

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 573

By: Johnson (Constance)

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6 AS INTRODUCED

7 An Act relating to medical marijuana; creating the
8 Compassionate Use Act of 2011; providing short title;
9 clarifying scope of act; prohibiting penalties
10 against physicians in certain circumstances;
11 exempting certain provisions of law in specified
12 circumstances; defining term; providing for
13 codification; and providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 2-800 of Title 63, unless there
17 is created a duplication in numbering, reads as follows:

18 A. This act shall be known and may be cited as the
19 "Compassionate Use Act of 2011".

20 B. Nothing in this section shall be construed to supersede laws
21 or regulations prohibiting persons from engaging in conduct that
22 endangers others, nor to condone the diversion of marijuana for
23 nonmedical purposes. In addition, this section shall not affect any
24 other rule or law that regulates:

1. Penalties for sales to minors;

- 1 2. Penalties for the possession of marijuana by minors;
- 2 3. Driving under the influence;
- 3 4. Workplace protections against accommodations for marijuana
- 4 use; or
- 5 5. Health insurance or pharmacy policies.

6 C. Notwithstanding any other provision of law, no physician in
7 this state shall be punished, or denied any right or privilege, for
8 having recommended marijuana to a patient for medical purposes.

9 D. The provisions of Section 2-402 of Title 63 of the Oklahoma
10 Statutes relating to the possession of marijuana and Section 2-509
11 of Title 63 of the Oklahoma Statutes relating to the cultivation of
12 marijuana shall not apply to a patient, or to a patient's primary
13 caregiver, who possesses or cultivates marijuana for the personal
14 medical purposes of the patient upon the written or oral
15 recommendation or approval of a physician.

16 E. For the purposes of this section, "primary caregiver" means
17 the individual designated by the person exempted under this section
18 who has consistently assumed responsibility for the housing, health
19 or safety of that person.

20 SECTION 2. This act shall become effective November 1, 2011.

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