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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO EDUCATION -- THE DISTRESSED COMMUNITY CHILD ENRICHMENT PROGRAM

Introduced By: Representatives Williams, Messier, Vella-Wilkinson, Slater, Felix, and Alzate

Date Introduced: February 10, 2021

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by
2 adding thereto the following chapter:

3 CHAPTER 110

4 THE DISTRESSED COMMUNITY CHILD ENRICHMENT PROGRAM

5 **16-110-1. Short title.**

6 This chapter shall be known and may be cited as "The Distressed Community Child
7 Enrichment Program."

8 **16-110-2. Administration of program.**

9 (a) The commissioner of elementary and secondary education shall establish, administer,
10 and oversee the distressed community child enrichment program as a grant program.

11 (b) Each recipient of a grant from the distressed community child enrichment program
12 established pursuant to this chapter shall be from an eligible distressed community as set forth in §
13 45-13-12.

14 (c) The commissioner of elementary and secondary education shall promulgate rules and
15 regulations as necessary to carry out the intent, purpose and implementation of the responsibilities
16 under this chapter.

17 **16-110-3. Committee.**

18 (a) The commissioner of elementary and secondary education shall convene an advisory

1 committee comprised of those with knowledge, experience, training and/or expertise within the
2 distressed communities as defined in § 45-13-12. The committee members shall include, but are
3 not limited to, the commissioner of elementary and secondary education, or his or her designee,
4 and the superintendents of the school districts that qualify as distressed communities pursuant to §
5 45-13-12, or his or her designee.

6 (b) The committee established pursuant to subsection (a) of this section, shall be
7 responsible for the implementation of the program pursuant to § 16-110-2, and shall:

8 (1) Develop a plan and budget for distribution of funds pursuant to § 16-110-4;

9 (2) Develop criteria for awarding and distributing funds received under § 16-110-4;

10 (3) Issue requests for proposals to providers, organizations, firms, or entities that will
11 provide services to the eligible communities;

12 (4) Review proposals for the funds to be distributed pursuant to § 16-110-4(b);

13 (5) Monitor and account for the expenditure of funds and produce reports pursuant to § 16-
14 110-5; and

15 (6) Promote the general development of programs and activities within distressed
16 communities.

17 (c) Organizations submitting proposals for funds shall not participate in the review of
18 proposals or expenditure of funds. The commissioner of elementary and secondary education shall
19 not be eligible to submit proposals for the committee's programs nor shall it be eligible to receive
20 any funds from the committee except as hereinafter provided.

21 **16-110-4. Funding for program.**

22 (a) The program established under this chapter shall be funded by three percent (3%) of the
23 gross revenue from the licensing fee paid to the department of business regulation pursuant to §§
24 21-28.6-12(c)(5)(ii)(A) and 21-28.6-12(d)(2)(i).

25 (b) The commissioner of elementary and secondary education is hereby authorized to
26 establish a restricted receipt account, known as the "distressed community child enrichment
27 program fund," within the general fund of the state into which all amounts appropriated for the
28 program created pursuant to this chapter shall be deposited. In addition, charitable donations may
29 be accepted into the account. All revenue of the restricted-receipt account shall be apportioned and
30 paid as follows:

31 (i) Seventy-five percent (75%) shall be designated to educational programs in the fields of
32 science, technology, engineering, the arts, and mathematics; and

33 (ii) Twenty-five percent (25%) shall be designated to academic and non-academic
34 programs, to include, but not be limited to, athletic and physical fitness programs, home economic

1 [programs, after school programs, tutoring, or art programs, within a distressed community.](#)

2 [\(c\) The account shall be exempt from the indirect cost recovery provisions of § 35-4-27.](#)

3 **16-110-5. Program integrity and reporting.**

4 [\(a\) Program integrity being of paramount importance, the commissioner of elementary and](#)
5 [secondary education shall establish procedures to ensure ongoing compliance with the terms and](#)
6 [conditions of the program established pursuant to this section, including procedures to safeguard](#)
7 [the expenditure of public funds, to ensure that the funds further the objectives of the program, and](#)
8 [to evaluate the impact of the program.](#)

9 [\(b\) The commissioner of elementary and secondary education shall publish a report on the](#)
10 [distressed community child enrichment program. The report shall contain information on the status](#)
11 [of the program implementation as well as an accounting of the commitment, disbursement, and use](#)
12 [of funds allocated to the program. The report is due no later than ninety \(90\) days after the end of](#)
13 [the fiscal year and shall be provided to the governor, speaker of the house of representatives, and](#)
14 [the president of the senate.](#)

