

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, 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 Amendment Act of 2019”.

Sec. 2. Section 4(b) of the Legalization of Marijuana for Medical Treatment Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.03(b)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase “Medical marijuana shall” and inserting the phrase “Except as provided in paragraph (4) of this subsection, medical marijuana shall” in its place.

(b) A new paragraph (4) is added to read as follows:

“(4) Medical marijuana may be administered to a qualifying patient who is enrolled in school at the school of enrollment, if failure to administer medical marijuana at the school would disrupt the qualifying patient’s ability to participate in school instruction.”.

34 Sec. 3. Section 4 of the Student Access to Treatment Act of 2007, effective February 2,
35 2008 (D.C. Law 17-107; D.C. Official Code § 38-651.03), is amended by adding a new
36 subsection (a-1) to read as follows:

37 “(a-1)(1) If a student is a qualifying patient under the Legalization of Marijuana for
38 Medical Treatment Initiative of 1998, effective February 25, 2010 (D.C. Law 13-315; D.C.
39 Official Code § 7-1671.02), and failure to administer medical marijuana during the school day
40 would disrupt the student’s ability to participate in school instruction, a medication action plan
41 may include administration of medical marijuana to the student.

42 “(2) A school shall adopt policies that permit a student who is a qualifying patient
43 under the Legalization of Marijuana for Medical Treatment Initiative of 1998, effective February
44 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.02), to administer medical marijuana
45 on campus during the school day as necessary based on the terms of the student’s medical
46 authorization.”.

47 Sec. 4. Fiscal impact.

48 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
49 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
50 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

51 Sec. 5. Effective date.

52 This act shall take effect following approval by the Mayor (or in the event of veto by the
53 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
54 90 days, as provided for emergency acts of the Council of the District of Columbia in section
55 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
56 D.C. Official Code § 1-204.12(a)).