

REFERENCE TITLE: definitions; cannabis; marijuana

State of Arizona
House of Representatives
Fifty-third Legislature
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2018

HB 2630

Introduced by
Representatives Powers Hannley: Benally, Blanc, Cardenas, Clark, Peten,
Salman

AN ACT

AMENDING SECTIONS 13-3401 AND 36-2801, ARIZONA REVISED STATUTES; RELATING
TO MARIJUANA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-3401, Arizona Revised Statutes, is amended to
3 read:

4 13-3401. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Administer" means to apply, inject or facilitate the inhalation
7 or ingestion of a substance to the body of a person.

8 2. "Amidone" means any substance identified chemically as
9 (4-4-diphenyl-6-dimethylamine-heptanone-3), or any salt of such substance,
10 by whatever trade name designated.

11 3. "Board" means the Arizona state board of pharmacy.

12 4. "Cannabis" means ~~the following substances under whatever names~~
13 ~~they may be designated:~~

14 (a) The resin extracted from any part of a plant of the genus
15 cannabis, and every compound, manufacture, salt, derivative, mixture or
16 preparation of such plant, its seeds or its resin, ~~Cannabis does not~~
17 ~~include~~ INCLUDING oil or cake made from the seeds of such plant, any
18 fiber, compound, manufacture, salt, derivative, mixture or preparation of
19 the mature stalks of such plant except the resin extracted from the stalks
20 or any fiber, oil or cake or the sterilized seed of such plant which is
21 incapable of germination.

22 (b) Every compound, manufacture, salt, derivative, mixture or
23 preparation of such resin or tetrahydrocannabinol.

24 (c) ALL PARTS OF ANY PLANT OF THE GENUS CANNABIS.

25 (d) ALL PRODUCTS THAT ARE MANUFACTURED PRIMARILY FROM PLANT
26 MATERIAL FROM THE GENUS CANNABIS AND THAT DO NOT INVOLVE INTRODUCING AN
27 ADDITIONAL CONTROLLED SUBSTANCE.

28 5. "Coca leaves" means cocaine, its optical isomers and any
29 compound, manufacture, salt, derivative, mixture or preparation of coca
30 leaves, except derivatives of coca leaves ~~which~~ THAT do not contain
31 cocaine, ecgonine or substances from which cocaine or ecgonine may be
32 synthesized or made.

33 6. "Dangerous drug" means the following by whatever official,
34 common, usual, chemical or trade name designated:

35 (a) Any material, compound, mixture or preparation that contains
36 any quantity of the following hallucinogenic substances and their salts,
37 isomers, whether optical, positional or geometric, and salts of isomers,
38 unless specifically excepted, whenever the existence of such salts,
39 isomers and salts of isomers is possible within the specific chemical
40 designation:

41 (i) Alpha-ethyltryptamine.

42 (ii) Alpha-methyltryptamine.

43 (iii) (2-aminopropyl) benzofuran (APB).

44 (iv) (2-aminopropyl)-2, 3-dihydrobenzofuran (APDB).

45 (v) Aminorex.

- 1 (vi) 4-bromo-2, 5-dimethoxyphenethylamine.
- 2 (vii) 4-bromo-2, 5-dimethoxyamphetamine.
- 3 (viii) Bufotenine.
- 4 (ix) [3-(3-carbamoylphenyl)phenyl]N-cyclohexyl carbamate (URB-597).
- 5 (x) Diethyltryptamine.
- 6 (xi) 2, 5-dimethoxyamphetamine.
- 7 (xii) Dimethyltryptamine.
- 8 (xiii) (2-ethylaminopropyl)-benzofuran (EAPB).
- 9 (xiv) 5-methoxy-alpha-methyltryptamine.
- 10 (xv) 5-methoxy-3, 4-methylenedioxyamphetamine.
- 11 (xvi) 4-methyl-2, 5-dimethoxyamphetamine.
- 12 (xvii) (2-methylaminopropyl)-benzofuran (MAPB).
- 13 (xviii) Ibogaine.
- 14 (xix) Lysergic acid amide.
- 15 (xx) Lysergic acid diethylamide.
- 16 (xxi) Mescaline.
- 17 (xxii) 4-methoxyamphetamine.
- 18 (xxiii) Methoxymethylenedioxyamphetamine (MMDA).
- 19 (xxiv) Methylenedioxyamphetamine (MDA).
- 20 (xxv) 3, 4-methylenedioxymethamphetamine.
- 21 (xxvi) 3, 4-methylenedioxy-N-ethylamphetamine.
- 22 (xxvii) N-ethyl-3-piperidyl benzilate (JB-318).
- 23 (xxviii) N-hydroxy-3, 4-methylenedioxyamphetamine.
- 24 (xxix) N-methyl-3-piperidyl benzilate (JB-336).
- 25 (xxx) N-methyltryptamine mimetic substances that are any substances
- 26 derived from N-methyltryptamine by any substitution at the nitrogen, any
- 27 substitution at the indole ring, any substitution at the alpha carbon, any
- 28 substitution at the beta carbon or any combination of the above.
- 29 N-methyltryptamine mimetic substances do not include melatonin (5-methoxy-
- 30 n-acetyltryptamine). Substances in the N-methyltryptamine generic
- 31 definition include AcO-DMT, Baeocystine, Bromo-DALT, DiPT, DMT, DPT, HO-
- 32 DET, HO-DiPT, HO-DMT, HO-DPT, HO-MET, MeO-DALT, MeO-DET, MeO-DiPT, MeO-
- 33 DMT, MeO-DPT, MeO-NMT, MET, NMT and Norbufotenin.
- 34 (xxxi) N-(1-phenylcyclohexyl) ethylamine (PCE).
- 35 (xxxii) Nabilone.
- 36 (xxxiii) 1-(1-phenylcyclohexyl) pyrrolidine (PHP).
- 37 (xxxiv) 1-(1-(2-thienyl)-cyclohexyl) piperidine (TCP).
- 38 (xxxv) 1-(1-(2-thienyl)-cyclohexyl) pyrrolidine.
- 39 (xxxvi) Para-methoxyamphetamine (PMA).
- 40 (xxxvii) Psilacetin.
- 41 (xxxviii) Psilocybin.
- 42 (xxxix) Psilocyn.
- 43 (xl) Synhexyl.
- 44 (xli) Trifluoromethylphenylpiperazine (TFMPP).
- 45 (xlii) Trimethoxyamphetamine (TMA).