15 **16-110-6. Severability.**

16 [If any provisions of this chapter are declared unconstitutional, or the applicability of any](#)
17 [provisions to any person or circumstance is held invalid, the constitutionality of the remainder of](#)
18 [the chapter and its applicability to other persons and circumstances shall not be affected thereby.](#)

19 SECTION 2. Section 21-28.6-12 of the General Laws in Chapter 21-28.6 entitled "The
20 Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act" is hereby amended to read as
21 follows:

22 **21-28.6-12. Compassion centers.**

23 (a) A compassion center licensed under this section may acquire, possess, cultivate,
24 manufacture, deliver, transfer, transport, supply, or dispense medical marijuana, or related supplies
25 and educational materials, to registered qualifying patients and their registered primary caregivers
26 or authorized purchasers, or out-of-state patient cardholders or other marijuana establishment
27 licensees. Except as specifically provided to the contrary, all provisions of this chapter (the Edward
28 O. Hawkins and Thomas C. Slater medical marijuana act), apply to a compassion center unless the
29 provision(s) conflict with a provision contained in this section.

30 (b) License of compassion centers -- authority of the departments of health and business
31 regulation:

32 (1) Not later than ninety (90) days after the effective date of this chapter, the department
33 of health shall promulgate regulations governing the manner in which it shall consider applications
34 for licenses for compassion centers, including regulations governing:

- 1 (i) The form and content of license and renewal applications;
2 (ii) Minimum oversight requirements for compassion centers;
3 (iii) Minimum record-keeping requirements for compassion centers;
4 (iv) Minimum security requirements for compassion centers; and
5 (v) Procedures for suspending, revoking, or terminating the license of compassion centers

6 that violate the provisions of this section or the regulations promulgated pursuant to this subsection.

7 (2) Within ninety (90) days of the effective date of this chapter, the department of health
8 shall begin accepting applications for the operation of a single compassion center.

9 (3) Within one hundred fifty (150) days of the effective date of this chapter, the department
10 of health shall provide for at least one public hearing on the granting of an application to a single
11 compassion center.

12 (4) Within one hundred ninety (190) days of the effective date of this chapter, the
13 department of health shall grant a single license to a single compassion center, providing at least
14 one applicant has applied who meets the requirements of this chapter.

15 (5) If at any time after fifteen (15) months after the effective date of this chapter, there is
16 no operational compassion center in Rhode Island, the department of health shall accept
17 applications, provide for input from the public, and issue a license for a compassion center if a
18 qualified applicant exists.

19 (6) Within two (2) years of the effective date of this chapter, the department of health shall
20 begin accepting applications to provide licenses for two (2) additional compassion centers. The
21 department shall solicit input from the public, and issue licenses if qualified applicants exist.

22 (7)(i) Any time a compassion center license is revoked, is relinquished, or expires on or
23 before December 31, 2016, the department of health shall accept applications for a new compassion
24 center.

25 (ii) Any time a compassion center license is revoked, is relinquished, or expires on or after
26 January 1, 2017, the department of business regulation shall accept applications for a new
27 compassion center.

28 (8)(i) If at any time after three (3) years after the effective date of this chapter and on or
29 before December 31, 2016, fewer than three (3) compassion centers are holding valid licenses in
30 Rhode Island, the department of health shall accept applications for a new compassion center. If at
31 any time on or after January 1, 2017, fewer than three (3) compassion centers are holding valid
32 licenses in Rhode Island, the department of business regulation shall accept applications for a new
33 compassion center. There shall be nine (9) compassion centers that may hold valid licenses at one
34 time. If at any time on or after July 1, 2019, fewer than nine (9) compassion centers are holding

1 valid licenses in Rhode Island, the department of business regulation shall accept applications for
2 new compassion centers and shall continue the process until nine (9) licenses have been issued by
3 the department of business regulation.

4 (9) Any compassion center application selected for approval by the department of health
5 on or before December 31, 2016, or selected for approval by the department of business regulation
6 on or after January 1, 2017, shall remain in full force and effect, notwithstanding any provisions of
7 this chapter to the contrary, and shall be subject to state law adopted herein and rules and regulations
8 adopted by the departments of health and business regulation subsequent to passage of this
9 legislation.

10 (10) A licensed cultivator may apply for, and be issued, an available compassion center
11 license, provided that the licensed cultivation premises is disclosed on the compassion center
12 application as the permitted second location for growing medical marijuana in accordance with
13 subsection (c)(i) of this section. If a licensed cultivator is issued an available compassion center
14 license, their cultivation facility license will merge with and into their compassion center license in
15 accordance with regulations promulgated by the department of business regulation. Once merged,
16 the cultivation of medical marijuana may then be conducted under the compassion center license
17 in accordance with this section and the cultivation license will be considered null and void and of
18 no further force or effect.

