

SENATE COMMITTEE OF REFERENCE REPORT

February 12, 2026

Chair of Committee

Date

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

SB26-007 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

- 1 Amend printed bill, page 3, line 1, strike "SHALL" and substitute "MAY".
- 2 Page 3, line 16, strike "USE" and substitute "POSSESSION, USE, ADMINISTRATION, AND STORAGE".
- 3
- 4 Page 3, line 19, strike "STORE AND USE" and substitute "POSSESS, USE, ADMINISTER, AND STORE".
- 5
- 6 Page 3, after line 24 insert:
 - 7 "(5) A HEALTH FACILITY IS NOT REQUIRED TO STORE, SECURE, INVENTORY, DISPENSE, LABEL, DOCUMENT, OR OTHERWISE HANDLE MEDICAL MARIJUANA FOR A PATIENT.".
 - 8
 - 9
- 10 Renumber succeeding subsections accordingly.
- 11 Page 3, line 25, after "(6)" insert "(a)".
- 12 Page 4, after line 2 insert:
 - 13 "(b) A HEALTH FACILITY, ITS EMPLOYEES, AND ITS AGENTS ARE NOT SUBJECT TO CIVIL, CRIMINAL, ADMINISTRATIVE, OR EMPLOYMENT LIABILITY FOR PROHIBITING OR RESTRICTING THE POSSESSION, USE, ADMINISTRATION, OR STORAGE OF MEDICAL MARIJUANA IN ACCORDANCE WITH THE WRITTEN GUIDELINES DEVELOPED BY THE HEALTH FACILITY PURSUANT TO SUBSECTION (4)(c) OF THIS SECTION.".
 - 14
 - 15
 - 16
 - 17
 - 18

1 Page 4, line 20, strike "(7)(a)" and substitute "(8)(a)".

2 Page 4, after line 22 insert:

3 "(9) THE DEPARTMENT SHALL NOT REQUIRE A HEALTH FACILITY TO
4 COMPLY WITH THIS SECTION IF SUCH COMPLIANCE WOULD RESULT IN:

5 (a) A VIOLATION OF STATE LAW;

6 (b) THE LOSS OF FEDERAL FUNDING TO THE STATE OR TO THE
7 HEALTH FACILITY;

8 (c) NONCOMPLIANCE BY THE HEALTH FACILITY WITH CONDITIONS
9 OF PARTICIPATION IN THE FEDERAL MEDICARE OR MEDICAID PROGRAMS;
10 OR

11 (d) NONCOMPLIANCE BY THE HEALTH FACILITY WITH ANY
12 ACCREDITATION OR LICENSING REQUIREMENTS.".

13 "(10) THIS SECTION DOES NOT REQUIRE A HEALTH FACILITY TO
14 PERMIT THE POSSESSION, USE, ADMINISTRATION, OR STORAGE OF MEDICAL
15 MARIJUANA ON THE PREMISES OF THE HEALTH FACILITY.".

*** * * * *