

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1998 and the Student Access to Treatment Act of 2007 to allow for administration of medical marijuana at a school in certain cases.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Student Medical Marijuana Patient Fairness Emergency Declaration Resolution of 2019”.

Sec. 2. (a) The Legalization of Marijuana for Medical Treatment Initiative of 1999 effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.06) (“Medical Marijuana Act”), established a medical marijuana program in the District. Pursuant to the Medical Marijuana Act, the Department of Health can register qualifying patients to receive access to medical marijuana without fear of government sanction, to the extent possible without a change in federal laws.

(b) Since passage of the Medical Marijuana Act, the Council and Executive have endeavored to improve access to medical marijuana for patients with the enactment of multiple bills and regulations including the Medical Marijuana Relocation Emergency Amendment Act of

35 2018, the Medical Marijuana Certified Business Enterprise Preference Emergency Amendment  
36 Act of 2018, and the Medical Marijuana Reciprocity Amendment Act of 2016.

37 (c) In response to pressure from the Council and constituents, the Department of Health  
38 in 2014 expanded access to medical marijuana for minors due to its unique efficacy in certain  
39 cases included epilepsy.

40 (d) A student and the student's family should not have to choose between taking an  
41 effective medication and being at school.

42 (e) Several other states have enacted laws allowing the administration of medical  
43 marijuana to students while at school, whether by parent or guardian or school official, including  
44 Colorado and Washington.

45 (f) A student medical marijuana patient should not be treated any differently for the  
46 purposes of accessing medication than any other student patient.

47 (g) Therefore, there exists an immediate need to amend existing law to allow for  
48 administration of medical marijuana at school in certain cases.

49 Sec. 3. The Council of the District of Columbia determines that the circumstances  
50 enumerated in section 2 constitute emergency circumstances making it necessary that the Student  
51 Medical Marijuana Patient Fairness Emergency Amendment Act of 2019 be adopted after a  
52 single reading.

53 Sec. 4. This resolution shall take effect immediately.