- 1 (xliii) 1-pentyl-3-(naphthoyl)indole (JWH-018 and isomers).
2 (xliv) 1-butyl-3-(naphthoyl)indole (JWH-073 and isomers).
3 (xlv) 1-hexyl-3-(naphthoyl)indole (JWH-019 and isomers).
4 (xlvi) 1-pentyl-3-(4-chloro naphthoyl)indole (JWH-398 and isomers).
5 (xlvii) 1-(2-(4-(morpholinyl)ethyl))-3-(naphthoyl)indole (JWH-200
6 and isomers).
7 (xlviii) 1-pentyl-3-(methoxyphenylacetyl)indole (JWH-250 and
8 isomers).
9 (xlix) (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone
10 (JWH-015 and isomers).
11 (l) (6AR, 10AR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-
12 yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210).
13 (li) 5-(1,1-dimethylheptyl)-2-(3-hydroxycyclohexyl)-phenol
14 (CP 47,497 and isomers).
15 (lii) 5-(1,1-dimethyloctyl)-2-(3-hydroxycyclohexyl)-phenol
16 (cannabicyclohexanol, CP-47,497 C8 homologue and isomers).
17 (b) Any material, compound, mixture or preparation that contains
18 any quantity of cannabimimetic substances and their salts, isomers,
19 whether optical, positional or geometric, and salts of isomers, unless
20 specifically excepted, whenever the existence of such salts, isomers and
21 salts of isomers is possible within the specific chemical designation.
22 For the purposes of this subdivision, "cannabimimetic substances" means
23 any substances within the following structural classes:
24 (i) 2-(3-hydroxycyclohexyl)phenol with substitution at the
25 5-position of the phenolic ring by alkyl or alkenyl, whether or not
26 substituted on the cyclohexyl ring to any extent. Substances in the
27 2-(3-hydroxycyclohexyl)phenol generic definition include CP-47,497,
28 CP-47,497 C8-Homolog, CP-55,940 and CP-56,667.
29 (ii) 3-(naphthoyl)indole or 3-(naphthylmethane)indole by
30 substitution at the nitrogen atom of the indole ring, whether or not
31 further substituted on the indole ring to any extent, whether or not
32 substituted on the naphthoyl or naphthyl ring to any extent. Substances
33 in the 3-(naphthoyl)indole generic definition include AM-678, AM-2201,
34 JWH-004, JWH-007, JWH-009, JWH-015, JWH-016, JWH-018, JWH-019, JWH-020,
35 JWH-046, JWH-047, JWH-048, JWH-049, JWH-050, JWH-070, JWH-071, JWH-072,
36 JWH-073, JWH-076, JWH-079, JWH-080, JWH-081, JWH-082, JWH-094, JWH-096,
37 JWH-098, JWH-116, JWH-120, JWH-122, JWH-148, JWH-149, JWH-175, JWH-180,
38 JWH-181, JWH-182, JWH-184, JWH-185, JWH-189, JWH-192, JWH-193, JWH-194,
39 JWH-195, JWH-196, JWH-197, JWH-199, JWH-200, JWH-210, JWH-211, JWH-212,
40 JWH-213, JWH-234, JWH-235, JWH-236, JWH-239, JWH-240, JWH-241, JWH-242,
41 JWH-262, JWH-386, JWH-387, JWH-394, JWH-395, JWH-397, JWH-398, JWH-399,
42 JWH-400, JWH-412, JWH-413, JWH-414 and JWH-415.
43 (iii) 3-naphthoyl-indazole or 3-(naphthylmethane)-indazole by
44 substitution at one or both of the nitrogen atoms of the indazole ring,
45 whether or not further substituted on the indazole ring to any extent,

1 whether or not substituted on the naphthoyl ring to any extent.
2 Substances in the 3-naphthoyl-indazole or 3-(naphthylmethane)-indazole
3 generic definition include THJ2201 and THJ-018.

4 (iv) 3-(naphthoyl)pyrrole by substitution at the nitrogen atom of
5 the pyrrole ring, whether or not further substituted in the pyrrole ring
6 to any extent, whether or not substituted on the naphthoyl ring to any
7 extent. Substances in the 3-(naphthoyl)pyrrole generic definition include
8 JWH-030, JWH-145, JWH-146, JWH-147, JWH-150, JWH-156, JWH-243, JWH-244,
9 JWH-245, JWH-246, JWH-292, JWH-293, JWH-307, JWH-308, JWH-346, JWH-348,
10 JWH-363, JWH-364, JWH-365, JWH-367, JWH-368, JWH-369, JWH-370, JWH-371,
11 JWH-373 and JWH-392.

12 (v) 1-(naphthylmethylene)indene by substitution of the 3-position
13 of the indene ring, whether or not further substituted in the indene ring
14 to any extent, whether or not substituted on the naphthyl ring to any
15 extent. Substances in the 1-(naphthylmethylene)indene generic definition
16 include JWH-176.

17 (vi) 3-(phenylacetyl)indole or 3-(benzoyl)indole by substitution at
18 the nitrogen atom of the indole ring, whether or not further substituted
19 in the indole ring to any extent, whether or not substituted on the phenyl
20 ring to any extent. Substances in the 3-(phenylacetyl)indole generic
21 definition include AM-694, AM-2233, JWH-167, JWH-201, JWH-202, JWH-203,
22 JWH-204, JWH-205, JWH-206, JWH-207, JWH-208, JWH-209, JWH--237, JWH-248,
23 JWH-250, JWH-251, JWH-253, JWH-302, JWH-303, JWH-304, JWH-305, JWH-306,
24 JWH-311, JWH-312, JWH-313, JWH-314, JWH-315, JWH-316, RCS-4, RCS-8, SR-18
25 and SR-19.

26 (vii) 3-(cyclopropylmethanone) indole or 3-(cyclobutylmethanone)
27 indole or 3-(cyclopentylmethanone) indole by substitution at the nitrogen
28 atom of the indole ring, whether or not further substituted in the indole
29 ring to any extent, whether or not substituted on the cyclopropyl,
30 cyclobutyl or cyclopentyl rings to any extent. Substances in the
31 3-(cyclopropylmethanone) indole generic definition include UR-144,
32 fluoro-UR-144 and XLR-11.

33 (viii) 3-adamantoylindole with substitution at the nitrogen atom of
34 the indole ring, whether or not further substituted on the indole ring to
35 any extent, whether or not substituted on the adamantyl ring to any
36 extent. Substances in the 3-adamantoylindole generic definition include
37 AB-001.

38 (ix) N-(adamantyl)-indole-3-carboxamide with substitution at the
39 nitrogen atom of the indole ring, whether or not further substituted on
40 the indole ring to any extent, whether or not substituted on the adamantyl
41 ring to any extent. Substances in the N-(adamantyl)-indole-3-carboxamide
42 generic definition include SDB-001.