19 (c) Compassion center and agent applications and license:

20 (1) Each application for a compassion center shall be submitted in accordance with
21 regulations promulgated by the department of business regulation and shall include, but not be
22 limited to:

23 (i) A non-refundable application fee paid to the department in the amount of ten thousand
24 dollars (\$10,000);

25 (ii) The proposed legal name and proposed articles of incorporation of the compassion
26 center;

27 (iii) The proposed physical address of the compassion center, if a precise address has been
28 determined, or, if not, the general location where it would be located. This may include a second
29 location for the cultivation of medical marijuana;

30 (iv) A description of the enclosed, locked facility that would be used in the cultivation of
31 medical marijuana;

32 (v) The name, address, and date of birth of each principal officer and board member of the
33 compassion center;

34 (vi) Proposed security and safety measures that shall include at least one security alarm

1 system for each location, planned measures to deter and prevent the unauthorized entrance into
2 areas containing marijuana and the theft of marijuana, as well as a draft, employee-instruction
3 manual including security policies, safety and security procedures, personal safety, and crime-
4 prevention techniques; and

5 (vii) Proposed procedures to ensure accurate record keeping.

6 (2)(i) For applications submitted on or before December 31, 2016, any time one or more
7 compassion center license applications are being considered, the department of health shall also
8 allow for comment by the public and shall solicit input from registered qualifying patients,
9 registered primary caregivers, and the towns or cities where the applicants would be located;

10 (ii) For applications submitted on or after January 1, 2017, any time one or more
11 compassion center license applications are being considered, the department of business regulation
12 shall also allow for comment by the public and shall solicit input from registered qualifying
13 patients, registered primary caregivers, and the towns or cities where the applicants would be
14 located.

15 (3) Each time a new compassion center license is issued, the decision shall be based upon
16 the overall health needs of qualified patients and the safety of the public, including, but not limited
17 to, the following factors:

18 (i) Convenience to patients from areas throughout the state of Rhode Island;

19 (ii) The applicant's ability to provide a steady supply to the registered qualifying patients
20 in the state;

21 (iii) The applicant's experience running a non-profit or business;

22 (iv) The interests of qualifying patients regarding which applicant be granted a license;

23 (v) The interests of the city or town where the dispensary would be located taking into
24 consideration need and population;

25 (vi) Nothing herein shall prohibit more than one compassion center being geographically
26 located in any city or town;

27 (vii) The sufficiency of the applicant's plans for record keeping and security, which records
28 shall be considered confidential healthcare information under Rhode Island law and are intended
29 to be deemed protected healthcare information for purposes of the Federal Health Insurance
30 Portability and Accountability Act of 1996, as amended; and

31 (viii) The sufficiency of the applicant's plans for safety and security, including proposed
32 location, security devices employed, and staffing.

33 (4) A compassion center approved by the department of health on or before December 31,
34 2016, shall submit the following to the department before it may begin operations:

- 1 (i) A fee paid to the department in the amount of five thousand dollars (\$5,000);
- 2 (ii) The legal name and articles of incorporation of the compassion center;
- 3 (iii) The physical address of the compassion center; this may include a second address for
- 4 the secure cultivation of marijuana;
- 5 (iv) The name, address, and date of birth of each principal officer and board member of the
- 6 compassion center; and
- 7 (v) The name, address, and date of birth of any person who will be an agent of, employee,
- 8 or volunteer of the compassion center at its inception.
- 9 (5)(i) A compassion center approved or renewed by the department of business regulation
- 10 on or after January 1, 2017, but before July 1, 2019, shall submit materials pursuant to regulations
- 11 promulgated by the department of business regulation before it may begin operations:
- 12 (A) A fee paid to the department in the amount of five thousand dollars (\$5,000);
- 13 (B) The legal name and articles of incorporation of the compassion center;
- 14 (C) The physical address of the compassion center; this may include a second address for
- 15 the secure cultivation of medical marijuana;
- 16 (D) The name, address, and date of birth of each principal officer and board member of the
- 17 compassion center;
- 18 (E) The name, address, and date of birth of any person who will be an agent, employee, or
- 19 volunteer of the compassion center at its inception.
- 20 (ii) A compassion center approved or renewed by the department of business regulation on
- 21 or after July 1, 2019, shall submit materials pursuant to regulations promulgated by the department
- 22 of business regulation before it may begin operations, which shall include but not be limited to:
- 23 (A) A fee paid to the department in the amount of five hundred thousand dollars (\$500,000)
- 24 [\(three percent \(3%\) of which shall be paid to the restricted receipt account established pursuant to](#)
- 25 [chapter 110 of title 16\)](#);
- 26 (B) The legal name and articles of incorporation of the compassion center;
- 27 (C) The physical address of the compassion center; this may include a second address for
- 28 the secure cultivation of medical marijuana;
- 29 (D) The name, address, and date of birth of each principal officer and board member of the
- 30 compassion center, and any person who has a direct or indirect ownership interest in any marijuana
- 31 establishment licensee, which ownership interest shall include, but not be limited to, any interests
- 32 arising pursuant to the use of shared management companies, management agreements or other
- 33 agreements that afford third-party management or operational control, or other familial or business
- 34 relationships between compassion center or cultivator owners, members, officers, directors,

