureau of Investigation  
22 for its report; and

23 (c) If the Department imposes the requirement described in paragraph (b),  
24 submit the fingerprints of the prospective medical marijuana establishment agent  
25 and each employee of the prospective medical marijuana establishment agent who  
26 will provide labor as a medical marijuana establishment agent to the Central  
27 Repository for Nevada Records of Criminal History for submission to the Federal  
28 Bureau of Investigation for its report.

29 5. A medical marijuana establishment shall notify the Department within 10  
30 days after a medical marijuana establishment agent ceases to be employed by,  
31 volunteer at or provide labor as a medical marijuana establishment agent to the  
32 medical marijuana establishment.

33 6. A person who:

34 (a) Has been convicted of an excluded felony offense; or

35 (b) Is less than 21 years of age,

36 ↪ shall not serve as a medical marijuana establishment agent.

37 7. The provisions of this section do not require a person who is an owner,  
38 officer or board member of a medical marijuana establishment to resubmit  
39 information already furnished to the Department at the time the establishment was  
40 registered with the Department.

41 8. If an applicant for registration as a medical marijuana establishment agent  
42 satisfies the requirements of this section and is not disqualified from serving as  
43 such an agent pursuant to this section or any other applicable law, the Department  
44 shall issue to the person and, for an independent contractor, to each person  
45 identified in the independent contractor's application for registration as an  
46 employee who will provide labor as a medical marijuana establishment agent, a  
47 medical marijuana establishment agent registration card. If the Department does not  
48 act upon an application for a medical marijuana establishment agent registration  
49 card within 30 days after the date on which the application is received, the  
50 application shall be deemed conditionally approved until such time as the  
51 Department acts upon the application. A medical marijuana establishment agent  
52 registration card expires 2 years after the date of issuance and may be renewed  
53 upon:



1 (a) Resubmission of the information set forth in this section; and

2 (b) Payment of the renewal fee set forth in NRS 453A.344.

3 9. A medical marijuana establishment agent registration card issued pursuant  
4 to this section to an independent contractor or an employee of an independent  
5 contractor authorizes the independent contractor or employee to provide labor to  
6 any medical marijuana establishment in this State.

7 10. A medical marijuana establishment agent registration card issued pursuant  
8 to this section to a person who wishes to volunteer or work at a medical marijuana  
9 establishment authorizes the person to volunteer or work at any medical marijuana  
10 establishment in this State for which the category of the medical marijuana  
11 establishment agent registration card authorizes the person to volunteer or work.

12 11. Except as otherwise prescribed by regulation of the Department, an  
13 applicant for registration or renewal of registration as a medical marijuana  
14 establishment agent is deemed temporarily registered as a medical marijuana  
15 establishment agent on the date on which a complete application for registration or  
16 renewal of registration is submitted to the Department. A temporary registration as  
17 a medical marijuana establishment agent expires 30 days after the date upon which  
18 the application is received.

19 **Sec. 3.** NRS 453A.342 is hereby amended to read as follows:

20 453A.342 The following acts constitute grounds for the immediate revocation  
21 of the medical marijuana establishment agent registration card of a medical  
22 marijuana establishment agent:

23 1. Having committed or committing any excluded felony offense.

24 2. Dispensing, delivering or otherwise transferring marijuana to a person  
25 other than a medical marijuana establishment agent, another medical marijuana  
26 establishment or a person who holds a valid registry identification card, including,  
27 without limitation, a designated primary caregiver.

28 3. *Having been electronically recorded by a video monitoring system*  
29 *stealing marijuana, edible marijuana products or marijuana-infused products.*

30 4. *Having been convicted of any crime involving the theft of marijuana,*  
31 *edible marijuana products or marijuana-infused products.*

32 5. *Having been electronically recorded by a video monitoring system*  
33 *smoking or otherwise consuming marijuana on the premises of a medical*  
34 *marijuana establishment.*

35 6. *Intentionally submitting to the Department or a local government any*  
36 *document required under the provisions of this chapter which is false or contains*  
37 *any material misstatement of fact.*

38 7. Violating a regulation of the Department, the violation of which is stated to  
39 be grounds for immediate revocation of a medical marijuana establishment agent  
40 registration card.

41 **Sec. 4.** NRS 453A.360 is hereby amended to read as follows:

42 453A.360 1. Each medical marijuana dispensary and facility for the  
43 production of edible marijuana products or marijuana-infused products shall, in  
44 consultation with the Department, cooperate to ensure that all edible marijuana  
45 products and marijuana-infused products offered for sale:

46 (a) Are labeled clearly and unambiguously:

47 (1) As medical marijuana with the words "THIS IS A MEDICAL  
48 MARIJUANA PRODUCT" in bold type; and

49 (2) As required by NRS 453A.320 to 453A.370, inclusive, and any  
50 regulations adopted pursuant thereto.

51 (b) Are not presented in packaging that contains an image of a cartoon  
52 character, mascot, action figure, balloon or toy, except that such an item may

1 appear in the logo of the facility for the production of edible marijuana products or  
2 marijuana-infused products which produced the product.

3 (c) Are regulated and sold on the basis of the concentration of THC in the  
4 products and not by weight.

5 (d) Are packaged and labeled in such a manner as to allow tracking by way of  
6 an inventory control system.

7 (e) Are not packaged and labeled in a manner which is modeled after a brand  
8 of products primarily consumed by or marketed to children.

9 (f) Are labeled in a manner which indicates the amount of THC in the product,  
10 measured in milligrams, and includes a statement that the product contains  
11 marijuana and its potency was tested with an allowable variance of the amount  
12 determined by the Department by regulation.

13 (g) Are not labeled or marketed as candy.

14 2. A facility for the production of edible marijuana products or marijuana-  
15 infused products shall not produce edible marijuana products in any form that:

16 (a) Is or appears to be a lollipop.

17 (b) Bears the likeness or contains characteristics of a real or fictional person,  
18 animal or fruit, including, without limitation, a caricature, cartoon or artistic  
19 rendering.

20 (c) Is modeled after a brand of products primarily consumed by or marketed to  
21 children.

22 (d) Is made by applying concentrated cannabis, as defined in NRS 453.042, to  
23 a commercially available candy or snack food item other than dried fruit, nuts or  
24 granola.

25 3. A facility for the production of edible marijuana products or marijuana-  
26 infused products shall:

27 (a) Seal any edible marijuana product that consists of cookies or brownies in a  
28 bag or other container which is not transparent.

29 (b) Affix a label to each edible marijuana product which includes without  
30 limitation, in a manner which must not mislead consumers, the following  
31 information:

32 (1) The words "Keep out of reach of children";

33 (2) A list of all ingredients used in the edible marijuana product;

34 (3) A list of all allergens in the edible marijuana product; and

35 (4) The total weight of marijuana contained in the edible marijuana product  
36 or an equivalent measure of THC concentration.

37 (c) Maintain a washing area with hot water, soap and a hand dryer or  
38 disposable towels which is located away from any area in which edible marijuana  
39 products are cooked or otherwise prepared.

40 (d) Require each person who handles edible marijuana products to wear a hair  
41 net and clean clothing and keep his or her fingernails neatly trimmed.

