

CHAPTER 422
FORMERLY
SENATE BILL NO. 181
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MEDICAL MARIJUANA OIL
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 4904A, Title 16, Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§4904A Limitations

(a) This chapter does not authorize any person to engage in, and does not prevent the imposition of any civil, criminal, or other penalties for engaging in, the following conduct:

(2) ~~Possessing~~ Except as provided in subsection (b) of this section, possessing marijuana, or otherwise engaging in the medical use of marijuana:

- a. In a school bus;
- b. On the grounds of any preschool or primary or secondary school; or
- c. In any correctional facility.
- d. In any health care or treatment facility operated by the Department or funded contractually through the Department.

(b) School exceptions. Notwithstanding subsection (a) of this section, a designated caregiver registered pursuant to §4908A of this Title may possess for the purpose of administering, and may administer to a minor qualifying patient medical marijuana oil in a school bus and on the grounds or property of the preschool, or primary or secondary school in which a minor qualifying patient is enrolled. The designated caregiver shall not be a school nurse or other school employee hired or contracted by a school unless he or she is a parent or legal guardian of the minor qualifying patient, and said parent or legal guardian possesses no more than the number of dose(s) prescribed per day of medical marijuana oil which is kept at all times on their person . Provided further, this exception shall only apply within the physical boundaries of the State of Delaware.

Approved September 07, 2016