1 managers, investors, agents, or key persons that effect dual license interests as determined by the
2 department of business regulation;

3 (E) The name, address, and date of birth of any person who will be an agent, employee, or
4 volunteer of the compassion center at its inception.

5 (6) Except as provided in subsection (c)(7) of this section, the department of health or the
6 department of business regulation shall issue each principal officer, board member, agent,
7 volunteer, and employee of a compassion center a registry identification card or renewal card after
8 receipt of the person's name, address, date of birth; a fee in an amount established by the department
9 of health or the department of business regulation; and, except in the case of an employee,
10 notification to the department of health or the department of business regulation by the department
11 of public safety division of state police, attorney general's office, or local law enforcement that the
12 registry identification card applicant has not been convicted of a felony drug offense or has not
13 entered a plea of nolo contendere for a felony drug offense and received a sentence of probation.
14 Each card shall specify that the cardholder is a principal officer, board member, agent, volunteer,
15 or employee of a compassion center and shall contain the following:

16 (i) The name, address, and date of birth of the principal officer, board member, agent,
17 volunteer, or employee;

18 (ii) The legal name of the compassion center to which the principal officer, board member,
19 agent, volunteer, or employee is affiliated;

20 (iii) A random identification number that is unique to the cardholder;

21 (iv) The date of issuance and expiration date of the registry identification card; and

22 (v) A photograph, if the department of health or the department of business regulation
23 decides to require one.

24 (7) Except as provided in this subsection, neither the department of health nor the
25 department of business regulation shall issue a registry identification card to any principal officer,
26 board member, or agent, of a compassion center who has been convicted of a felony drug offense
27 or has entered a plea of nolo contendere for a felony drug offense and received a sentence of
28 probation. If a registry identification card is denied, the compassion center will be notified in
29 writing of the purpose for denying the registry identification card. A registry identification card
30 may be granted if the offense was for conduct that occurred prior to the enactment of the Edward
31 O. Hawkins and Thomas C. Slater medical marijuana act or that was prosecuted by an authority
32 other than the state of Rhode Island and for which the Edward O. Hawkins and Thomas C. Slater
33 medical marijuana act would otherwise have prevented a conviction.

34 (i) All registry identification card applicants shall apply to the department of public safety

1 division of state police, the attorney general's office, or local law enforcement for a national
2 criminal identification records check that shall include fingerprints submitted to the federal bureau
3 of investigation. Upon the discovery of a felony drug offense conviction or a plea of nolo
4 contendere for a felony drug offense with a sentence of probation, and in accordance with the rules
5 promulgated by the department of health and the department of business regulation, the department
6 of public safety division of state police, the attorney general's office, or local law enforcement shall
7 inform the applicant, in writing, of the nature of the felony and the department of public safety
8 division of state police shall notify the department of health or the department of business
9 regulation, in writing, without disclosing the nature of the felony, that a felony drug offense
10 conviction or a plea of nolo contendere for a felony drug offense with probation has been found.

11 (ii) In those situations in which no felony drug offense conviction or plea of nolo
12 contendere for a felony drug offense with probation has been found, the department of public safety
13 division of state police, the attorney general's office, or local law enforcement shall inform the
14 applicant and the department of health or the department of business regulation, in writing, of this
15 fact.

16 (iii) All registry identification card applicants, except for employees with no ownership,
17 equity, financial interest, or managing control of a marijuana establishment license, shall be
18 responsible for any expense associated with the criminal background check with fingerprints.