43 (x) Indole-3-carboxamide or Indazole-3-carboxamide with
44 substitution at the nitrogen atom of the indole ring or by substitution at
45 one or both of the nitrogen atoms of the indazole ring, whether or not

1 further substituted on the indole ring or the indazole ring to any extent,
2 whether or not substituted on the nitrogen of the carboxamide to any
3 extent. Substances in the indole-3-carboxamide or indazole-3-carboxamide
4 generic definition include AKB-48, fluoro-AKB-48, APINACA, AB-PINACA,
5 AB-FUBINACA, ABICA and ADBICA.

6 (xi) 8-Quinolinylnyl-indole-3-carboxylate or
7 8-quinolinylnyl-indazole-3-carboxylate by substitution at the nitrogen atom
8 of the indole ring or by substitution at one or both of the nitrogen atoms
9 of the indazole ring, whether or not further substituted in the indole
10 ring or indazole ring to any extent, whether or not substituted on the
11 quinoline ring to any extent. Substances in the 8-quinolinylnyl-indole-
12 3-carboxylate or the 8-quinolinylnyl-indazole-3-carboxylate generic
13 definition include PB-22, fluoro-PB-22, NPB-22 and fluoro-NPB-22.

14 (xii) Naphthalenylnyl-indole-3-carboxylate or
15 naphthalenylnyl-indazole-3-carboxylate by substitution at the nitrogen atom
16 of the indole ring or by substitution at one or both of the nitrogen atoms
17 of the indazole ring, whether or not further substituted in the indole or
18 indazole ring to any extent, whether or not substituted on the
19 naphthalenylnyl ring to any extent. Substances in the naphthalenylnyl-indole-
20 3-carboxylate or naphthalenylnyl-indazole-3-carboxylate generic definition
21 include NM2201, FDU-PB-22, SDB-005 and fluoro SDB-005.

22 (c) Any material, compound, mixture or preparation that contains
23 any quantity of the following substances and their salts, isomers, whether
24 optical, positional or geometric, and salts of isomers having a potential
25 for abuse associated with a stimulant effect on the central nervous
26 system:

- 27 (i) Alpha-pyrrolidinobutiophenone (Alpha-PBP).
- 28 (ii) Alpha-pyrrolidinopropiophenone (Alpha-PPP).
- 29 (iii) Alpha-pyrrolidinovalerophenone (Alpha-PVP).
- 30 (iv) Alpha-pyrrolidinovalerothiophenone (Alpha-PVT).
- 31 (v) Aminoindane mimetic substances that are derived from
32 aminoindane by any substitution at the indane ring, replacement of the
33 amino group with another N group or any combination of the above.
34 Substances in the aminoindane generic definition include MDAI, MMAI, IAI
35 and AMMI.
- 36 (vi) Amphetamine.
- 37 (vii) Benzphetamine.
- 38 (viii) Benzylpiperazine (BZP).
- 39 (ix) Beta-keto-n-methylbenzodioxolylbutanamine (Butylone).
- 40 (x) Beta-keto-n-methylbenzodioxolylpentanamine (Pentylone).
- 41 (xi) Butorphanol.
- 42 (xii) Cathine ((+)-norpseudoephedrine).
- 43 (xiii) Cathinomimetic substances that are any substances derived
44 from cathinone, (2-amino-1-phenyl-1-propanone) by any substitution at the

- 1 phenyl ring, any substitution at the 3 position, any substitution at the
 2 nitrogen atom or any combination of the above substitutions.
- 3 (xiv) Cathinone.
 4 (xv) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).
 5 (xvi) Chlorphentermine.
 6 (xvii) Clortermine.
 7 (xviii) Diethylpropion.
 8 (xix) Dihydro-5H-indeno-(5,6-d)-1,3-dioxol-6-amine (MDAI).
 9 (xx) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).
 10 (xxi) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).
 11 (xxii) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N).
 12 (xxiii) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).
 13 (xxiv) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).
 14 (xxv) Dimethylcathinone (Metamfepramone).
 15 (xxvi) Ethcathinone.
 16 (xxvii) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2).
 17 (xxviii) Fencamfamin.
 18 (xxix) Fenethylamine.
 19 (xxx) Fenproporex.
 20 (xxxi) Fluoroamphetamine.
 21 (xxxii) Fluoromethamphetamine.
 22 (xxxiii) Fluoromethcathinone.
 23 (xxxiv) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).
 24 (xxxv) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine(2C-T-4).
 25 (xxxvi) Mazindol.
 26 (xxxvii) Mefenorex.
 27 (xxxviii) Methamphetamine.
 28 (xxxix) Methcathinone.
 29 (xl) Methiopropamine.
 30 (xli) Methoxy-alpha-pyrrolidinopropiophenone (MOPPP).
 31 (xlii) Methoxymethcathinone (methedrone).
 32 (xliii) Methoxyphenethylamine mimetic substances that are any
 33 substances derived from 2, 5-dimethoxy-phenethylamine by any substitution
 34 at the phenyl ring, any substitution at the nitrogen atom, any
 35 substitutions at the carbon atoms of the ethylamine, or any combination of
 36 the above substitutions.
- 37 (xliv) 4-methylaminorex.
 38 (xlv) Methyl-a-pyrrolidinobutiophenone (MPBP).
 39 (xlvi) Methylendioxy-alpha-pyrrolidinopropiophenone (MDPPP).
 40 (xlvii) Methylendioxyethcathinone (Ethylone).
 41 (xlviii) Methylendioxymethcathinone (Methylone).
 42 (xlix) Methylendioxyprovalerone (MDPV).
 43 (l) Methylmethcathinone (Mephedrone).
 44 (li) Methylphenidate.
 45 (lii) Modafinil.

