

## **New Approach Analysis**

The **New Approach Missouri** marijuana policy proposal is *an amendment to the Missouri Constitution* that may be on Missouri's 2018 November ballot. This amendment proposes a framework for a form of medical marijuana to exist in Missouri. This analysis seeks to describe some of the pertinent provisions of this amendment and the framework it would create.

### **Qualifying conditions/eligibility:**

The New Approach Missouri amendment creates a framework where physicians may recommend a patient to consume marijuana or marijuana products (edibles, waxes, dabs, vapes, etc.) to treat 9 specified conditions or classes of conditions, but also contains a provision allowing a recommendation for "any other chronic, debilitating or other medical condition..." This final section of qualifying conditions would enable marijuana recommendations for any medical condition.

### **Limits and taxes:**

The Department of Health and Senior Services would have oversight of the medical marijuana program, including oversight of production, sales, purchase, and distribution. The department may limit purchase to 4 ounces of marijuana per patient every 30 days, with exceptions if doctors recommend a higher dose. Patients may also cultivate up to 6 flowering plants for personal use. Patients must pay \$25 annually a medical marijuana card, allowing access to treatment, and pay a 4% excise tax (in addition to state and local sales taxes) on marijuana products to go to the Missouri Veterans Health and Care Fund. No additional excise taxes may be implemented.

### **Tracking growth and distribution:**

This amendment mandates several tracking mechanisms for accountability. DHSS shall implement a seed to sale tracking system for cultivation and distribution. Dispensaries shall maintain records, available to the state and law enforcement to ensure compliance with the amendment. DHSS must issue annual reports regarding the marijuana program to the Governor of Missouri.

### **Regulation:**

This amendment strictly prohibits elected officials and the State from issuing further restrictions beyond what are established. Additionally, the amendment requires DHSS to approve 1 cultivation center per 100,000 residents, 1 manufacturing facility per 70,000 residents, and at least 24 dispensaries in every congressional district. Cultivation, manufacture, and dispensing facilities may not be established within 1,000 feet of a church, school, or daycare.

### **Precautionary measures and immunities:**

All edible products containing marijuana products must be labeled as such and sold in child resistant packaging. Cultivation (both commercial and personal) must take place in secured facilities. Physicians receive professional, criminal, and civil immunity for recommending marijuana to a patient.