19 (8) A registry identification card of a principal officer, board member, agent, volunteer,
20 employee, or any other designation required by the department of business regulation shall expire
21 one year after its issuance, or upon the expiration of the licensed organization's license, or upon the
22 termination of the principal officer, board member, agent, volunteer, or employee's relationship
23 with the compassion center, whichever occurs first.

24 (9) A compassion center cardholder shall notify and request approval from the department
25 of business regulation of any change in his or her name or address within ten (10) days of the
26 change. A compassion center cardholder who fails to notify the department of business regulation
27 of any of these changes is responsible for a civil infraction, punishable by a fine of no more than
28 one hundred fifty dollars (\$150).

29 (10) When a compassion center cardholder notifies the department of health or the
30 department of business regulation of any changes listed in this subsection, the department shall
31 issue the cardholder a new registry identification card within ten (10) days of receiving the updated
32 information and a ten-dollar (\$10.00) fee.

33 (11) If a compassion center cardholder loses his or her registry identification card, he or
34 she shall notify the department of health or the department of business regulation and submit a ten-

1 dollar (\$10.00) fee within ten (10) days of losing the card. Within five (5) days, the department
2 shall issue a new registry identification card with new random identification number.

3 (12) On or before December 31, 2016, a compassion center cardholder shall notify the
4 department of health of any disqualifying criminal convictions as defined in subsection (c)(7) of
5 this section. The department of health may choose to suspend and/or revoke his or her registry
6 identification card after the notification.

7 (13) On or after January 1, 2017, a compassion center cardholder shall notify the
8 department of business regulation of any disqualifying criminal convictions as defined in
9 subsection (c)(7) of this section. The department of business regulation may choose to suspend
10 and/or revoke his or her registry identification card after the notification.

11 (14) If a compassion center cardholder violates any provision of this chapter or regulations
12 promulgated hereunder as determined by the departments of health and business regulation, his or
13 her registry identification card may be suspended and/or revoked.

14 (d) Expiration or termination of compassion center:

15 (1) On or before December 31, 2016, a compassion center's license shall expire two (2)
16 years after its license is issued. On or after January 1, 2017, a compassion center's license shall
17 expire one year after its license is issued. The compassion center may submit a renewal application
18 beginning sixty (60) days prior to the expiration of its license.

19 (2) The department of health or the department of business regulation shall grant a
20 compassion center's renewal application within thirty (30) days of its submission if the following
21 conditions are all satisfied:

22 (i) The compassion center submits the materials required under subsections (c)(4) and
23 (c)(5) of this section, including a five-hundred-thousand-dollar (\$500,000) fee, [three percent \(3%\)](#)
24 [of which shall be paid to the restricted receipt account established pursuant to chapter 110 of title](#)
25 [16](#);

26 (ii) The compassion center's license has never been suspended for violations of this chapter
27 or regulations issued pursuant to this chapter; and

28 (iii) The department of business regulation finds that the compassion center is adequately
29 providing patients with access to medical marijuana at reasonable rates.

30 (3) If the department of health or the department of business regulation determines that any
31 of the conditions listed in subsections (d)(2)(i) -- (iii) of this section have not been met, the
32 department may begin an open application process for the operation of a compassion center. In
33 granting a new license, the department of health or the department of business regulation shall
34 consider factors listed in subsection (c)(3) of this section.

1 (4) The department of business regulation shall issue a compassion center one or more
2 thirty-day (30) temporary licenses after that compassion center's license would otherwise expire if
3 the following conditions are all satisfied:

4 (i) The compassion center previously applied for a renewal, but the department had not yet
5 come to a decision;

6 (ii) The compassion center requested a temporary license; and

7 (iii) The compassion center has not had its license suspended or revoked due to violations
8 of this chapter or regulations issued pursuant to this chapter.

9 (5) A compassion center's license shall be denied, suspended, or subject to revocation if
10 the compassion center:

11 (i) Possesses an amount of marijuana exceeding the limits established by this chapter;

12 (ii) Is in violation of the laws of this state;

13 (iii) Is in violation of other departmental regulations;

14 (iv) Employs or enters into a business relationship with a medical practitioner who provides
15 written certification of a qualifying patient's medical condition; or

16 (v) If any compassion center owner, member, officer, director, manager, investor, agent,
17 or key person as defined in regulations promulgated by the department of business regulation, has
18 any interest, direct or indirect, in another compassion center or another licensed cultivator, except
19 as permitted in subsection (b)(10) of this section. Prohibited interests shall also include interests
20 arising pursuant to the use of shared management companies, management agreements, or other
21 agreements that afford third-party management or operational control, or other familial or business
22 relationships between compassion center or cultivator owners, members, officers, directors,
23 managers, investors, agents, or key persons that effect dual license interests as determined by the
24 department of business regulation.