- 1 (liii) Naphthylpyrovalerone (Naphyrone).
- 2 (liv) N-ethylamphetamine.
- 3 (lv) N, N-dimethylamphetamine.
- 4 (lvi) Pemoline.
- 5 (lvii) Phendimetrazine.
- 6 (lviii) Phenmetrazine.
- 7 (lix) Phentermine.
- 8 (lx) Pipradol.
- 9 (lxi) Propylhexedrine.
- 10 (lxii) Pyrovalerone.
- 11 (lxiii) Sibutramine.
- 12 (lxiv) Spa ((-)-1-dimethylamino-1,2-diphenylethane).
- 13 (d) Any material, compound, mixture or preparation that contains
- 14 any quantity of the following substances having a potential for abuse
- 15 associated with a depressant effect on the central nervous system:
- 16 (i) Any substance which contains any quantity of a derivative of
- 17 barbituric acid, or any salt of a derivative of barbituric acid, unless
- 18 specifically excepted.
- 19 (ii) Alprazolam.
- 20 (iii) Bromazepam.
- 21 (iv) Camazepam.
- 22 (v) Carisoprodol.
- 23 (vi) Chloral betaine.
- 24 (vii) Chloral hydrate.
- 25 (viii) Chlordiazepoxide.
- 26 (ix) Chlorhexadol.
- 27 (x) Clobazam.
- 28 (xi) Clonazepam.
- 29 (xii) Clorazepate.
- 30 (xiii) Clotiazepam.
- 31 (xiv) Cloxazolam.
- 32 (xv) Delorazepam.
- 33 (xvi) Diazepam.
- 34 (xvii) Dichloralphenazone.
- 35 (xviii) Estazolam.
- 36 (xix) Ethchlorvynol.
- 37 (xx) Ethinamate.
- 38 (xxi) Ethyl loflazepate.
- 39 (xxii) Etizolam.
- 40 (xxiii) Fenfluramine.
- 41 (xxiv) Fludiazepam.
- 42 (xxv) Flunitrazepam.
- 43 (xxvi) Flurazepam.
- 44 (xxvii) Gamma hydroxy butyrate.
- 45 (xxviii) Glutethimide.

- 1 (xxix) Halazepam.
- 2 (xxx) Haloxazolam.
- 3 (xxxi) Hydroxyphencyclidine (HO-PCP).
- 4 (xxxii) Ketamine.
- 5 (xxxiii) Ketazolam.
- 6 (xxxiv) Loprazolam.
- 7 (xxxv) Lorazepam.
- 8 (xxxvi) Lormetazepam.
- 9 (xxxvii) Lysergic acid.
- 10 (xxxviii) Mebutamate.
- 11 (xxxix) Mecloqualone.
- 12 (xl) Medazepam.
- 13 (xli) Meproamate.
- 14 (xlii) Methaqualone.
- 15 (xliii) Methohexital.
- 16 (xliv) 2-(methoxyphenyl)-2-(ethylamino)cyclohexanone
- 17 (Methoxetamine).
- 18 (xlv) 2-(methoxyphenyl)-2-(methylamino)cyclohexanone
- 19 (Methoxyketamine).
- 20 (xlvi) Methoxyphencyclidine(MeO-PCP).
- 21 (xlvii) Methypylon.
- 22 (xlviii) Midazolam.
- 23 (xlix) Nimetazepam.
- 24 (l) Nitrazepam.
- 25 (li) Nordiazepam.
- 26 (lii) Oxazepam.
- 27 (liii) Oxazolam.
- 28 (liv) Paraldehyde.
- 29 (lv) Petrichloral.
- 30 (lvi) Phencyclidine (PCP).
- 31 (lvii) Phencyclidine mimetic substances that are any substances
- 32 derived from phenylcyclohexylpiperidine by any substitution at the phenyl
- 33 ring, any substitution at the piperidine ring, any substitution at the
- 34 cyclohexyl ring, any replacement of the phenyl ring or any combination of
- 35 the above. Substances in the phenylcyclohexylpiperidine generic
- 36 definition include Amino-PCP, BCP, Bromo-PCP, BTCP, Chloro-PCP,
- 37 Fluoro-PCP, HO-PCP, MeO-PCP, Methyl-PCP, Nitro-PCP, Oxo-PCP, PCE, PCM,
- 38 PCPY, TCP and TCPY.
- 39 (lviii) Pinazepam.
- 40 (lix) Prazepam.
- 41 (lx) Scopolamine.
- 42 (lxi) Sulfondiethylmethane.
- 43 (lxii) Sulfonethylmethane.
- 44 (lxiii) Sulfonmethane.
- 45 (lxiv) Quazepam.

- 1 (lxv) Temazepam.
- 2 (lxvi) Tetrazepam.
- 3 (lxvii) Tiletamine.
- 4 (lxviii) Triazolam.
- 5 (lxix) Zaleplon.
- 6 (lxx) Zolazepam.
- 7 (lxxi) Zolpidem.
- 8 (lxxii) Zopiclone.

9 (e) Any material, compound, mixture or preparation that contains
10 any quantity of the following anabolic steroids and their salts, isomers
11 or esters:

- 12 (i) Boldenone.
- 13 (ii) Clostebol (4-chlorotestosterone).
- 14 (iii) Dehydrochloromethyltestosterone.
- 15 (iv) Drostanolone.
- 16 (v) Ethylestrenol.
- 17 (vi) Fluoxymesterone.
- 18 (vii) Formebolone (formebolone).
- 19 (viii) Mesterolone.
- 20 (ix) Methandriol.
- 21 (x) Methandrostenolone (methandienone).
- 22 (xi) Methenolone.
- 23 (xii) Methyltestosterone.
- 24 (xiii) Mibolerone.
- 25 (xiv) Nandrolone.
- 26 (xv) Norethandrolon.
- 27 (xvi) Oxandrolone.
- 28 (xvii) Oxymesterone.
- 29 (xviii) Oxymetholone.
- 30 (xix) Stanolone (4-dihydrotestosterone).
- 31 (xx) Stanozolol.
- 32 (xxi) Testolactone.
- 33 (xxii) Testosterone.
- 34 (xxiii) Trenbolone.

35 7. "Deliver" means the actual, constructive or attempted exchange
36 from one person to another, whether or not there is an agency
37 relationship.

38 8. "Director" means the director of the department of health
39 services.

40 9. "Dispense" means distribute, leave with, give away, dispose of
41 or deliver.

42 10. "Drug court program" means a program that is established
43 pursuant to section 13-3422 by the presiding judge of the superior court
44 in cooperation with the county attorney in a county for the purpose of
45 prosecuting, adjudicating and treating drug dependent persons who meet the

1 criteria and guidelines for entry into the program that are developed and
2 agreed on by the presiding judge and the prosecutor.

3 11. "Drug dependent person" means a person who is using a substance
4 that is listed in paragraph 6, 19, 20, 21 or 28 of this section and who is
5 in a state of psychological or physical dependence, or both, arising from
6 the use of that substance.

7 12. "Federal act" has the same meaning prescribed in section
8 32-1901.

9 13. "Isoamidone" means any substance identified chemically as
10 (4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3), or any salt of such
11 substance, by whatever trade name designated.

12 14. "Isonipecaine" means any substance identified chemically as
13 (1-methyl-4-phenyl-piperidine-4-carboxylic acid ethyl ester), or any salt
14 of such substance, by whatever trade name designated.