42 (e) Package all edible marijuana products or marijuana-infused products  
43 produced by the facility for the production of edible marijuana products or  
44 marijuana-infused products on the premises of the facility for the production of  
45 edible marijuana products or marijuana-infused products.

46 4. A medical marijuana dispensary or facility for the production of edible  
47 marijuana products or marijuana-infused products shall not engage in advertising  
48 that in any way makes marijuana, edible marijuana products or marijuana-infused  
49 products appeal to children, including without limitation, advertising which uses an  
50 image of a cartoon character, mascot, action figure, balloon, fruit or toy.

51 5. Each medical marijuana dispensary shall offer for sale containers for the  
52 storage of marijuana, edible marijuana products and marijuana-infused products

1 which lock and are designed to prohibit children from unlocking and opening the  
2 container.

3 6. A medical marijuana dispensary shall:

4 (a) Include a written notification with each sale of marijuana, edible marijuana  
5 products or marijuana-infused products which advises the purchaser:

6 (1) To keep marijuana, edible marijuana products and marijuana-infused  
7 products out of the reach of children;

8 (2) That edible marijuana products can cause severe illness in children;

9 (3) That allowing children to ingest marijuana or edible marijuana products  
10 or storing marijuana or edible marijuana products in a location which is accessible  
11 to children may result in an investigation by an agency which provides child  
12 welfare services or criminal prosecution for child abuse or neglect;

13 (4) That the intoxicating effects of edible marijuana products may be  
14 delayed by 2 hours or more and users of edible marijuana products should initially  
15 ingest a small amount of the product, then wait at least 120 minutes before  
16 ingesting any additional amount of the product;

17 (5) That pregnant women should consult with a physician before ingesting  
18 marijuana or edible marijuana products;

19 (6) That ingesting marijuana or edible marijuana products with alcohol or  
20 other drugs, including prescription medication, may result in unpredictable levels of  
21 impairment and that a person should consult with a physician before doing so;

22 (7) That marijuana or edible marijuana products can impair concentration,  
23 coordination and judgment and a person should not operate a motor vehicle while  
24 under the influence of marijuana or edible marijuana products; and

25 (8) That ingestion of any amount of marijuana or edible marijuana  
26 products before driving may result in criminal prosecution for driving under the  
27 influence.

28 (b) Enclose all marijuana, edible marijuana products and marijuana-infused  
29 products in opaque, child-resistant packaging upon sale.

30 7. A medical marijuana dispensary shall allow any person who is at least 21  
31 years of age to enter the premises of the medical marijuana dispensary, regardless  
32 of whether such a person holds a valid registry identification card or letter of  
33 approval.

34 8. If the health authority, as defined in NRS 446.050, where a facility for the  
35 production of edible marijuana products or marijuana-infused products or medical  
36 marijuana dispensary which sells edible marijuana products is located requires  
37 persons who handle food at a food establishment to obtain certification, the facility  
38 for the production of edible marijuana products or marijuana-infused products or  
39 medical marijuana dispensary shall ensure that at least one employee maintains  
40 such certification.

41 ***9. A medical marijuana establishment:***

42 ***(a) Shall not engage in advertising which contains any statement or***  
43 ***illustration that:***

44 ***(1) Is false or misleading;***

45 ***(2) Promotes overconsumption of marijuana, edible marijuana products***  
46 ***or marijuana-infused products;***

47 ***(3) Depicts the actual consumption of marijuana, edible marijuana***  
48 ***products or marijuana-infused products; or***

49 ***(4) Depicts a child or other person who is less than 21 years of age***  
50 ***consuming marijuana, edible marijuana products or marijuana-infused products***  
51 ***or objects suggesting the presence of a child, including, without limitation, toys,***  
52 ***characters or cartoons, or contains any other depiction which is designed in any***  
53 ***manner to be appealing to or encourage consumption of marijuana, edible***

1 *marijuana products or marijuana-infused products by a person who is less than*  
2 *21 years of age.*

3 *(b) Shall not advertise in any publication or on radio, television or any other*  
4 *medium if 30 percent or more of the audience of that medium is reasonably*  
5 *expected to be persons who are less than 21 years of age.*

6 *(c) Shall not place an advertisement:*

7 *(1) Within 1,000 feet of a public or private school, playground, public*  
8 *park or library, but may maintain such an advertisement if it was initially placed*  
9 *before the school, playground, public park or library was located within 1,000*  
10 *feet of the location of the advertisement;*

11 *(2) On or inside of a motor vehicle used for public transportation or any*  
12 *shelter for public transportation;*

13 *(3) At a sports event to which persons who are less than 21 years of age*  
14 *are allowed entry; or*

15 *(4) At an entertainment event if it is reasonably estimated that 30 percent*  
16 *or more of the persons who will attend that entertainment event are less than 21*  
17 *years of age.*

18 *(d) Shall not advertise or offer any marijuana, edible marijuana product or*  
19 *marijuana-infused product as “free” or “donated” without a purchase.*

20 *(e) Shall ensure that all advertising by the medical marijuana establishment*  
21 *contains such warnings as may be prescribed by the Department, which must*  
22 *include, without limitation, the following words:*

23 *(1) “Keep out of reach of children”; and*

24 *(2) “For use only by adults 21 years of age and older.”*

25 *10. If a medical marijuana establishment engages in advertising for which*  
26 *it is required to determine the percentage of persons who are less than 21 years of*  
27 *age and who may reasonably be expected to view or hear the advertisement, the*  
28 *medical marijuana establishment shall maintain documentation for not less than*  
29 *5 years after the date on which the advertisement is first broadcasted, published or*  
30 *otherwise displayed that demonstrates the manner in which the medical*  
31 *marijuana establishment determined the reasonably expected age of the audience*  
32 *for that advertisement.*

33 *11. Nothing in subsection 9 shall be construed to prohibit a local*  
34 *government, pursuant to chapter 244, 268 or 278 of NRS, from adopting an*  
35 *ordinance for the regulation of advertising relating to marijuana which is more*  
36 *restrictive than the provisions of subsection 9 relating to:*

37 *(a) The number, location and size of signs, including, without limitation, any*  
38 *signs carried or displayed by a natural person;*

39 *(b) Handbills, pamphlets, cards or other types of advertisements that are*  
40 *distributed, excluding an advertisement placed in a newspaper of general*  
41 *circulation, trade publication or other form of print media; ~~and~~*

42 *(c) Any stationary or moving display that is located on or near the premises*  
43 *of a medical marijuana establishment ~~;~~ and*

44 *(d) The content of any advertisement used by a medical marijuana*  
45 *establishment if the ordinance sets forth specific prohibited content for such an*  
46 *advertisement.*

47 *12. The Department shall not require a medical marijuana establishment to*  
48 *obtain the approval of the Department before using a logo, sign or advertisement.*

49 *13. ~~The~~ In addition to any other penalties provided for by law, the*  
50 *Department may impose a civil penalty upon a medical marijuana establishment*  
51 *[of not more than \$10,000 for each violation] that violates the provisions of*  
52 *subsection 9 or 10 [by the medical marijuana establishment.] as follows:*

1 (a) For the first violation in the immediately preceding 2 years, a civil  
 2 penalty not to exceed \$1,250.