25 (e) Inspection. Compassion centers are subject to reasonable inspection by the department
26 of health, division of facilities regulation, and the department of business regulation. During an
27 inspection, the departments may review the compassion center's confidential records, including its
28 dispensing records, which shall track transactions according to qualifying patients' registry
29 identification numbers to protect their confidentiality.

30 (f) Compassion center requirements:

31 (1) A compassion center shall be operated on a not-for-profit basis for the mutual benefit
32 of its patients. A compassion center need not be recognized as a tax-exempt organization by the
33 Internal Revenue Service. A compassion center shall be subject to regulations promulgated by the
34 department of business regulation for general operations and record keeping, which shall include,

1 but not be limited to:

- 2 (i) Minimum security and surveillance requirements;
- 3 (ii) Minimum requirements for workplace safety and sanitation;
- 4 (iii) Minimum requirements for product safety and testing;
- 5 (iv) Minimum requirements for inventory tracking and monitoring;
- 6 (v) Minimum requirements for the secure transport and transfer of medical marijuana;
- 7 (vi) Minimum requirements to address odor mitigation;
- 8 (vii) Minimum requirements for product packaging and labeling;
- 9 (viii) Minimum requirements and prohibitions for advertising;

10 (ix) Minimum requirements for the testing and destruction of marijuana. Wherever
11 destruction of medical marijuana and medical marijuana product is required to bring a person or
12 entity into compliance with any provision of this chapter, any rule or regulation promulgated
13 thereunder, or any administrative order issued in accordance therewith, the director of the
14 department of business regulation may designate his or her employees or agents to facilitate the
15 destruction;

16 (x) A requirement that if a compassion center violates this chapter, or any regulation
17 thereunder, and the department of business regulation determines that violation does not pose an
18 immediate threat to public health or public safety, the compassion center shall pay to the department
19 of business regulation a fine of no less than five-hundred dollars (\$500); and

20 (xi) A requirement that if a compassion center violates this chapter, or any regulation
21 promulgated hereunder, and the department of business regulation determines that the violation
22 poses an immediate threat to public health or public safety, the compassion center shall pay to the
23 department of business regulation a fine of no less than two thousand dollars (\$2,000) and the
24 department shall be entitled to pursue any other enforcement action provided for under this chapter
25 and the regulations.

26 (2) A compassion center may not be located within one thousand feet (1,000') of the
27 property line of a preexisting public or private school.

28 (3) On or before December 31, 2016, a compassion center shall notify the department of
29 health within ten (10) days of when a principal officer, board member, agent, volunteer, or
30 employee ceases to work at the compassion center. On or after January 1, 2017, a compassion
31 center shall notify the department of business regulation within ten (10) days of when a principal
32 officer, board member, agent, volunteer, or employee ceases to work at the compassion center. His
33 or her card shall be deemed null and void and the person shall be liable for any penalties that may
34 apply to any nonmedical possession or use of marijuana by the person.

1 (4)(i) On or before December 31, 2016, a compassion center shall notify the department of
2 health in writing of the name, address, and date of birth of any new principal officer, board member,
3 agent, volunteer, or employee and shall submit a fee in an amount established by the department
4 for a new registry identification card before that person begins his or her relationship with the
5 compassion center;

6 (ii) On or after January 1, 2017, a compassion center shall notify the department of business
7 regulation, in writing, of the name, address, and date of birth of any new principal officer, board
8 member, agent, volunteer, or employee and shall submit a fee in an amount established by the
9 department of business regulation for a new registry identification card before that person begins
10 his or her relationship with the compassion center;

11 (5) A compassion center shall implement appropriate security measures to deter and
12 prevent the unauthorized entrance into areas containing marijuana and the theft of marijuana and
13 shall ensure that each location has an operational security alarm system. Each compassion center
14 shall request that the department of public safety division of state police visit the compassion center
15 to inspect the security of the facility and make any recommendations regarding the security of the
16 facility and its personnel within ten (10) days prior to the initial opening of each compassion center.
17 The recommendations shall not be binding upon any compassion center, nor shall the lack of
18 implementation of the recommendations delay or prevent the opening or operation of any center.
19 If the department of public safety division of state police does not inspect the compassion center
20 within the ten-day (10) period, there shall be no delay in the compassion center's opening.

21 (6) The operating documents of a compassion center shall include procedures for the
22 oversight of the compassion center and procedures to ensure accurate record keeping.