15 15. "Ketobemidone" means any substance identified chemically as
16 (4-(3-hydroxyphenyl)-1-methyl-4-piperidylethyl ketone hydrochloride), or
17 any salt of such substance, by whatever trade name designated.

18 16. "Licensed" or "permitted" means authorized by the laws of this
19 state to do certain things.

20 17. "Manufacture" means produce, prepare, propagate, compound, mix
21 or process, directly or indirectly, by extraction from substances of
22 natural origin or independently by means of chemical synthesis, or by a
23 combination of extraction and chemical synthesis. Manufacture includes
24 any packaging or repackaging or labeling or relabeling of containers.
25 Manufacture does not include any producing, preparing, propagating,
26 compounding, mixing, processing, packaging or labeling done in conformity
27 with applicable state and local laws and rules by a licensed practitioner
28 incident to and in the course of his licensed practice.

29 18. "Manufacturer" means a person who manufactures a narcotic or
30 dangerous drug or other substance controlled by this chapter.

31 19. "Marijuana" means all parts of any plant of the genus cannabis,
32 ~~from which the resin has not been extracted~~, whether growing or not, and
33 the seeds of such plant. Marijuana does not include the mature stalks of
34 such plant or the sterilized seed of such plant which is incapable of
35 germination.

36 20. "Narcotic drugs" means the following, whether of natural or
37 synthetic origin and any substance neither chemically nor physically
38 distinguishable from them:

- 39 (a) Acetyl-alpha-methylfentanyl.
- 40 (b) Acetylmethadol.
- 41 (c) Alfentanil.
- 42 (d) Allylprodine.
- 43 (e) Alphacetylmethadol.
- 44 (f) Alphameprodine.
- 45 (g) Alphamethadol.

- 1 (h) Alpha-methylfentanyl.
- 2 (i) Alpha-methylthiofentanyl.
- 3 (j) Alphaprodine.
- 4 (k) Amidone (methadone).
- 5 (l) Anileridine.
- 6 (m) Benzethidine.
- 7 (n) Benzylfentanyl.
- 8 (o) Betacetylmethadol.
- 9 (p) Beta-hydroxyfentanyl.
- 10 (q) Beta-hydroxy-3-methylfentanyl.
- 11 (r) Betameprodine.
- 12 (s) Betamethadol.
- 13 (t) Betaprodine.
- 14 (u) Bezitramide.
- 15 (v) Buprenorphine and its salts.
- 16 (w) Cannabis.
- 17 (x) Carfentanil.
- 18 (y) 4-chloro-n-[1-[2-(4-nitrophenyl)ethyl]-2-piperidinylidene]benz
- 19 enesulfonamide (W-18).
- 20 (z) 4-chloro-n-[1-(2-phenylethyl)-2-piperidinylidene]
- 21 benzenesulfonamide (W-15).
- 22 (aa) Clonitazene.
- 23 (bb) Coca leaves.
- 24 (cc) 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine (MT-45).
- 25 (dd) Dextromoramide.
- 26 (ee) Dextropropoxyphene.
- 27 (ff) Diampromide.
- 28 (gg) 3,4-dichloro-n-(-[1-(dimethylamino)cyclohexyl]methyl)-benzamid
- 29 e (AH-7921).
- 30 (hh) 3,4-dichloro-n-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide
- 31 (U-47700).
- 32 (ii) Diethylthiambutene.
- 33 (jj) Difenoazin.
- 34 (kk) Dihydrocodeine.
- 35 (ll) Dimenoxadol.
- 36 (mm) Dimepheptanol.
- 37 (nn) Dimethylthiambutene.
- 38 (oo) Dioxaphetyl butyrate.
- 39 (pp) Diphenidine (DEP).
- 40 (qq) Diphenoxylate.
- 41 (rr) Dipipanone.
- 42 (ss) Ephenidine.
- 43 (tt) Ethylmethylthiambutene.
- 44 (uu) Etonitazene.
- 45 (vv) Etoxadine.

- 1 (ww) Fentanyl.
- 2 (xx) Fentanyl mimetic substances that are any substances derived
- 3 from fentanyl by any substitution in the phenethyl group, any substitution
- 4 in the piperidine ring, any substitution in the aniline ring, any
- 5 replacement of the phenyl portion of the phenethyl group, any replacement
- 6 of the N-propionyl group or any combination of the above.
- 7 (yy) Furethidine.
- 8 (zz) Hydroxypethidine.
- 9 (aaa) Isoamidone (isomethadone).
- 10 (bbb) Isophenidine.
- 11 (ccc) Pethidine (meperidine).
- 12 (ddd) Ketobemidone.
- 13 (eee) Lefetamine.
- 14 (fff) Levomethorphan.
- 15 (ggg) Levomoramide.
- 16 (hhh) Levophenacymorphan.
- 17 (iii) Levorphanol.
- 18 (jjj) Metazocine.
- 19 (kkk) Methoxphenidine (MXP).
- 20 (lll) 3-methylfentanyl.
- 21 (mmm) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP).
- 22 (nnn) 3-methylthiofentanyl.
- 23 (ooo) Morpheridine.
- 24 (ppp) Noracymethadol.
- 25 (qqq) Norlevorphanol.
- 26 (rrr) Normethadone.
- 27 (sss) Norpipanone.
- 28 (ttt) Opium.
- 29 (uuu) Para-fluorofentanyl.
- 30 (vvv) Pentazocine.
- 31 (www) Phenadoxone.
- 32 (xxx) Phenampromide.
- 33 (yyy) Phenazocine.
- 34 (zzz) 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine (PEPAP).
- 35 (aaaa) Phenomorphan.
- 36 (bbbb) Phenoperidine.
- 37 (cccc) Piminodine.
- 38 (dddd) Piritramide.
- 39 (eeee) Proheptazine.
- 40 (ffff) Properidine.
- 41 (gggg) Propiram.
- 42 (hhhh) Racemethorphan.
- 43 (iiii) Racemoramide.
- 44 (jjjj) Racemorphan.
- 45 (kkkk) Remifentanil.