3 (b) For the second violation in the immediately preceding 2 years, a civil  
 4 penalty not to exceed \$2,500.

5 (c) For the third violation in the immediately preceding 2 years, a civil  
 6 penalty not to exceed \$5,000.

7 (d) For the fourth violation in the immediately preceding 2 years, a civil  
 8 penalty not to exceed \$10,000.

9 **Sec. 5.** Chapter 453D of NRS is hereby amended by adding thereto the  
 10 provisions set forth as sections 6 to 9, inclusive, of this act.

11 **Sec. 6. 1.** *Except as otherwise provided in this section, a person shall not*  
 12 *volunteer or work at, contract to provide labor to or be employed by an*  
 13 *independent contractor to provide labor to a marijuana establishment as a*  
 14 *marijuana establishment agent unless the person is registered with the*  
 15 *Department pursuant to this section.*

16 2. *A person who wishes to volunteer or work at a marijuana establishment*  
 17 *shall submit to the Department an application on a form prescribed by the*  
 18 *Department. The application must be accompanied by:*

19 (a) *The name, address and date of birth of the prospective marijuana*  
 20 *establishment agent;*

21 (b) *A statement signed by the prospective marijuana establishment agent*  
 22 *pledging not to dispense or otherwise divert marijuana to any person who is not*  
 23 *authorized to possess marijuana in accordance with the provisions of this*  
 24 *chapter;*

25 (c) *A statement signed by the prospective marijuana establishment agent*  
 26 *asserting that he or she has not previously had a medical marijuana*  
 27 *establishment agent registration card or marijuana establishment agent*  
 28 *registration card revoked;*

29 (d) ~~*[A complete set of the fingerprints and written permission of the*~~  
 30 ~~*prospective marijuana establishment agent authorizing the Department to*~~  
 31 ~~*forward the fingerprints to the Central Repository for Nevada Records of*~~  
 32 ~~*Criminal History for submission to the Federal Bureau of Investigation for its*~~  
 33 ~~*report;*~~

34 ~~*(e) An application fee not to exceed \$75; and*~~

35 ~~*[(f)]*~~ (e) *Such other information as the Department may require by*  
 36 *regulation.*

37 3. *A person who wishes to contract to provide labor to or be employed by an*  
 38 *independent contractor to provide labor to a marijuana establishment shall*  
 39 *submit to the Department an application on a form prescribed by the Department*  
 40 *for the registration of the independent contractor and each employee of the*  
 41 *independent contractor who will provide labor as a marijuana establishment*  
 42 *agent. The application must be accompanied by:*

43 (a) *The name, address and, if the prospective marijuana establishment agent*  
 44 *has a state business license, the business identification number assigned by the*  
 45 *Secretary of State upon compliance with the provisions of chapter 76 of NRS;*

46 (b) *The name, address and date of birth of each employee of the prospective*  
 47 *marijuana establishment agent who will provide labor as a marijuana*  
 48 *establishment agent;*

49 (c) *A statement signed by the prospective marijuana establishment agent*  
 50 *pledging not to dispense or otherwise divert marijuana to, or allow any of its*  
 51 *employees to dispense or otherwise divert marijuana to, any person who is not*  
 52 *authorized to possess marijuana in accordance with the provisions of this*  
 53 *chapter;*

1 (d) A statement signed by the prospective marijuana establishment agent  
2 asserting that it has not previously had a marijuana establishment agent  
3 registration card or medical marijuana agent registration card revoked and none  
4 of its employees who will provide labor as a marijuana establishment agent have  
5 previously had a medical marijuana establishment agent registration card or  
6 marijuana establishment registration card revoked;

7 ~~(e) [A complete set of the fingerprints of the prospective marijuana~~  
8 ~~establishment agent, if a natural person, and each employee of the prospective~~  
9 ~~marijuana establishment agent who will provide labor as a marijuana~~  
10 ~~establishment agent and written permission of the prospective marijuana~~  
11 ~~establishment agent and each employee of the prospective marijuana~~  
12 ~~establishment agent authorizing the Department to forward the fingerprints to the~~  
13 ~~Central Repository for Nevada Records of Criminal History for submission to the~~  
14 ~~Federal Bureau of Investigation for its report;~~

15 ~~— (f) An application fee not to exceed \$75 for the prospective marijuana~~  
16 ~~establishment agent and for each employee of the prospective marijuana~~  
17 ~~establishment agent who will provide labor as a marijuana establishment agent; and~~

18 ~~(g) (f) Such other information as the Department may require by~~  
19 ~~regulation.~~

20 4. The Department may conduct any investigation of a prospective  
21 marijuana establishment agent and, for an independent contractor, each  
22 employee of the prospective marijuana establishment agent who will provide  
23 labor as a marijuana establishment agent, that the Department deems  
24 appropriate. In connection with such an investigation, the Department may:

25 (a) Conduct or accept any background check the Department determines to  
26 be reliable and expedient to determine the criminal history of the prospective  
27 marijuana establishment agent or the employee;

28 (b) Require a prospective marijuana establishment agent, if a natural person,  
29 and each employee of a prospective marijuana establishment agent who will  
30 provide labor as a marijuana establishment agent to submit to the Department a  
31 complete set of fingerprints and written permission authorizing the Department to  
32 forward the fingerprints to the Central Repository for Nevada Records of  
33 Criminal History for submission to the Federal Bureau of Investigation for its  
34 report; and

35 (c) If the Department imposes the requirement described in paragraph (b),  
36 submit the fingerprints of the prospective marijuana establishment agent and  
37 each employee of the prospective marijuana establishment agent who will provide  
38 labor as a marijuana establishment agent to the Central Repository for Nevada  
39 Records of Criminal History for submission to the Federal Bureau of  
40 Investigation for its report.

41 5. A marijuana establishment shall notify the Department within 10 days  
42 after a marijuana establishment agent ceases to be employed by, volunteer at or  
43 provide labor as a marijuana establishment agent to the marijuana  
44 establishment.

45 ~~(5) 6. A person who:~~

46 ~~(a) Has been convicted of an excluded felony offense; or~~

47 ~~(b) Is less than 21 years of age,~~

48 ~~↳ shall not serve as a marijuana establishment agent.~~

49 ~~[ 6. The Department shall submit the fingerprints of an applicant for~~  
50 ~~registration as a marijuana establishment agent to the Central Repository for~~  
51 ~~Nevada Records of Criminal History for submission to the Federal Bureau of~~  
52 ~~Investigation to determine the criminal history of the applicant.]~~

1           7. *The provisions of this section do not require a person who is an owner,*  
2 *officer or board member of a marijuana establishment to resubmit information*  
3 *already furnished to the Department at the time the establishment was registered*  
4 *with the Department.*

5           8. *If an applicant for registration as a marijuana establishment agent*  
6 *satisfies the requirements of this section and is not disqualified from serving as*  
7 *such an agent pursuant to this section or any other applicable law, the*  
8 *Department shall issue to the person and, for an independent contractor, to each*  
9 *person identified in the independent contractor's application for registration as*  
10 *an employee who will provide labor as a marijuana establishment agent, a*  
11 *marijuana establishment agent registration card. If the Department does not act*  
12 *upon an application for a marijuana establishment registration card within 30*  
13 *days after the date on which the application is received, the application shall be*  
14 *deemed conditionally approved until such time as the Department acts upon the*  
15 *application. A marijuana establishment agent registration card expires ~~1 year~~ 2*  
16 *years after the date of issuance and may be renewed upon:*