23 (7) A compassion center is prohibited from acquiring, possessing, cultivating,
24 manufacturing, delivering, transferring, transporting, supplying, or dispensing marijuana for any
25 purpose except to assist patient cardholders with the medical use of marijuana directly or through
26 the qualifying patient's primary caregiver or authorized purchaser.

27 (8) All principal officers and board members of a compassion center must be residents of
28 the state of Rhode Island.

29 (9) Each time a new, registered, qualifying patient visits a compassion center, it shall
30 provide the patient with a frequently-asked-questions sheet, designed by the department, that
31 explains the limitations on the right to use medical marijuana under state law.

32 (10) Effective July 1, 2017, each compassion center shall be subject to any regulations
33 promulgated by the departments of health and business regulation that specify how marijuana must
34 be tested for items, included but not limited to, cannabinoid profile and contaminants.

1 (11) Effective January 1, 2017, each compassion center shall be subject to any product
2 labeling requirements promulgated by the department of business regulation.

3 (12) Each compassion center shall develop, implement, and maintain on the premises
4 employee, volunteer, and agent policies and procedures to address the following requirements:

5 (i) A job description or employment contract developed for all employees and agents, and
6 a volunteer agreement for all volunteers, that includes duties, authority, responsibilities,
7 qualifications, and supervision; and

8 (ii) Training in, and adherence to, state confidentiality laws.

9 (13) Each compassion center shall maintain a personnel record for each employee, agent,
10 and volunteer that includes an application and a record of any disciplinary action taken.

11 (14) Each compassion center shall develop, implement, and maintain on the premises an
12 on-site training curriculum, or enter into contractual relationships with outside resources capable
13 of meeting employee training needs, that includes, but is not limited to, the following topics:

14 (i) Professional conduct, ethics, and patient confidentiality; and

15 (ii) Informational developments in the field of medical use of marijuana.

16 (15) Each compassion center entity shall provide each employee, agent, and volunteer, at
17 the time of his or her initial appointment, training in the following:

18 (i) The proper use of security measures and controls that have been adopted; and

19 (ii) Specific procedural instructions on how to respond to an emergency, including robbery
20 or violent accident.

21 (16) All compassion centers shall prepare training documentation for each employee and
22 volunteer and have employees and volunteers sign a statement indicating the date, time, and place
23 the employee and volunteer received the training and topics discussed, to include name and title of
24 presenters. The compassion center shall maintain documentation of an employee's and a volunteer's
25 training for a period of at least six (6) months after termination of an employee's employment or
26 the volunteer's volunteering.

27 (g) Maximum amount of usable marijuana to be dispensed:

28 (1) A compassion center or principal officer, board member, agent, volunteer, or employee
29 of a compassion center may not dispense more than two and one-half ounces (2.5 oz.) of usable
30 marijuana, or its equivalent, to a qualifying patient directly or through a qualifying patient's primary
31 caregiver or authorized purchaser during a fifteen-day (15) period.

32 (2) A compassion center or principal officer, board member, agent, volunteer, or employee
33 of a compassion center may not dispense an amount of usable marijuana, or its equivalent, to a
34 patient cardholder, qualifying patient, a qualifying patient's primary caregiver, or a qualifying

1 patient's authorized purchaser that the compassion center, principal officer, board member, agent,
2 volunteer, or employee knows would cause the recipient to possess more marijuana than is
3 permitted under the Edward O. Hawkins and Thomas C. Slater medical marijuana act.

4 (3) Compassion centers shall utilize a database administered by the departments of health
5 and business regulation. The database shall contain all compassion centers' transactions according
6 to qualifying patients', authorized purchasers', and primary caregivers' registry identification
7 numbers to protect the confidentiality of patient personal and medical information. Compassion
8 centers will not have access to any applications or supporting information submitted by qualifying
9 patients, authorized purchasers or primary caregivers. Before dispensing marijuana to any patient
10 or authorized purchaser, the compassion center must utilize the database to ensure that a qualifying
11 patient is not dispensed more than two and one-half ounces (2.5 oz.) of usable marijuana or its
12 equivalent directly or through the qualifying patient's primary caregiver or authorized purchaser
13 during a fifteen-day (15) period.

14 (h) Immunity:

15 (1) No licensed compassion center shall be subject to prosecution; search, except by the
16 departments pursuant to subsection (e) of this section; seizure; or penalty in any manner, or denied
17 any right or privilege, including, but not limited to, civil penalty or disciplinary action by a business,
18 occupational, or professional licensing board or entity, solely for acting in accordance with this
19 section to assist registered qualifying patients.

