

2016 -- H 8345

=====  
LC006211  
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

—————  
A N A C T

RELATING TO FOOD AND DRUGS - THE EDWARD O. HAWKINS AND THOMAS C.  
SLATER MEDICAL MARIJUANA ACT

Introduced By: Representative Shelby Maldonado

Date Introduced: June 14, 2016

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 21-28.6-7 of the General Laws in Chapter 21-28.6 entitled "The  
2 Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act" is hereby amended to read as  
3 follows:

4           **21-28.6-7. Scope of chapter.** -- (a) This chapter shall not permit:

5           (1) Any person to undertake any task under the influence of marijuana, when doing so  
6 would constitute negligence or professional malpractice;

7           (2) The smoking or consumption of marijuana, in plant, extracted, edible, concentrated,  
8 manufactured or any other form;

9           (i) In a school bus or other form of public transportation;

10           (ii) On any school grounds;

11           (iii) In any correctional facility;

12           (iv) In any public place;

13           (v) In any licensed drug treatment facility in this state; or

14           (vi) Where exposure to the marijuana smoke or vapor significantly adversely affects the  
15 health, safety, or welfare of children.

16           (3) Any person to operate, navigate, or be in actual physical control of any motor vehicle,  
17 aircraft, or motorboat while under the influence of marijuana. However, a registered qualifying  
18 patient shall not be considered to be under the influence solely for having marijuana metabolites

1 in his or her system.

2 (b) Nothing in this chapter shall be construed to require:

3 (1) A government medical assistance program or private health insurer to reimburse a  
4 person for costs associated with the medical use of marijuana; or

5 (2) An employer to accommodate the medical use of marijuana in any workplace.

6 (c) Fraudulent representation to a law enforcement official of any fact or circumstance  
7 relating to the medical use of marijuana to avoid arrest or prosecution shall be punishable by a  
8 fine of five hundred dollars (\$500) which shall be in addition to any other penalties that may  
9 apply for making a false statement for the nonmedical use of marijuana.

10 (d) Notwithstanding any other law to the contrary, the smoking, Vaping, ingesting,  
11 consuming or otherwise utilizing marijuana or its derivatives is hereby prohibited in any public or  
12 private club, emporium, facility, organization, association or any other entity by whatever name,  
13 hereinafter "club," whether a sole proprietorship, partnership, limited liability company,  
14 corporation or other form of business or charity. Nothing in this chapter shall be construed to  
15 allow the establishment, licensing or permitting of any public or private club, emporium, facility,  
16 organization, association or any other entity by whatever name, hereinafter "club," whether a sole  
17 proprietorship, partnership, limited liability company, corporation or other form of business, or  
18 charity for the purpose of or allowing smoking, vaping, ingesting, consuming, or otherwise  
19 utilizing marijuana or its derivatives. This prohibition shall apply to any club in existence at the  
20 time of the passage of this act and any club licensed by the state, or any city or town at any time,  
21 including but not limited to any club, restaurant or tavern which is permitted to sell alcoholic  
22 beverages or any club holding an entertainment license of any kind. Any person or club violating  
23 this subsection shall be fined a civil penalty of up to ten thousand dollars (\$10,000) and shall have  
24 any medical marijuana registry card, medical marijuana license, marijuana caregiver license,  
25 liquor license, business operating license, entertainment license or any license or permit issued by  
26 the state or any city or town or agency thereof revoked.

27 SECTION 2. This act shall take effect upon passage.

=====  
LC006211  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO FOOD AND DRUGS - THE EDWARD O. HAWKINS AND THOMAS C.  
SLATER MEDICAL MARIJUANA ACT

\*\*\*

1           This act would prohibit the use of electronic delivery systems for the delivery of  
2 marijuana in certain locations and would prohibit the establishment of any private or public club  
3 or other entity by whatever name or business organization, for the purpose of smoking, ingesting,  
4 consuming or otherwise utilizing marijuana or its derivatives. Violators shall be fined and have  
5 any medical marijuana license or card and any business or liquor licenses revoked.

6           This act would take effect upon passage.

=====  
LC006211  
=====