17           (a) *Resubmission of the information set forth in this section; and*

18           (b) *Payment of a renewal fee not to exceed \$75.*

19           9. *A marijuana establishment agent registration card issued pursuant to*  
20 *this section to an independent contractor or an employee of an independent*  
21 *contractor authorizes the independent contractor or employee to provide labor to*  
22 *any marijuana establishment in this State.*

23           10. *A marijuana establishment agent registration card issued pursuant to*  
24 *this section to a person who wishes to volunteer or work at a marijuana*  
25 *establishment authorizes the person to volunteer or work at any marijuana*  
26 *establishment in this State for which the category of the marijuana establishment*  
27 *agent registration card authorizes the person to volunteer or work.*

28           11. *Except as otherwise prescribed by regulation of the Department, an*  
29 *applicant for registration or renewal of registration as a marijuana establishment*  
30 *agent is deemed temporarily registered as a marijuana establishment agent on the*  
31 *date on which a complete application for registration or renewal of registration is*  
32 *submitted to the Department. A temporary registration as a marijuana*  
33 *establishment agent expires 30 days after the date upon which the application is*  
34 *received.*

35           **Sec. 7. 1.** *In addition to any other requirements set forth in this chapter,*  
36 *an applicant for the issuance or renewal of a marijuana establishment agent*  
37 *registration card shall:*

38           (a) *Include the social security number of the applicant in the application*  
39 *submitted to the Department.*

40           (b) *Submit to the Department the statement prescribed by the Division of*  
41 *Welfare and Supportive Services of the Department of Health and Human*  
42 *Services pursuant to NRS 425.520. The statement must be completed and signed*  
43 *by the applicant.*

44           2. *The Department shall include the statement required pursuant to*  
45 *subsection 1 in:*

46           (a) *The application or any other forms that must be submitted for the*  
47 *issuance or renewal of the marijuana establishment agent registration card; or*

48           (b) *A separate form prescribed by the Department.*

49           3. *A marijuana establishment agent registration card may not be issued or*  
50 *renewed by the Department if the applicant:*

51           (a) *Fails to submit the statement required pursuant to subsection 1; or*

52           (b) *Indicates on the statement submitted pursuant to subsection 1 that the*  
53 *applicant is subject to a court order for the support of a child and is not in*

1 *compliance with the order or a plan approved by the district attorney or other*  
2 *public agency enforcing the order for the repayment of the amount owed*  
3 *pursuant to the order.*

4 *4. If an applicant indicates on the statement submitted pursuant to*  
5 *subsection 1 that the applicant is subject to a court order for the support of a*  
6 *child and is not in compliance with the order or a plan approved by the district*  
7 *attorney or other public agency enforcing the order for the repayment of the*  
8 *amount owed pursuant to the order, the Department shall advise the applicant to*  
9 *contact the district attorney or other public agency enforcing the order to*  
10 *determine the actions that the applicant may take to satisfy the arrearage.*

11 **Sec. 8.** *1. If the Department receives a copy of a court order issued*  
12 *pursuant to NRS 425.540 that provides for the suspension of all professional,*  
13 *occupational and recreational licenses, certificates and permits issued to a person*  
14 *who is the holder of a marijuana establishment agent registration card, the*  
15 *Department shall deem the card issued to that person to be suspended at the end*  
16 *of the 30th day after the date on which the court order was issued unless the*  
17 *Department receives a letter issued to the holder of the card by the district*  
18 *attorney or other public agency pursuant to NRS 425.550 stating that the holder*  
19 *of the card has complied with the subpoena or warrant or has satisfied the*  
20 *arrearage pursuant to NRS 425.560.*

21 *2. The Department shall reinstate a marijuana establishment agent*  
22 *registration card that has been suspended by a district court pursuant to NRS*  
23 *425.540 if the Department receives a letter issued by the district attorney or other*  
24 *public agency pursuant to NRS 425.550 to the person whose card was suspended*  
25 *stating that the person whose card was suspended has complied with the*  
26 *subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.*

27 **Sec. 9.** *The following acts constitute grounds for the immediate revocation*  
28 *of the marijuana establishment agent registration card of a marijuana*  
29 *establishment agent:*

30 *1. Having committed or committing any excluded felony offense.*

31 *2. Dispensing, delivering or otherwise transferring marijuana to a person*  
32 *who is not authorized by law to possess marijuana in accordance with the*  
33 *provisions of this chapter.*

34 *3. Having been electronically recorded by a video monitoring system*  
35 *stealing marijuana or marijuana products.*

36 *4. Having been convicted of any crime involving the theft of marijuana or*  
37 *marijuana products.*

38 *5. Having been electronically recorded by a video monitoring system*  
39 *smoking or otherwise consuming marijuana on the premises of a marijuana*  
40 *establishment.*

41 *6. Intentionally submitting to the Department or a local government any*  
42 *document required under the provisions of this chapter which is false or contains*  
43 *any material misstatement of fact.*

44 *7. Violating a regulation of the Department, the violation of which is stated*  
45 *to be grounds for immediate revocation of a marijuana establishment agent*  
46 *registration card.*

47 **Sec. 10.** NRS 453D.030 is hereby amended to read as follows:

48 453D.030 As used in this chapter, unless the context otherwise requires:

49 1. "Community facility" means a facility licensed to provide day care to  
50 children, a public park, a public playground, a public swimming pool, a center or  
51 facility the primary purpose of which is to provide recreational opportunities or  
52 services to children or adolescents, or a church, synagogue, or other building,  
53 structure, or place used for religious worship or other religious purpose.



1           2. “Concentrated marijuana” means the separated resin, whether crude or  
2 purified, obtained from marijuana.

3           3. “Consumer” means a person who is 21 years of age or older who purchases  
4 marijuana or marijuana products for use by persons 21 years of age or older, but not  
5 for resale to others.

6           4. “Department” means the Department of Taxation.

7           5. “Dual licensee” means a person or group of persons who possess a current,  
8 valid registration certificate to operate a medical marijuana establishment pursuant  
9 to chapter 453A of NRS and a license to operate a marijuana establishment under  
10 this chapter.

11           6. “Excluded felony offense” means a conviction of an offense that would  
12 constitute a category A felony if committed in Nevada or convictions for two or  
13 more offenses that would constitute felonies if committed in Nevada. “Excluded  
14 felony offense” does not include:

15           (a) A criminal offense for which the sentence, including any term of probation,  
16 incarceration, or supervised release, was completed more than 10 years ago; or

17           (b) An offense involving conduct that would be immune from arrest,  
18 prosecution, or penalty pursuant to chapter 453A of NRS, except that the conduct  
19 occurred before the effective date of chapter 453A of NRS (October 1, 2001), or  
20 was prosecuted by an authority other than the State of Nevada.

21           7. “Locality” means a city or town, or, in reference to a location outside the  
22 boundaries of a city or town, a county.

