

### Medical Marijuana Legal in Pennsylvania

The Pennsylvania House of Representatives on April 13, 2016 passed Senate Bill 3, legalizing medical marijuana in the commonwealth of Pennsylvania. The Pennsylvania Senate had approved the bill earlier in the week.

In what will be the final stretch of a two-year legislative roller coaster, the governor announced he will sign the legislation at 1:00 p.m. on Sunday, April 17.

The bill would allow medical marijuana to be used to treat 17 conditions, including seizures, PTSD, chronic pain, HIV/AIDS, glaucoma, Crohn's disease, multiple sclerosis, autism and additional neurological and gastrointestinal conditions. Pennsylvania would join 23 states and the District of Columbia in offering some form of legal medical marijuana.

Medical marijuana would be regulated by the Pennsylvania Department of Health, but a separate board within the department would devise regulations and be responsible for things such as adjusting the list of conditions that can be treated with medical marijuana, and adjusting consumption methods.

Medical marijuana could be dispensed in forms including pills, creams, oils, liquids and forms that can be vaporized, but smoking of medical marijuana isn't allowed.

The state would initially license up to 25 growers/processors and 50 dispensaries, with each dispensary allowed to have up to three locations. Medical marijuana would be taxed 5 percent at the wholesale level, and there would be a program to make sure it is affordable for the poor.

These grower/processor and dispensary registrations will be allocated in no less than three to-be-determined regions of the commonwealth based on regional population, the number of patients suffering from serious medical conditions, the types of serious medical conditions, access to public transportation, and any other factor the department deems relevant.

Dispensaries may apply for exceptions to a provision that prevents them from operating within 1,000 feet of a school, with the exception intended to overcome the fact a buffer of that size might not be possible in densely developed urban areas such as Philadelphia.

Medical marijuana will have to be grown within indoor, highly secure facilities.

Patients, after a recommendation from their doctor, would need state-issued cards, as would their caregivers.

Doctors and others in the "prescribing" and dispensing process will have to undergo training.

Full text of the final bill is available [here](#).

Although Pennsylvania will be joining 23 other states to legalize medical marijuana, marijuana is still classified as a Schedule I controlled substance by the U.S. Drug Enforcement Agency, and as such it remains a federal crime to grow, sell and/or use marijuana. Any content contained herein is not intended to provide legal advice to assist with violation of any state or federal law. Although Senate Bill 3 provides for the legalization of medical marijuana in the commonwealth of Pennsylvania, one should obtain legal advice with respect to any such compliance issues.



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#### Industry Sectors

- Cannabis

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