

1 SB155  
2 187387-1  
3 By Senator Sanford  
4 RFD: Health and Human Services  
5 First Read: 11-JAN-18

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8 SYNOPSIS: Under Leni's Law, cannabidiol, a compound  
9 derived from marijuana, may be used to treat  
10 certain debilitating medical conditions.

11 This bill would revise the definition of  
12 cannabidiol.

13  
14 A BILL  
15 TO BE ENTITLED  
16 AN ACT

17  
18 Relating to medical marijuana; to amend Section  
19 13A-12-214.3, Code of Alabama 1975, to revise the definition  
20 of cannabidiol.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. Section 13A-12-214.3, Code of Alabama  
23 1975, is amended to read as follows:

24 "§13A-12-214.3.

25 "(a) (1) This section shall be known and may be cited  
26 as Leni's Law.

1           "(2) For the purposes of this section, the following  
2 terms shall have the following meanings:

3           "a. CANNABIDIOL (CBD). [13956-29-1]. A  
4 (nonpsychoactive) cannabinoid found in the plant Cannabis  
5 sativa L. or any other preparation thereof that is free from  
6 plant material, and has a THC level  
7 (delta-9-tetrahydrocannabinol) of no more than three percent  
8 ~~relative to CBD~~ according to the rules adopted by the Alabama  
9 Department of Forensic Sciences. Also known as (synonyms):  
10 2-[(1R,6R)-3-Methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-p  
11 entyl-1,3-benzenediol;  
12 trans-(-)-2-p-mentha-1,8-dien-3-yl-5-pentylresorcinol;  
13 (-)-Cannabidiol; (-)-trans-Cannabidiol; Cannabidiol (7CI);  
14 D1(2)-tran-Cannabidiol and that is tested by a independent  
15 third-party laboratory.

16           "b. DEBILITATING MEDICAL CONDITION. A chronic or  
17 debilitating disease or medical condition including one that  
18 produces seizures for which a person is under treatment.

19           "(3) In addition to the affirmative defense provided  
20 in Section 13A-12-214.2, in a prosecution for the unlawful  
21 possession of marijuana in the second degree under Section  
22 13A-12-214, it is an affirmative and complete defense that the  
23 defendant used or possessed CBD if the defendant satisfies  
24 either of the following:

25           "a. He or she has a debilitating medical condition.

1            "b. He or she is the parent or legal guardian of a  
2 minor who has a debilitating medical condition, and the CBD is  
3 being used by the minor.

4            "(4) An agency of this state or a political  
5 subdivision thereof, including any law enforcement agency, may  
6 not initiate proceedings to remove a child from the home of a  
7 parent or guardian, nor initiate any child protection action  
8 or proceedings, based solely upon the parent's or child's  
9 possession or use of CBD as allowed by this section.

10           "(5) Nothing in this section shall be construed to  
11 require the various individual or group insurance  
12 organizations providing protection, indemnity, or insurance  
13 against hospital, medical, or surgical expenses, or health  
14 maintenance organizations to provide payment or reimbursement  
15 for prescriptions of CBD.

16           "(6) Nothing in this section shall be construed to  
17 allow or accommodate the prescription, testing, medical use,  
18 or possession of any other form of Cannabis other than that  
19 defined in this section.

20           "(b) The Legislature finds and declares the  
21 following:

22           "(1) This section is intended to authorize only the  
23 limited use of nonpsychoactive CBD as defined in this section  
24 only for specified debilitating conditions that produce  
25 seizures, and is not intended as a generalized authorization  
26 of medical marijuana.

1                   "(2) It is the intent of the Legislature to maintain  
2 existing criminal prohibitions of marijuana, except as  
3 expressly provided in existing law or as expressly provided in  
4 this section."

5                   Section 2. This act shall become effective on the  
6 first day of the third month following its passage and  
7 approval by the Governor, or its otherwise becoming law.