

Subject Rescheduling marijuana from Schedule I to Schedule II

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Overview

This bill reschedules marijuana and nonsynthetic tetrahydrocannabinols from Schedule I to Schedule II of the controlled substances schedules, and provides that for purposes of sections governing prescribing, dispensing, administering, and selling controlled substances, marijuana and tetrahydrocannabinols are not included in Schedule II. The bill also exempts medical cannabis from sections governing prescribing controlled substances for intractable pain and the prescription monitoring program, and directs the commissioner of health to apply for an exception from federal Schedule I for medical cannabis.

Summary

Section	Description
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1	Analog.
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Amends § 152.01, subd. 23. Amends the definition of analog in the chapter governing drugs and controlled substances, to specify that analog does not include marijuana or nonsynthetic tetrahydrocannabinols.

Makes this section effective August 1, 2021, and applicable to crime committed on or after that date.

2	Schedule I.
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Amends § 152.02, subd. 2. Removes marijuana and nonsynthetic tetrahydrocannabinols from Schedule I of controlled substances. (Substances in Schedule I are those with no currently accepted medical use, a lack of accepted safety for use under medical supervision, and a high potential for abuse.)

Makes this section effective August 1, 2021, and applicable to crimes committed on or after that date.

Section	Description
3	<p>Schedule II.</p> <p>Amends § 152.02, subd. 3. Adds marijuana and nonsynthetic tetrahydrocannabinols to Schedule II of controlled substances. (Substances in Schedule II are those with a high potential for abuse, with use potentially leading to severe psychological or physical dependence.)</p> <p>Makes this section effective August 1, 2021, and applicable to crimes committed on or after that date.</p>
4	<p>Exception.</p> <p>Adds subd. 5 to § 152.11. Provides that marijuana and tetrahydrocannabinols are not considered Schedule II controlled substances for purposes of a section establishing prescription requirements for controlled substances.</p>
5	<p>Exception.</p> <p>Adds subd. 6 to § 152.12. Provides that marijuana and tetrahydrocannabinols are not considered Schedule II controlled substances for purposes of a section governing the prescribing, dispensing, administration, and sale of controlled substances.</p>
6	<p>Limits on applicability.</p> <p>Amends § 152.125, subd. 3. Provides that a section governing the prescription and administration of controlled substances for intractable pain does not apply to medical cannabis.</p>
7	<p>Definitions.</p> <p>Amends § 152.126, subd. 1. Excludes medical cannabis from the definition of controlled substances for the prescription monitoring program.</p>
8	<p>Federal Schedule I exemption application for the medical use of cannabis.</p> <p>Requires the commissioner of health to apply for an exemption from federal Schedule I for medical cannabis used according to the state's medical cannabis program.</p>



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