

CHAPTER 115
FORMERLY
SENATE BILL NO. 138

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO RESEARCH ON MEDICAL MARIJUANA.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 4903A, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 4903A. Protections for the medical use of marijuana.

(k) A Delaware facility which meets FDA-accepted security and operational standards shall not be subject to prosecution; search, except by the Department under § 4919A(u) of this title; seizure; or penalty in any manner, or be denied any right or privilege, including civil penalty or disciplinary action by a court or business licensing board or entity, solely for acting in accordance with this chapter, Department regulations, or federal law for the purposes of conducting research on marijuana under § 4928A of this title and pursuant to all applicable federal law on medical marijuana.

Section 2. Amend Chapter 49A, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4928A. Research.

(a) Research for the development of well-characterized and more-defined medical marijuana products for treatment of target indications, including demonstrations of safety and efficacy for treatment of medical conditions that often fail to respond to conventional treatment, may be conducted in Delaware.

(b) Research performed under the authority of this chapter shall be conducted as follows:

(1) In a facility which meets FDA-accepted security and operational standards.

(2) Using practices and standards that ensure uniformity, consistency, reliability, reproducibility, quality, and integrity of data, including good laboratory standards (GLP) when required.

(3) On plants grown from well-characterized and well-defined seed stock.

Approved July 27, 2015