23           8. “Marijuana” means all parts of any plant of the genus Cannabis, whether  
24 growing or not, the seeds thereof, the resin extracted from any part of the plant, and  
25 every compound, manufacture, salt, derivative, mixture, or preparation of the plant,  
26 its seeds, or resin. “Marijuana” does not include:

27           (a) The mature stems of the plant, fiber produced from the stems, oil, or cake  
28 made from the seeds of the plant, any other compound, manufacture, salt,  
29 derivative, mixture, or preparation of the mature stems (except the resin extracted  
30 therefrom), fiber, oil, or cake, the sterilized seed of the plant which is incapable of  
31 germination; or

32           (b) The weight of any other ingredient combined with marijuana to prepare  
33 topical or oral administrations, food, drink, or other products.

34           9. “Marijuana cultivation facility” means an entity licensed to cultivate,  
35 process, and package marijuana, to have marijuana tested by a marijuana testing  
36 facility, and to sell marijuana to retail marijuana stores, to marijuana product  
37 manufacturing facilities, and to other marijuana cultivation facilities, but not to  
38 consumers.

39           10. “Marijuana distributor” means an entity licensed to transport marijuana  
40 from a marijuana establishment to another marijuana establishment.

41           11. “Marijuana establishment” means a marijuana cultivation facility, a  
42 marijuana testing facility, a marijuana product manufacturing facility, a marijuana  
43 distributor, or a retail marijuana store.

44           12. *“Marijuana establishment agent” means an owner, officer, board*  
45 *member, employee or volunteer of a marijuana establishment, an independent*  
46 *contractor who provides labor relating to the cultivation, processing or*  
47 *distribution of marijuana or the production of marijuana or marijuana products*  
48 *for a marijuana establishment or an employee of such an independent contractor.*

49           13. *“Marijuana establishment agent registration card” means a registration*  
50 *card that is issued by the Department pursuant to section 6 of this act to authorize*  
51 *a person to volunteer or work at a marijuana establishment.*

52           14. “Marijuana product manufacturing facility” means an entity licensed to  
53 purchase marijuana, manufacture, process, and package marijuana and marijuana

1 products, and sell marijuana and marijuana products to other marijuana product  
2 manufacturing facilities and to retail marijuana stores, but not to consumers.

3 ~~15.~~ **15.** “Marijuana products” means products comprised of marijuana and  
4 concentrated marijuana and other ingredients that are intended for use or  
5 consumption, such as, but not limited to, edible products, ointments, and tinctures.

6 ~~16.~~ **16.** “Marijuana paraphernalia” means any equipment, products, and  
7 materials of any kind which are used, intended for use, or designed for use in  
8 planting, propagating, cultivating, growing, harvesting, manufacturing,  
9 compounding, converting, producing, preparing, testing, analyzing, packaging,  
10 repacking, storing, or containing marijuana, or for ingesting, inhaling, or otherwise  
11 introducing marijuana into the human body.

12 ~~17.~~ **17.** “Marijuana testing facility” means an entity licensed to test  
13 marijuana and marijuana products, including for potency and contaminants.

14 ~~18.~~ **18.** “Process” means to harvest, dry, cure, trim, and separate parts of the  
15 marijuana plant by manual or mechanical means, such as sieving or ice water  
16 separation, but not by chemical extraction or chemical synthesis.

17 ~~19.~~ **19.** “Public place” means an area to which the public is invited or in  
18 which the public is permitted regardless of age. “Public place” does not include a  
19 retail marijuana store.

20 ~~20.~~ **20.** “Retail marijuana store” means an entity licensed to purchase  
21 marijuana and marijuana cultivation facilities, to purchase marijuana and  
22 marijuana products from marijuana product manufacturing facilities and retail  
23 marijuana stores, and to sell marijuana and marijuana products to consumers.

24 ~~21.~~ **21.** “Unreasonably impracticable” means that the measures necessary to  
25 comply with the regulations require such a high investment of risk, money, time, or  
26 any other resource or asset that the operation of a marijuana establishment is not  
27 worthy of being carried out in practice by a reasonably prudent businessperson.

28 **Sec. 11.** NRS 453D.200 is hereby amended to read as follows:

29 453D.200 1. Not later than January 1, 2018, the Department shall adopt all  
30 regulations necessary or convenient to carry out the provisions of this chapter. The  
31 regulations must not prohibit the operation of marijuana establishments, either  
32 expressly or through regulations that make their operation unreasonably  
33 impracticable. The regulations shall include:

34 (a) Procedures for the issuance, renewal, suspension, and revocation of a  
35 license to operate a marijuana establishment;

36 (b) Qualifications for licensure that are directly and demonstrably related to the  
37 operation of a marijuana establishment;

38 (c) Requirements for the security of marijuana establishments;

39 (d) Requirements to prevent the sale or diversion of marijuana and marijuana  
40 products to persons under 21 years of age;

41 (e) Requirements for the packaging of marijuana and marijuana products,  
42 including requirements for child-resistant packaging;

43 (f) Requirements for the testing and labeling of marijuana and marijuana  
44 products sold by marijuana establishments including a numerical indication of  
45 potency based on the ratio of THC to the weight of a product intended for oral  
46 consumption;

47 (g) Requirements for record keeping by marijuana establishments;

48 (h) Reasonable restrictions on signage, marketing, display, and advertising ~~that~~,  
49 *except that such restrictions must not require a marijuana establishment to*  
50 *obtain the approval of the Department before using a logo, sign or advertisement;*

51 (i) Procedures for the collection of taxes, fees, and penalties imposed by this  
52 chapter;

1 (j) Procedures and requirements to enable the transfer of a license for a  
2 marijuana establishment to another qualified person and to enable a licensee to  
3 move the location of its establishment to another suitable location;

4 (k) Procedures and requirements to enable a dual licensee to operate medical  
5 marijuana establishments and marijuana establishments at the same location;

6 (l) Procedures to establish the fair market value at wholesale of marijuana; and

7 (m) Civil penalties for the failure to comply with any regulation adopted  
8 pursuant to this section or for any violation of the provisions of NRS 453D.300.

9 2. The Department shall approve or deny applications for licenses pursuant to  
10 NRS 453D.210.

11 3. The Department may by motion or on complaint, after investigation, notice  
12 of the specific violation, and an opportunity for a hearing, pursuant to the  
13 provisions of chapter 233B of NRS, suspend, revoke, or fine a licensee for the  
14 violation of this chapter or for a violation of a regulation adopted by the  
15 Department pursuant to this section.

16 4. The Department may immediately suspend the license of any marijuana  
17 establishment if the marijuana establishment knowingly sells, delivers, or otherwise  
18 transfers marijuana in violation of this chapter or knowingly purchases marijuana  
19 from any person not licensed pursuant to this chapter or to chapter 453A of NRS.  
20 The Department must provide an opportunity for a hearing pursuant to the  
21 provisions of NRS 233B.121 within a reasonable time from a suspension pursuant  
22 to this subsection.

