



# Senate

General Assembly

**File No. 233**

January Session, 2021

Senate Bill No. 861

*Senate, March 31, 2021*

The Committee on Veterans' Affairs reported through SEN. CABRERA of the 17th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

## **AN ACT WAIVING CERTAIN MEDICAL MARIJUANA FEES FOR VETERANS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 21a-408d of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective October*  
3 *1, 2021*):

4 (a) Each qualifying patient who is issued a written certification for the  
5 palliative use of marijuana under subdivision (1) of subsection (a) of  
6 section 21a-408a, and the primary caregiver of such qualifying patient,  
7 shall register with the Department of Consumer Protection. Such  
8 registration shall be effective from the date the Department of  
9 Consumer Protection issues a certificate of registration until the  
10 expiration of the written certification issued by the physician or  
11 advanced practice registered nurse. The qualifying patient and the  
12 primary caregiver shall provide sufficient identifying information, as  
13 determined by the department, to establish the personal identity of the  
14 qualifying patient and the primary caregiver. If the qualifying patient is

15 under eighteen years of age and not an emancipated minor, the  
16 custodial parent, guardian or other person having legal custody of the  
17 qualifying patient shall also provide a letter from both the qualifying  
18 patient's primary care provider and a physician who is board certified  
19 in an area of medicine involved in the treatment of the debilitating  
20 condition for which the qualifying patient was certified that confirms  
21 that the palliative use of marijuana is in the best interest of the qualifying  
22 patient. A physician may issue a written certification for the palliative  
23 use of marijuana by a qualifying patient who is under eighteen years of  
24 age, provided such written certification shall not be for marijuana in a  
25 dosage form that requires that the marijuana be smoked, inhaled or  
26 vaporized. The qualifying patient or the primary caregiver shall report  
27 any change in the identifying information to the department not later  
28 than five business days after such change. The department shall issue a  
29 registration certificate to the qualifying patient and to the primary  
30 caregiver and may charge a reasonable fee, not to exceed twenty-five  
31 dollars, for each registration certificate issued under this subsection,  
32 except that no such fee shall be charged to a qualifying patient who is a  
33 veteran, as defined in section 27-103. Any registration fees collected by  
34 the department under this subsection shall be paid to the State Treasurer  
35 and credited to the General Fund.

36 Sec. 2. Subsection (b) of section 21a-408m of the general statutes is  
37 repealed and the following is substituted in lieu thereof (*Effective October*  
38 *1, 2021*):

39 (b) The Commissioner of Consumer Protection shall adopt  
40 regulations, in accordance with chapter 54, to establish a reasonable fee  
41 to be collected from each qualifying patient to whom a written  
42 certification for the palliative use of marijuana is issued under  
43 subdivision (1) of subsection (a) of section 21a-408a, for the purpose of  
44 offsetting the direct and indirect costs of administering the provisions  
45 of sections 21a-408 to 21a-408n, inclusive, except that no such fee shall  
46 be charged to a qualifying patient who is a veteran, as defined in section  
47 27-103. The commissioner shall collect such fee at the time the qualifying  
48 patient registers with the Department of Consumer Protection under

49 subsection (a) of section 21a-408d, as amended by this act. Such fee shall  
50 be in addition to any registration fee that may be charged under said  
51 subsection. The fees required to be collected by the commissioner from  
52 qualifying patients under this subsection shall be paid to the State  
53 Treasurer and credited to the General Fund.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	21a-408d(a)
Sec. 2	<i>October 1, 2021</i>	21a-408m(b)

**VA**      *Joint Favorable*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Resources of the General Fund	GF - Revenue Loss	270,000	325,000

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill requires the Department of Consumer Protection (DCP) to waive the medical marijuana fee for qualifying veterans resulting in an estimated revenue loss to the state of \$270,000 in FY 22 and \$325,000 in FY 23.

There are over 51,000 medical marijuana patients in the state, and approximately 2,700 of them are veterans. It costs \$100 per year for a medical marijuana license and there are approximately 165,000 veterans in the state.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of veterans in the medical marijuana program.

*Sources: Department of Consumer Protection Medical Marijuana Statistics Website*

**OLR Bill Analysis****SB 861*****AN ACT WAIVING CERTAIN MEDICAL MARIJUANA FEES FOR VETERANS.*****SUMMARY**

This bill requires the Department of Consumer Protection (DCP) to waive the combined \$100 application and renewal fee for medical marijuana for qualifying veterans. Under the bill, a veteran qualifies for the fee waiver if he or she was honorably discharged or released under honorable conditions from active service in the U.S. Armed Forces (U.S. Army, Navy, Marine Corps, Coast Guard, and Air Force, and any reserve component of these branches, including the Connecticut National Guard performing duty under Title 32 of the U.S. Code (e.g., certain Homeland Security missions)).

The existing \$100 fee for applications and renewals is credited to the General Fund and composed of a \$25 registration fee and \$75 administrative fee (Conn. Agencies Regs. § 21a-408-29). By law, medical marijuana registrations are valid for up to one year.

EFFECTIVE DATE: October 1, 2021

**BACKGROUND*****Related Bill***

HB 5592, favorably reported by the Veterans' Affairs Committee, expands the general definition of "veteran" under state law to include those released with an other than honorable discharge based on specified qualifying conditions (e.g., military sexual trauma experience, a qualifying mental health condition, sexual orientation, or gender identity or expression), as determined under the bill. In doing so, it expands eligibility for any statutory programs or benefits that reference this definition.

**COMMITTEE ACTION**

Veterans' Affairs Committee

Joint Favorable

Yea 17 Nay 0 (03/18/2021)