20 (2) No licensed compassion center shall be subject to prosecution, seizure, or penalty in
21 any manner, or denied any right or privilege, including, but not limited to, civil penalty or
22 disciplinary action, by a business, occupational, or professional licensing board or entity, for
23 selling, giving, or distributing marijuana in whatever form, and within the limits established by, the
24 department of health or the department of business regulation to another registered compassion
25 center.

26 (3) No principal officers, board members, agents, volunteers, or employees of a registered
27 compassion center shall be subject to arrest, prosecution, search, seizure, or penalty in any manner,
28 or denied any right or privilege, including, but not limited to, civil penalty or disciplinary action by
29 a business, occupational, or professional licensing board or entity, solely for working for or with a
30 compassion center to engage in acts permitted by this section.

31 (4) No state employee shall be subject to arrest, prosecution or penalty in any manner, or
32 denied any right or privilege, including, but not limited to, civil penalty, disciplinary action,
33 termination, or loss of employee or pension benefits, for any and all conduct that occurs within the
34 scope of his or her employment regarding the administration, execution and/or enforcement of this

1 act, and the provisions of §§ 9-31-8 and 9-31-9 shall be applicable to this section.

2 (i) Prohibitions:

3 (1) A compassion center must limit its inventory of seedlings, plants, and marijuana to
4 reflect the projected needs of qualifying patients;

5 (2) A compassion center may not dispense, deliver, or otherwise transfer marijuana to a
6 person other than a patient cardholder or to a qualified patient's primary caregiver or authorized
7 purchaser;

8 (3) A compassion center may not procure, purchase, transfer, or sell marijuana to or from
9 any entity other than a marijuana establishment licensee in accordance with the provisions of this
10 chapter;

11 (4) A person found to have violated subsection (h)(2) or (h)(3) of this section may not be
12 an employee, agent, volunteer, principal officer, or board member of any compassion center;

13 (5) An employee, agent, volunteer, principal officer or board member of any compassion
14 center found in violation of subsection (h)(2) or (h)(3) of this section shall have his or her registry
15 identification revoked immediately; and

16 (6) No person who has been convicted of a felony drug offense or has entered a plea of
17 nolo contendere for a felony drug offense with a sentence of probation may be the principal officer,
18 board member, or agent of a compassion center unless the department has determined that the
19 person's conviction was for the medical use of marijuana or assisting with the medical use of
20 marijuana in accordance with the terms and conditions of this chapter. A person who is employed
21 by or is an agent, volunteer, principal officer, or board member of a compassion center in violation
22 of this section is guilty of a civil violation punishable by a fine of up to one thousand dollars
23 (\$1,000). A subsequent violation of this section is a misdemeanor.

24 (j) Legislative oversight committee:

25 (1) The general assembly shall appoint a nine-member (9) oversight committee comprised
26 of: one member of the house of representatives; one member of the senate; one physician to be
27 selected from a list provided by the Rhode Island medical society; one nurse to be selected from a
28 list provided by the Rhode Island state nurses association; two (2) registered qualifying patients;
29 one registered primary caregiver; one patient advocate to be selected from a list provided by the
30 Rhode Island patient advocacy coalition; and the superintendent of the department of public safety,
31 or his/her designee.

32 (2) The oversight committee shall meet at least six (6) times per year for the purpose of
33 evaluating and making recommendations to the general assembly regarding:

34 (i) Patients' access to medical marijuana;

- 1 (ii) Efficacy of compassion centers;
- 2 (iii) Physician participation in the Medical Marijuana Program;
- 3 (iv) The definition of qualifying medical condition; and
- 4 (v) Research studies regarding health effects of medical marijuana for patients.
- 5 (3) On or before January 1 of every even numbered year, the oversight committee shall
- 6 report to the general assembly on its findings.
- 7 (k) License required. No person or entity shall engage in activities described in this section
- 8 without a compassion center license issued by the department of business regulation.
- 9 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO EDUCATION -- THE DISTRESSED COMMUNITY CHILD ENRICHMENT
PROGRAM

1 This act would establish the “distressed community child enrichment program” which
2 would create a grant program to fund educational programs in distressed communities. Seventy-
3 five percent (75%) of the funds allocated would be designated to the Rhode Island STEAM
4 Programs, and twenty-five percent (25%) of the funds allocated would be designated to academic
5 and non-academic programs. Funding for the program would be provided from three percent (3%)
6 of the fees paid for compassion center approvals or renewals.

7 This act would take effect upon passage.

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