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Utah Legislative Update: September 2019

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State lawmakers gathered in a special session earlier this month to update Utah's medical marijuana law to prepare for the full implementation of medical marijuana distribution in the state by next spring.

The legislature voted to remove a part of current law that called for the state to run medical marijuana dispensaries after two counties, Salt Lake and Davis, stated that they would not participate in the program for fear of having county employees prosecuted for marijuana distribution under federal law.

In response to the concerns of the two counties, the legislature voted to remove the provisions of the law that allowed for a state-run medical marijuana dispensary and authorized the state Department of Health to issue up to 14 private dispensaries to make up for the lack of government run facilities. The legislation also allowed Utah's Department of Agriculture and Food to license research universities to conduct studies on medical marijuana and stated that a court could not consider the use of medical marijuana differently than the legal use of any prescribed medication that is a controlled substance. One additional tweak to the legislation included a new provision blocking legislators from having ownership or interest in any cannabis facility until after 2022.

The bill passed in both the House and Senate unanimously.

The legislature also passed four other items of legislation during the special session including a bill that moves back the 2020 primary election one week to allow for a longer time period for state political party conventions to be held during the 2020 election cycle. Due to the Easter holiday and The Church of Jesus Christ of Latter-day Saints General Conference, the number of weekends available for county parties to hold their events leading up to the state convention was limited. The legislation passed, allowing an additional Saturday for parties to have their conventions and avoiding weekends that would be less than desirable for them.

Other legislative items passed include a bill that allows state funds to be used to pay for a settlement between former state Attorney General John Swallow and the state following his acquittal during his criminal trial. Another bill dealt with allowing grocery and convenience stores to house higher-point beer in its stockroom one week prior to November 1st, which is the date that higher point beer will be allowed to be sold in grocery stores. The last bill passed dealt with requirements for a CPA to review certain tax incentives in the state.

Governor Gary Herbert has signed all of the bills from the special session into law.

A full list of bills that passed in the special session can be seen here:

<https://le.utah.gov/asp/passedbills/passedbills.asp?session=2019S>

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