- 1 (llll) Sufentanil.
- 2 (mmmm) Thenylfentanyl.
- 3 (nnnn) Thiofentanyl.
- 4 (oooo) Tilidine.
- 5 (pppp) Tramadol, 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)
- 6 cyclohexanol, and its salts, optical and geometric isomers, and its salts
- 7 of isomers.
- 8 (qqqq) Trimeperidine.
- 9 21. "Opium" means any compound, manufacture, salt, isomer, salt of
- 10 isomer, derivative, mixture or preparation of the following, but does not
- 11 include apomorphine or any of its salts:
- 12 (a) Acetorphine.
- 13 (b) Acetyldihydrocodeine.
- 14 (c) Benzylmorphine.
- 15 (d) Codeine.
- 16 (e) Codeine methylbromide.
- 17 (f) Codeine-N-oxide.
- 18 (g) Cyprenorphine.
- 19 (h) Desomorphine.
- 20 (i) Dihydromorphine.
- 21 (j) Drotebanol.
- 22 (k) Ethylmorphine.
- 23 (l) Etorphine.
- 24 (m) Heroin.
- 25 (n) Hydrocodone.
- 26 (o) Hydromorphinol.
- 27 (p) Hydromorphone.
- 28 (q) Levo-alphaacetylmethadol.
- 29 (r) Methyldesorphine.
- 30 (s) Methyldihydromorphine.
- 31 (t) Metopon.
- 32 (u) Morphine.
- 33 (v) Morphine methylbromide.
- 34 (w) Morphine methylsulfonate.
- 35 (x) Morphine-N-oxide.
- 36 (y) Myrophine.
- 37 (z) Nalorphine.
- 38 (aa) Nicocodeine.
- 39 (bb) Nicomorphine.
- 40 (cc) Normorphine.
- 41 (dd) Oxycodone.
- 42 (ee) Oxymorphone.
- 43 (ff) Pholcodine.
- 44 (gg) Thebacon.
- 45 (hh) Thebaine.

1 22. "Ordinary ephedrine, pseudoephedrine, (-)-norpseudoephedrine or
2 phenylpropanolamine product" means a product that contains ephedrine,
3 pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine and that is
4 all of the following:

5 (a) Approved for sale under the federal act.

6 (b) Labeled, advertised and marketed only for an indication that is
7 approved by the federal food and drug administration.

8 (c) Either:

9 (i) A nonliquid that is sold in package sizes of not more than
10 three grams of ephedrine, pseudoephedrine, (-)-norpseudoephedrine or
11 phenylpropanolamine and that is packaged in blister packs containing not
12 more than two dosage units or, if the use of blister packs is technically
13 infeasible, that is packaged in unit dose packets or pouches.

14 (ii) A liquid that is sold in package sizes of not more than three
15 grams of ephedrine, pseudoephedrine, (-)-norpseudoephedrine or
16 phenylpropanolamine.

17 23. "Peyote" means any part of a plant of the genus *Lophophora*,
18 known as the mescal button.

19 24. "Pharmacy" means a licensed business where drugs are compounded
20 or dispensed by a licensed pharmacist.

21 25. "Practitioner" means a person licensed to prescribe and
22 administer drugs.

23 26. "Precursor chemical I" means any material, compound, mixture or
24 preparation ~~which~~ THAT contains any quantity of the following substances
25 and their salts, optical isomers or salts of optical isomers:

26 (a) N-acetylanthranilic acid.

27 (b) Anthranilic acid.

28 (c) Ephedrine.

29 (d) Ergotamine.

30 (e) Isosafrole.

31 (f) Lysergic acid.

32 (g) Methylamine.

33 (h) N-ethylephedrine.

34 (i) N-ethylpseudoephedrine.

35 (j) N-methylephedrine.

36 (k) N-methylpseudoephedrine.

37 (l) Norephedrine.

38 (m) (-)-Norpseudoephedrine.

39 (n) Phenylacetic acid.

40 (o) Phenylpropanolamine.

41 (p) Piperidine.

42 (q) Pseudoephedrine.

43 27. "Precursor chemical II" means any material, compound, mixture
44 or preparation ~~which~~ THAT contains any quantity of the following
45 substances and their salts, optical isomers or salts of optical isomers:

- 1 (a) 4-cyano-2-dimethylamino-4, 4-diphenyl butane.
- 2 (b) 4-cyano-1-methyl-4-phenylpiperidine.
- 3 (c) Chlorephedrine.
- 4 (d) Chlorpseudoephedrine.
- 5 (e) Ethyl-4-phenylpiperidine-4-carboxylate.
- 6 (f) 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid.
- 7 (g) 1-methyl-4-phenylpiperidine-4-carboxylic acid.
- 8 (h) N-formyl amphetamine.
- 9 (i) N-formyl methamphetamine.
- 10 (j) Phenyl-2-propanone.
- 11 (k) 1-piperidinocyclohexane carbonitrile.
- 12 (l) 1-pyrrolidinocyclohexane carbonitrile.

13 28. "Prescription-only drug" does not include a dangerous drug or
14 narcotic drug but means:

15 (a) Any drug ~~which~~ THAT because of its toxicity or other
16 potentiality for harmful effect, or the method of its use, or the
17 collateral measures necessary to its use, is not generally recognized
18 among experts, qualified by scientific training and experience to evaluate
19 its safety and efficacy, as safe for use except by or under the
20 supervision of a medical practitioner.

21 (b) Any drug that is limited by an approved new drug application
22 under the federal act or section 32-1962 to use under the supervision of a
23 medical practitioner.

24 (c) Every potentially harmful drug, the labeling of which does not
25 bear or contain full and adequate directions for use by the consumer.

26 (d) Any drug required by the federal act to bear on its label the
27 legend "Caution: Federal law prohibits dispensing without prescription"
28 or "Rx only".

29 29. "Produce" means grow, plant, cultivate, harvest, dry, process
30 or prepare for sale.

31 30. "Regulated chemical" means the following substances in bulk
32 form that are not a useful part of an otherwise lawful product:

- 33 (a) Acetic anhydride.
- 34 (b) Hypophosphorous acid.
- 35 (c) Iodine.
- 36 (d) Sodium acetate.
- 37 (e) Red phosphorus.
- 38 (f) Gamma butyrolactone (GBL).
- 39 (g) 1, 4-butanediol.
- 40 (h) Butyrolactone.
- 41 (i) 1, 2 butanolide.
- 42 (j) 2-oxanalone.
- 43 (k) Tetrahydro-2-furanone.
- 44 (l) Dihydro-2(3H)-furanone.
- 45 (m) Tetramethylene glycol.

1 31. "Retailer" means either:

2 (a) A person other than a practitioner who sells any precursor
3 chemical or regulated chemical to another person for purposes of
4 consumption and not resale, whether or not the person possesses a permit
5 issued pursuant to title 32, chapter 18.

6 (b) A person other than a manufacturer or wholesaler who purchases,
7 receives or acquires more than twenty-four grams of a precursor chemical.

8 32. "Sale" or "sell" means an exchange for anything of value or
9 advantage, present or prospective.

