

To: House Judiciary Committee

From: Chardae Caine, Research Associate

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RE: Neutral Testimony on House Bill 2244

The League of Kansas Municipalities appreciates the opportunity to offer neutral testimony on HB 2244. We recognize that the use of cannabidiol with 5% tetrahydrocannabinol to treat certain medical conditions has the potential to improve the quality of life for some Kansans. As the use of tetrahydrocannabinol expands across the nation, including within our border states, the Kansas Legislature will have several factors to consider.

HB 2244 defines cannabidiol treatment preparation, identifies who may use or have the oil in possession, and requires it to be tested by a third party, independent laboratory. It also clarifies the possession of the oil as an affirmative defense if being used as intended. The bill does not address or establish parameters for how law enforcement should verify proper possession of the oil. It also does not provide details on the human resources aspect for employers. Are cities, as employers, required to allow employees to use cannabidiol treatment preparation? Are employees required to share that information with their employer? There are several issues regarding the employer-employee relationship that our members recommend be addressed during any consideration of this bill.

Although this bill pertains specifically to CBD oil with THC, because of the potential for amendments to include medical marijuana, we wanted to use this opportunity to address some of the issues that should be carefully considered if and when such amendments are proposed. The League of Municipalities does not have a stance on whether medical marijuana should be legalized in Kansas; however, our members believe the legislature should carefully weigh the impact of medical marijuana on law enforcement and human resources and provide cities a portion of any funds to offset the impact of medical cannabis. Local governments will experience significant impacts and revenue is required to offset these costs. Funding for local governments should be addressed at the onset.

Our members strongly believe cities should have the ability to opt-in to allowing dispensaries in their city. Additionally, cities must have the ability to regulate the location of retail and production operations as well as public, workplace, and vehicle consumption of medical marijuana, and any other needed regulation that may arise.

In addition, Kansas should delay implementation of medical marijuana to give time to study any issues that might result from the passage of medical marijuana and to allow cities necessary time to enact possible zoning changes, provide additional training to law enforcement in how to deal with impaired driving from medical marijuana, and training on how to identify legal versus illegal marijuana. Additional time before implementation is critical for cities to acquire resources, develop policies and ordinances, and provide necessary training and public education. Ideally, implementation should be phased in over time to allow for response to impacts and unintended consequences.

For these reasons, we respectfully request the Committee to study any issues that might result from the passage of any medical marijuana legislation.