23 5. To ensure that individual privacy is protected:

24 (a) The Department shall not require a consumer to provide a retail marijuana  
25 store with identifying information other than government-issued identification to  
26 determine the consumer's age; and

27 (b) A retail marijuana store must not be required to acquire and record personal  
28 information about consumers other than information typically acquired in a  
29 financial transaction conducted at a retail liquor store.

30 6. The Department shall conduct a background check of each prospective  
31 owner, officer, and board member of a marijuana establishment license applicant.

32 7. The Department shall inspect marijuana establishments as necessary to  
33 enforce this chapter or the regulations adopted pursuant to this section.

34 **Sec. 12.** NRS 453D.310 is hereby amended to read as follows:

35 453D.310 1. Each retail marijuana store and marijuana product  
36 manufacturing facility shall, in consultation with the Department, cooperate to  
37 ensure that all marijuana products offered for sale:

38 (a) Are labeled clearly and unambiguously:

39 (1) As marijuana with the words "THIS IS A MARIJUANA PRODUCT"  
40 in bold type; and

41 (2) As required by this chapter and any regulations adopted pursuant  
42 thereto.

43 (b) Are not presented in packaging that contains an image of a cartoon  
44 character, mascot, action figure, balloon or toy, except that such an item may  
45 appear in the logo of the marijuana product manufacturing facility which produced  
46 the product.

47 (c) Are regulated and sold on the basis of the concentration of THC in the  
48 products and not by weight.

49 (d) Are packaged and labeled in such a manner as to allow tracking by way of  
50 an inventory control system.

51 (e) Are not packaged and labeled in a manner which is modeled after a brand  
52 of products primarily consumed by or marketed to children.

1 (f) Are labeled in a manner which indicates the number of servings of THC in  
2 the product, measured in servings of a maximum of 10 milligrams per serving, and  
3 includes a statement that the product contains marijuana and its potency was tested  
4 with an allowable variance of the amount determined by the Department by  
5 regulation.

6 (g) Are not labeled or marketed as candy.

7 2. A marijuana product must be sold in a single package. A single package  
8 must not contain:

9 (a) For a marijuana product sold as a capsule, more than 100 milligrams of  
10 THC per capsule or more than 800 milligrams of THC per package.

11 (b) For a marijuana product sold as a tincture, more than 800 milligrams of  
12 THC.

13 (c) For a marijuana product sold as a food product, more than 100 milligrams  
14 of THC.

15 (d) For a marijuana product sold as a topical product, a concentration of more  
16 than 6 percent THC or more than 800 milligrams of THC per package.

17 (e) For a marijuana product sold as a suppository or transdermal patch, more  
18 than 100 milligrams of THC per suppository or transdermal patch or more than 800  
19 milligrams of THC per package.

20 (f) For any other marijuana product, more than 800 milligrams of THC.

21 3. A marijuana product manufacturing facility shall not produce marijuana  
22 products in any form that:

23 (a) Is or appears to be a lollipop or ice cream.

24 (b) Bears the likeness or contains characteristics of a real or fictional person,  
25 animal or fruit, including, without limitation, a caricature, cartoon or artistic  
26 rendering.

27 (c) Is modeled after a brand of products primarily consumed by or marketed to  
28 children.

29 (d) Is made by applying concentrated marijuana to a commercially available  
30 candy or snack food item other than dried fruit, nuts or granola.

31 4. A marijuana product manufacturing facility shall:

32 (a) Seal any marijuana product that consists of cookies or brownies in a bag or  
33 other container which is not transparent.

34 (b) Affix a label to each marijuana product intended for human consumption  
35 by oral ingestion which includes, without limitation, in a manner which must not  
36 mislead consumers, the following information:

37 (1) The words "Keep out of reach of children";

38 (2) A list of all ingredients used in the marijuana product;

39 (3) A list of all allergens in the marijuana product; and

40 (4) The total weight of marijuana contained in the marijuana product or an  
41 equivalent measure of THC concentration.

42 (c) Maintain a washing area with hot water, soap and a hand dryer or  
43 disposable towels which is located away from any area in which marijuana products  
44 intended for human consumption by oral ingestion are cooked or otherwise  
45 prepared.

46 (d) Require each person who handles marijuana products intended for human  
47 consumption by oral ingestion to wear a hair net and clean clothing and keep his or  
48 her fingernails neatly trimmed.

49 (e) Package all marijuana products produced by the marijuana product  
50 manufacturing facility on the premises of the marijuana product manufacturing  
51 facility.

52 5. A retail marijuana store or marijuana product manufacturing facility shall  
53 not engage in advertising that in any way makes marijuana or marijuana products

1 appeal to children, including, without limitation, advertising which uses an image  
2 of a cartoon character, mascot, action figure, balloon, fruit or toy.

3 6. Each retail marijuana store shall offer for sale containers for the storage of  
4 marijuana and marijuana products which lock and are designed to prohibit children  
5 from unlocking and opening the container.

6 7. A retail marijuana store shall:

7 (a) Include a written notification with each sale of marijuana or marijuana  
8 products which advises the purchaser:

9 (1) To keep marijuana and marijuana products out of the reach of children;

10 (2) That marijuana and marijuana products can cause severe illness in  
11 children;

12 (3) That allowing children to ingest marijuana or marijuana products, or  
13 storing marijuana or marijuana products in a location which is accessible to  
14 children may result in an investigation by an agency which provides child welfare  
15 services or criminal prosecution for child abuse or neglect;

16 (4) That the intoxicating effects of marijuana products may be delayed by 2  
17 hours or more and users of marijuana products should initially ingest a small  
18 amount of the product, then wait at least 120 minutes before ingesting any  
19 additional amount of the product;

20 (5) That pregnant women should consult with a physician before ingesting  
21 marijuana or marijuana products;

22 (6) That ingesting marijuana or marijuana products with alcohol or other  
23 drugs, including prescription medication, may result in unpredictable levels of  
24 impairment and that a person should consult with a physician before doing so;

25 (7) That marijuana or marijuana products can impair concentration,  
26 coordination and judgment and a person should not operate a motor vehicle while  
27 under the influence of marijuana or marijuana products; and

28 (8) That ingestion of any amount of marijuana or marijuana products  
29 before driving may result in criminal prosecution for driving under the influence.

30 (b) Enclose all marijuana and marijuana products in opaque, child-resistant  
31 packaging upon sale.

32 8. If the health authority, as defined in NRS 446.050, where a marijuana  
33 product manufacturing facility or retail marijuana store which sells marijuana  
34 products intended for human consumption by oral ingestion is located requires  
35 persons who handle food at a food establishment to obtain certification, the  
36 marijuana product manufacturing facility or retail marijuana store shall ensure that  
37 at least one employee maintains such certification.

38 9. A marijuana establishment:

39 (a) Shall not engage in advertising which contains any statement or illustration  
40 that:

41 (1) Is false or misleading;

42 (2) Promotes overconsumption of marijuana or marijuana products;

43 (3) Depicts the actual consumption of marijuana or marijuana products; or

44 (4) Depicts a child or other person who is less than 21 years of age  
45 consuming marijuana or marijuana products or objects suggesting the presence of a  
46 child, including, without limitation, toys, characters or cartoons, or contains any  
47 other depiction which is designed in any manner to be appealing to or encourage  
48 consumption of marijuana or marijuana products by a person who is less than 21  
49 years of age.