10 33. "Sale for personal use" means the retail sale for a legitimate
11 medical use in a single transaction to an individual customer, to an
12 employer for dispensing to employees from first aid kits or medicine
13 chests or to a school for administration pursuant to section 15-344.

14 34. "Scientific purpose" means research, teaching or chemical
15 analysis.

16 35. "Suspicious transaction" means a transaction to which any of
17 the following applies:

18 (a) A report is required under the federal act.

19 (b) The circumstances would lead a reasonable person to believe
20 that any person is attempting to possess a precursor chemical or regulated
21 chemical for the purpose of unlawful manufacture of a dangerous drug or
22 narcotic drug, based on such factors as the amount involved, the method of
23 payment, the method of delivery and any past dealings with any
24 participant.

25 (c) The transaction involves payment for precursor or regulated
26 chemicals in cash or money orders in a total amount of more than two
27 hundred dollars.

28 (d) The transaction involves a sale, a transfer or furnishing to a
29 retailer for resale without a prescription of ephedrine, pseudoephedrine,
30 (-)-norpseudoephedrine or phenylpropanolamine that is not an ordinary
31 ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine
32 product.

33 36. "Threshold amount" means a weight, market value or other form
34 of measurement of an unlawful substance as follows:

35 (a) One gram of heroin.

36 (b) Nine grams of cocaine.

37 (c) Seven hundred fifty milligrams of cocaine base or hydrolyzed
38 cocaine.

39 (d) Four grams or 50 milliliters of PCP.

40 (e) Nine grams of methamphetamine, including methamphetamine in
41 liquid suspension.

42 (f) Nine grams of amphetamine, including amphetamine in liquid
43 suspension.

44 (g) One-half milliliter of lysergic acid diethylamide, or in the
45 case of blotter dosage units fifty dosage units.

1 (h) Two pounds of marijuana.

2 (i) For any combination consisting solely of those unlawful
3 substances listed in subdivisions (a) through (h) of this paragraph, an
4 amount equal to or in excess of the threshold amount, as determined by the
5 application of section 13-3420.

6 (j) For any unlawful substance not listed in subdivisions (a)
7 through (h) of this paragraph or any combination involving any unlawful
8 substance not listed in subdivisions (a) through (h) of this paragraph, a
9 value of at least one thousand dollars.

10 37. "Transfer" means furnish, deliver or give away.

11 38. "Vapor-releasing substance containing a toxic substance" means
12 a material ~~which~~ THAT releases vapors or fumes containing any of the
13 following:

14 (a) Ketones, including acetone, methyl ethyl ketone, mibk, miak,
15 isophorone and mesityl oxide.

16 (b) Hydrocarbons, including propane, butane, pentane, hexane,
17 heptane and halogenated hydrocarbons.

18 (c) Ethylene dichloride.

19 (d) Pentachlorophenol.

20 (e) Chloroform.

21 (f) Methylene chloride.

22 (g) Trichloroethylene.

23 (h) Difluoroethane.

24 (i) Tetrafluoroethane.

25 (j) Aldehydes, including formaldehyde.

26 (k) Acetates, including ethyl acetate and butyl acetate.

27 (l) Aromatics, including benzene, toluene, xylene, ethylbenzene and
28 cumene.

29 (m) Alcohols, including methyl alcohol, ethyl alcohol, isopropyl
30 alcohol, butyl alcohol and diacetone alcohol.

31 (n) Ether, including Diethyl ether and petroleum ether.

32 (o) Nitrous oxide.

33 (p) Amyl nitrite.

34 (q) Isobutyl nitrite.

35 39. "Weight" unless otherwise specified includes the entire weight
36 of any mixture or substance that contains a detectable amount of an
37 unlawful substance. If a mixture or substance contains more than one
38 unlawful substance, the weight of the entire mixture or substance is
39 assigned to the unlawful substance that results in the greater offense.
40 If a mixture or substance contains lysergic acid diethylamide, the offense
41 that results from the unlawful substance shall be based on the greater
42 offense as determined by the entire weight of the mixture or substance or
43 the number of blotter dosage units. For the purposes of this paragraph,
44 "mixture" means any combination of substances from which the unlawful
45 substance cannot be removed without a chemical process.

1 40. "Wholesaler" means a person who in the usual course of business
2 lawfully supplies narcotic drugs, dangerous drugs, precursor chemicals or
3 regulated chemicals that he himself has not produced or prepared, but not
4 to a person for the purpose of consumption by the person, whether or not
5 the wholesaler has a permit that is issued pursuant to title 32,
6 chapter 18. Wholesaler includes a person who sells, delivers or dispenses
7 a precursor chemical in an amount or under circumstances that would
8 require registration as a distributor of precursor chemicals under the
9 federal act.

10 Sec. 2. Subject to the requirements of article IV, part 1,
11 section 1, Constitution of Arizona, section 36-2801, Arizona Revised
12 Statutes, is amended to read:

13 36-2801. Definitions

14 In this chapter, unless the context otherwise requires:

15 1. "Allowable amount of marijuana"

16 (a) With respect to a qualifying patient, ~~the~~ "allowable amount of
17 marijuana" means:

18 (i) Two-and-one-half ounces of usable marijuana; and

19 (ii) If the qualifying patient's registry identification card
20 states that the qualifying patient is authorized to cultivate marijuana,
21 twelve marijuana plants contained in an enclosed, locked facility except
22 that the plants are not required to be in an enclosed, locked facility if
23 the plants are being transported because the qualifying patient is moving.

24 (b) With respect to a designated caregiver, ~~the~~ "allowable amount
25 of marijuana" for each patient assisted by the designated caregiver under
26 this chapter means:

27 (i) Two-and-one-half ounces of usable marijuana; and

28 (ii) If the designated caregiver's registry identification card
29 provides that the designated caregiver is authorized to cultivate
30 marijuana, twelve marijuana plants contained in an enclosed, locked
31 facility except that the plants are not required to be in an enclosed,
32 locked facility if the plants are being transported because the designated
33 caregiver is moving.

34 (c) Marijuana that is incidental to medical use, but is not usable
35 marijuana as defined in this chapter, shall not be counted toward a
36 qualifying patient's or designated caregiver's allowable amount of
37 marijuana.

38 2. "Cardholder" means a qualifying patient, a designated caregiver
39 or a nonprofit medical marijuana dispensary agent who has been issued and
40 possesses a valid registry identification card.

41 3. "Debilitating medical condition" means one or more of the
42 following:

43 (a) Cancer, glaucoma, positive status for human immunodeficiency
44 virus, acquired immune deficiency syndrome, hepatitis C, amyotrophic

1 lateral sclerosis, crohn's disease, agitation of alzheimer's disease or
2 the treatment of these conditions.

