

Brad Bradshaw Amendment Analysis

The **Brad Bradshaw** proposal is an initiative petition that establishes a constitutional amendment related to medical marijuana. This proposed amendment would be on the ballot in November, 2018.

Structure:

This amendment would create the Biomedical Research and Drug Development Institute, which would oversee medical marijuana research in Missouri. This research board would be composed of 9 members. Applicants to the board must be physicians, pharmacists, or hold a PhD in a related field. Each member of the research board would receive a salary equal to at least that of the Chief Justice of the Missouri Supreme Court.

Eligibility:

The research board would establish a lists of diseases eligible for access to medical marijuana.

Taxes and fees:

All tax revenues would be deposited into the Biomedical Research and Drug Development Institute Trust Fund. Excise taxes would include \$9.25/ounce on flowers and buds, and \$2.75/ounce on leaves, both tied to the Consumer Price Index. Additionally, a 15% excise tax would be charged at the retail level. Patients would pay \$100 annually for identification cards. Monies received as part of public-private collaborative ventures will be distributed in the following percentages: 50% to Biomedical Research and Drug Development Institute Trust Fund General Purpose account, 25% refunded to income tax paying citizens, and 25% to general revenue (1/4 of which is for roads and bridges, 1/4 for public education, 1/4 for medical care, and 1/4 for public employee retirement).

Limits:

The research board may limit marijuana purchases, but not less than 3 ounces every 30 days. The board must issue at least 50 manufacturing licenses and allow 1 dispensary for every 20,000 residents in a county.

Regulation:

Physicians may not have income from treating qualifying patients in excess of 25% of their gross income. Physicians may not issue certifications in excess of 25% of prescriptions written in the previous year. The General assembly may not pass laws hindering this article. The board may mandate warnings on packaging. The research board may require dispensaries to have a licensed pharmacist on call during all business hours for on-site or telephone consultation.

Immunities

Physicians and pharmacists receive immunity for recommending marijuana. No immunities exist for negligence or operating a vehicle under the influence.