50 (b) Shall not advertise in any publication or on radio, television or any other  
51 medium if 30 percent or more of the audience of that medium is reasonably  
52 expected to be persons who are less than 21 years of age.

53 (c) Shall not place an advertisement:

1 (1) Within 1,000 feet of a public or private school, playground, public park  
2 or library, but may maintain such an advertisement if it was initially placed before  
3 the school, playground, public park or library was located within 1,000 feet of the  
4 location of the advertisement;

5 (2) On or inside of a motor vehicle used for public transportation or any  
6 shelter for public transportation; ~~for~~

7 (3) At a sports ~~for entertainment~~ event to which persons who are less than  
8 21 years of age are allowed entry ~~for~~; or

9 (4) *At an entertainment event if it is reasonably estimated that 30 percent*  
10 *or more of the persons who will attend that entertainment event are less than 21*  
11 *years of age.*

12 (d) Shall not advertise or offer any marijuana or marijuana product as “free” or  
13 “donated” without a purchase.

14 (e) Shall ensure that all advertising by the marijuana establishment contains  
15 such warnings as may be prescribed by the Department, which must include,  
16 without limitation, the following words:

17 (1) “Keep out of reach of children”; and

18 (2) “For use only by adults 21 years of age and older.”

19 10. *If a marijuana establishment engages in advertising for which it is*  
20 *required to determine the percentage of persons who are less than 21 years of age*  
21 *and who may reasonably be expected to view or hear the advertisement, the*  
22 *marijuana establishment shall maintain documentation for not less than 5 years*  
23 *after the date on which the advertisement is first broadcasted, published or*  
24 *otherwise displayed that demonstrates the manner in which the marijuana*  
25 *establishment determined the reasonably expected age of the audience for that*  
26 *advertisement.*

27 11. Nothing in subsection 9 shall be construed to prohibit a local government,  
28 pursuant to chapter 244, 268 or 278 of NRS, from adopting an ordinance for the  
29 regulation of advertising relating to marijuana which is more restrictive than the  
30 provisions of subsection 9 relating to:

31 (a) The number, location and size of signs, including, without limitation, any  
32 signs carried or displayed by a natural person;

33 (b) Handbills, pamphlets, cards or other types of advertisements that are  
34 distributed, excluding an advertisement placed in a newspaper of general  
35 circulation, trade publication or other form of print media; ~~and~~

36 (c) Any stationary or moving display that is located on or near the premises of  
37 a marijuana establishment ~~for~~; and

38 *(d) The content of any advertisement used by a marijuana establishment if*  
39 *the ordinance sets forth specific prohibited content for such an advertisement.*

40 12. ~~The~~ *In addition to any other penalties provided for by law, the*  
41 *Department may impose a civil penalty upon a marijuana establishment ~~for not~~*  
42 *more than \$10,000 for each violation that violates the provisions of subsection 9*  
43 *or 10 ~~by the marijuana establishment,~~ as follows:*

44 *(a) For the first violation in the immediately preceding 2 years, a civil*  
45 *penalty not to exceed \$1,250.*

46 *(b) For the second violation in the immediately preceding 2 years, a civil*  
47 *penalty not to exceed \$2,500.*

48 *(c) For the third violation in the immediately preceding 2 years, a civil*  
49 *penalty not to exceed \$5,000.*

50 *(d) For the fourth violation in the immediately preceding 2 years, a civil*  
51 *penalty not to exceed \$10,000.*

52 **Sec. 12.3. NRS 244.35253 is hereby amended to read as follows:**

1           244.35253 1. Except as otherwise provided in this section, a board of  
2 county commissioners shall not fix, impose or collect a license tax for revenue or  
3 for regulation, or for both revenue and regulation, on a marijuana establishment or  
4 medical marijuana establishment located in the county.

5           2. Except as otherwise provided in subsection 3, a board of county  
6 commissioners may fix, impose and collect a license tax for revenue or for  
7 regulation, or for both revenue and regulation, on a marijuana establishment or  
8 medical marijuana establishment located in the county outside of the limits of  
9 incorporated cities and towns as a:

10           (a) Flat fee;

11           (b) Percentage of the gross revenue of the marijuana establishment or medical  
12 marijuana establishment; or

13           (c) Combination of a flat fee and a percentage of gross revenue of the  
14 marijuana establishment or medical marijuana establishment.

15           3. The total amount of a license tax imposed on a marijuana establishment or  
16 medical marijuana establishment pursuant to subsection 2, regardless of whether  
17 the license tax is imposed in the form described in paragraph (a), (b) or (c) of  
18 subsection 2, must not exceed 3 percent of the gross revenue of the marijuana  
19 establishment or medical marijuana establishment, as applicable.

20           4. In addition to any amount of money collected as a license tax pursuant to  
21 subsection 2, a board of county commissioners may fix, impose and collect:

22           (a) Any fees required pursuant to chapter 278 of NRS;

23           (b) A one-time flat fee for an application for the issuance of a business license  
24 for a marijuana establishment or medical marijuana establishment located in the  
25 county outside of the limits of incorporated cities and towns in an amount that does  
26 not exceed any similar fee imposed on a business pursuant to this chapter and  
27 chapter 369 of NRS; and

28           (c) A licensing tax for a business activity engaged in by a marijuana  
29 establishment or medical marijuana establishment located in the county outside of  
30 the limits of incorporated cities and towns for which registration pursuant to chapter  
31 453A of NRS or licensing pursuant to chapter 453D of NRS is not required only if:

32           (1) The board of county commissioners is granted the authority to require  
33 such a license by some other provision of law; and

34           (2) The amount of the licensing tax does not exceed the amount imposed  
35 by the board of county commissioners on other similar businesses.

36           5. A board of county commissioners shall not enact or enforce any ordinance  
37 which is more restrictive than or conflicts with a law or regulation of this State  
38 relating to:

39           (a) The packaging, labeling, testing, dosage or potency of marijuana, edible  
40 marijuana products, marijuana products or marijuana-infused products;

41           (b) The kinds of marijuana, edible marijuana products, marijuana products and  
42 marijuana-infused products authorized to be sold pursuant to chapters 453A and  
43 453D of NRS and any regulations adopted pursuant to chapter 453A of NRS;

44           (c) The use of pesticides in the cultivation of marijuana;

45           (d) The tracking of marijuana from seed to sale;

46           (e) The transportation of marijuana, edible marijuana products, marijuana  
47 products or marijuana-infused products other than the direct transportation of  
48 marijuana, edible marijuana products, marijuana products or marijuana-infused  
49 products to a consumer and a requirement to notify the county of any transportation  
50 of marijuana, edible marijuana products, marijuana products or marijuana-infused  
51 products;

52           (f) The issuance or verification of a registry identification card, letter of  
53 approval or written documentation;

1 (g) The training or certification of medical marijuana establishment agents or  
2 employees of a marijuana establishment; ~~for~~

3 (h) The creation or maintenance of a registry or other system to obtain and  
4 track information relating to customers of marijuana establishments or holders of a  
5 registry identification card or letter of approval ~~for~~; or

6 *(i) The content of any advertisement used by a marijuana establishment or*  
7 *medical marijuana establishment unless the ordinance sets forth specific*  
8 *prohibited content for such an advertisement.*

9 6. A person who obtains a business license described in this section is subject  
10 to all other licensing and permitting requirements of the State and any other  
11 counties and cities in which the person does business.