3 (b) A chronic or debilitating disease or medical condition or its
4 treatment that produces one or more of the following: cachexia or wasting
5 syndrome; severe and chronic pain; severe nausea; seizures, including
6 those characteristic of epilepsy; or severe and persistent muscle spasms,
7 including those characteristic of multiple sclerosis.

8 (c) Any other medical condition or its treatment added by the
9 department pursuant to section 36-2801.01.

10 4. "Department" means the ~~Arizona~~ department of health services or
11 its successor agency.

12 5. "Designated caregiver" means a person who:

13 (a) Is at least twenty-one years of age.

14 (b) Has agreed to assist with a patient's medical use of marijuana.

15 (c) Has not been convicted of an excluded felony offense.

16 (d) Assists no more than five qualifying patients with the medical
17 use of marijuana.

18 (e) May receive reimbursement for actual costs incurred in
19 assisting a registered qualifying patient's medical use of marijuana if
20 the registered designated caregiver is connected to the registered
21 qualifying patient through the department's registration process. The
22 designated caregiver may not be paid any fee or compensation for ~~his~~
23 ~~service~~ **SERVING** as a caregiver. Payment for costs under this subdivision
24 ~~shall~~ **DOES** not constitute an offense under title 13, chapter 34 or under
25 ~~title 36,~~ chapter 27, article 4 **OF THIS TITLE**.

26 6. "Enclosed, locked facility" means a closet, room, greenhouse or
27 other enclosed area equipped with locks or other security devices that
28 permit access only by a cardholder.

29 7. "Excluded felony offense" means:

30 (a) A violent crime as defined in section 13-901.03, ~~subsection B,~~
31 that was classified as a felony in the jurisdiction where the person was
32 convicted.

33 (b) A violation of a state or federal controlled substance law that
34 was classified as a felony in the jurisdiction where the person was
35 convicted but does not include:

36 (i) An offense for which the sentence, including any term of
37 probation, incarceration or supervised release, was completed ten or more
38 years earlier.

39 (ii) An offense involving conduct that would be immune from arrest,
40 prosecution or penalty under section 36-2811 except that the conduct
41 occurred before ~~the effective date of this chapter~~ **DECEMBER 14, 2010** or
42 was prosecuted by an authority other than ~~the~~ **THIS** state ~~of Arizona~~.

43 8. "Marijuana" means all parts of any plant of the genus cannabis
44 whether growing or not, and the seeds of such plant.

1 9. "Medical use" means the acquisition, possession, cultivation,
2 manufacture, use, administration, delivery, transfer or transportation of
3 marijuana or paraphernalia relating to the administration of marijuana to
4 treat or alleviate a registered qualifying patient's debilitating medical
5 condition or symptoms associated with the patient's debilitating medical
6 condition.

7 ~~10.~~ 10. "Nonprofit medical marijuana dispensary" means a not-for-
8 profit entity that acquires, possesses, cultivates, manufactures,
9 delivers, transfers, transports, supplies, sells or dispenses marijuana or
10 related supplies and educational materials to cardholders. A nonprofit
11 medical marijuana dispensary may receive payment for all expenses incurred
12 in its operation.

13 ~~11.~~ 11. "Nonprofit medical marijuana dispensary agent" means a
14 principal officer, board member, employee or volunteer of a nonprofit
15 medical marijuana dispensary who is at least twenty-one years of age and
16 WHO has not been convicted of an excluded felony offense.

17 12. "Physician" means a doctor of medicine who holds a valid and
18 existing license to practice medicine pursuant to title 32, chapter 13 or
19 its successor, a doctor of osteopathic medicine who holds a valid and
20 existing license to practice osteopathic medicine pursuant to title 32,
21 chapter 17 or its successor, a naturopathic physician who holds a valid
22 and existing license to practice naturopathic medicine pursuant to title
23 32, chapter 14 or its successor or a homeopathic physician who holds a
24 valid and existing license to practice homeopathic medicine pursuant to
25 title 32, chapter 29 or its successor.

26 13. "Qualifying patient" means a person who has been diagnosed by a
27 physician as having a debilitating medical condition.

28 14. "Registry identification card" means a document THAT IS issued
29 by the department AND that identifies a person as a registered qualifying
30 patient, A registered designated caregiver or a registered nonprofit
31 medical marijuana dispensary agent.

32 15. "Usable marijuana" means the dried flowers of the marijuana
33 plant, INCLUDING ANY EXTRACT OR TINCTURE DERIVED FROM THE PLANT, and any
34 mixture or preparation thereof, but does not include the seeds, stalks and
35 roots of the plant and does not include the weight of any non-marijuana
36 ingredients combined with marijuana and prepared for consumption as food
37 or drink.

38 16. "Verification system" means a secure, password-protected,
39 web-based system THAT IS established and maintained by the department AND
40 that is available to law enforcement personnel and nonprofit medical
41 marijuana dispensary agents on a twenty-four hour basis for verification
42 of registry identification cards.

43 17. "Visiting qualifying patient" means a person:

44 (a) Who is not a resident of ~~Arizona~~ THIS STATE or who has been a
45 resident of ~~Arizona~~ THIS STATE less than thirty days.

1 (b) Who has been diagnosed with a debilitating medical condition by
2 a person who is licensed with authority to prescribe drugs to humans in
3 the state of the person's residence or, in the case of a person who has
4 been a resident of ~~Arizona~~ THIS STATE less than thirty days, the state of
5 the person's former residence.

6 18. "Written certification" means a document THAT IS dated and
7 signed by a physician, ~~stating~~ AND THAT STATES that in the physician's
8 professional opinion the patient is likely to receive therapeutic or
9 palliative benefit from the medical use of marijuana to treat or alleviate
10 the patient's debilitating medical condition or symptoms associated with
11 the debilitating medical condition. The physician must:

12 (a) Specify the qualifying patient's debilitating medical condition
13 in the written certification.

14 (b) Sign and date the written certification only in the course of a
15 physician-patient relationship after the physician has completed a full
16 assessment of the qualifying patient's medical history.

17 Sec. 3. Retroactivity

18 Section 36-2801, Arizona Revised Statutes, as amended by this act,
19 applies retroactively to from and after December 13, 2010.

20 Sec. 4. Requirements for enactment; three-fourths vote

21 Pursuant to article IV, part 1, section 1, Constitution of Arizona,
22 section 36-2801, Arizona Revised Statutes, as amended by this act, is
23 effective only on the affirmative vote of at least three-fourths of the
24 members of each house of the legislature.