

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 317
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HOUSE PRINCIPAL CLERK

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HOUSE DRH40150-MG-52 (02/27)

Short Title: Medical Marijuana for Terminally Ill Patients. (Public)

Sponsors: Representatives Alexander, Carney, Harrison, and Cunningham (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW PATIENTS WITH A TERMINAL OR DEBILITATING ILLNESS TO
3 LAWFULLY USE MARIJUANA AND TETRAHYDROCANNABINOLS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 5 of Chapter 90 of the General Statutes is amended by adding
6 a new section to read:

7 "**§ 90-94.2. Exemption for use of marijuana or tetrahydrocannabinols by patients with**
8 **terminal or debilitating illness.**

9 (a) Notwithstanding any other provision of this Chapter, an individual may possess or
10 use marijuana or tetrahydrocannabinols, and is not subject to the penalties described in this
11 Chapter, if the individual satisfies all of the following criteria:

12 (1) The individual has been diagnosed with either a terminal illness or a
13 debilitating illness by a licensed physician.

14 (2) The individual has been admitted to hospice or is at home under the care of
15 hospice.

16 (3) The individual's use or possession of marijuana or tetrahydrocannabinols
17 occurs pursuant to a valid prescription or written recommendation issued by
18 a licensed physician who, in the course of treating the terminal or
19 debilitating illness, has determined that marijuana or tetrahydrocannabinols
20 alleviates the illness or symptoms associated with the illness.

21 (b) As used in this section, "debilitating illness" means a chronic and substantial
22 inability, as a result of a physically debilitating illness, disease, or injury, to care for oneself, a
23 minor child, or both."

24 **SECTION 2.** This act becomes effective December 1, 2015.