12 7. As used in this section:

13 (a) "Edible marijuana products" has the meaning ascribed to it in NRS  
14 453A.101.

15 (b) "Letter of approval" has the meaning ascribed to it in NRS 453A.109.

16 (c) "Marijuana establishment" has the meaning ascribed to it in NRS  
17 453D.030.

18 (d) "Marijuana products" has the meaning ascribed to it in NRS 453D.030.

19 (e) "Marijuana-infused products" has the meaning ascribed to it in NRS  
20 453A.112.

21 (f) "Medical marijuana establishment" has the meaning ascribed to it in NRS  
22 453A.116.

23 (g) "Medical marijuana establishment agent" has the meaning ascribed to it in  
24 NRS 453A.117.

25 (h) "Registry identification card" has the meaning ascribed to it in NRS  
26 453A.140.

27 (i) "Written documentation" has the meaning ascribed to it in NRS 453A.170.

28 **Sec. 12.7. NRS 268.0977 is hereby amended to read as follows:**

29 268.0977 1. Except as otherwise provided in this section, the governing  
30 body of an incorporated city, whether organized under general law or special  
31 charter, shall not fix, impose or collect for revenues or for regulation, or both, a  
32 license tax on a marijuana establishment or medical marijuana establishment  
33 located within its corporate limits.

34 2. Except as otherwise provided in subsection 3, the governing body of an  
35 incorporated city, whether organized under general law or special charter, may fix,  
36 impose and collect for revenues or for regulation, or both, a license tax on a  
37 marijuana establishment or medical marijuana establishment located within its  
38 corporate limits as a:

39 (a) Flat fee;

40 (b) Percentage of the gross revenue of the marijuana establishment or medical  
41 marijuana establishment; or

42 (c) Combination of a flat fee and a percentage of gross revenue of the  
43 marijuana establishment or medical marijuana establishment.

44 3. The total amount of a license tax imposed on a marijuana establishment or  
45 medical marijuana establishment pursuant to subsection 2, regardless of whether  
46 the license tax is imposed in the form described in paragraph (a), (b) or (c) of  
47 subsection 2, must not exceed 3 percent of the gross revenue of the marijuana  
48 establishment or medical marijuana establishment, as applicable.

49 4. In addition to any amount of money collected as a license tax pursuant to  
50 subsection 2, the governing body of an incorporated city, whether organized under  
51 general law or special charter, may fix, impose and collect:

52 (a) Any fees required pursuant to chapter 278 of NRS;



1 (b) A one-time flat fee for an application for the issuance of a business license  
2 for a marijuana establishment or medical marijuana establishment located within its  
3 corporate limits in an amount that does not exceed any similar fee imposed on a  
4 business pursuant to this chapter and chapter 369 of NRS; and

5 (c) A licensing tax for a business activity engaged in by a marijuana  
6 establishment or medical marijuana establishment located within its corporate  
7 limits for which registration pursuant to chapter 453A of NRS or licensing pursuant  
8 to chapter 453D of NRS is not required only if:

9 (1) The governing body is granted the authority to require such a license by  
10 some other provision of law; and

11 (2) The amount of the licensing tax does not exceed the amount imposed  
12 by the governing body on other similar businesses.

13 5. The governing body of an incorporated city, whether organized under  
14 general law or special charter, shall not enact or enforce any ordinance which is  
15 more restrictive than or conflicts with a law or regulation of this State relating to:

16 (a) The packaging, labeling, testing, dosage or potency of marijuana, edible  
17 marijuana products, marijuana products or marijuana-infused products;

18 (b) The kinds of edible marijuana products, marijuana products and marijuana-  
19 infused products authorized to be sold pursuant to chapters 453A and 453D of NRS  
20 and any regulations adopted pursuant to chapter 453A of NRS;

21 (c) The use of pesticides in the cultivation of marijuana;

22 (d) The tracking of marijuana from seed to sale;

23 (e) The transportation of marijuana, edible marijuana products, marijuana  
24 products or marijuana-infused products other than the direct transportation of  
25 marijuana, edible marijuana products, marijuana products or marijuana-infused  
26 products to a consumer and a requirement to notify the city of any transportation of  
27 marijuana, edible marijuana products, marijuana products or marijuana-infused  
28 products;

29 (f) The issuance or verification of a registry identification card, letter of  
30 approval or written documentation;

31 (g) The training or certification of medical marijuana establishment agents or  
32 employees of a marijuana establishment; ~~and~~

33 (h) The creation or maintenance of a registry or other system to obtain and  
34 track information relating to customers of marijuana establishments or holders of a  
35 registry identification card or letter of approval; ~~and~~; or

36 (i) The content of any advertisement used by a marijuana establishment or  
37 medical marijuana establishment unless the ordinance sets forth specific  
38 prohibited content for such an advertisement.

39 6. A person who obtains a business license described in this section is subject  
40 to all other licensing and permitting requirements of the State and any other  
41 counties and cities in which the person does business.

42 7. As used in this section:

43 (a) "Edible marijuana products" has the meaning ascribed to it in NRS  
44 453A.101.

45 (b) "Letter of approval" has the meaning ascribed to it in NRS 453A.109.

46 (c) "Marijuana establishment" has the meaning ascribed to it in NRS  
47 453D.030.

48 (d) "Marijuana products" has the meaning ascribed to it in NRS 453D.030.

49 (e) "Marijuana-infused products" has the meaning ascribed to it in NRS  
50 453A.112.

51 (f) "Medical marijuana establishment" has the meaning ascribed to it in NRS  
52 453A.116.

1 (g) “Medical marijuana establishment agent” has the meaning ascribed to it in  
2 NRS 453A.117.

3 (h) “Registry identification card” has the meaning ascribed to it in NRS  
4 453A.140.

5 (i) “Written documentation” has the meaning ascribed to it in NRS 453A.170.

6 **Sec. 13.** Any regulations adopted by the Department of Taxation that conflict  
7 with the amendatory provisions of this act are void. The Legislative Counsel shall  
8 remove those regulations from the Nevada Administrative Code as soon as  
9 practicable after January 2, 2020.

10 **Sec. 14.** 1. This section and sections 1, 3 and 13 of this act become  
11 effective on October 1, 2019.

12 2. Sections 2 and 4 to ~~12.7~~ 12.7, inclusive, of this act become effective on  
13 January 2, 2020.

14 3. Sections 7 and 8 of this act expire by limitation on the date on which the  
15 provisions of 42 U.S.C. § 666 requiring each state to establish procedures under  
16 which the state has authority to withhold or suspend, or to restrict the use of  
17 professional, occupational and recreational licenses of persons who:

18 (a) Have failed to comply with a subpoena or warrant relating to a proceeding  
19 to determine the paternity of a child or to establish or enforce an obligation for the  
20 support of a child; or

21 (b) Are in arrears in the payment for the support of one or more children,  
22 ↪ are repealed by the Congress of the United States.