

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 404

(SENATE AUTHORS: MARTY, Petersen, B., Cohen, Goodwin and Dibble)

DATE	D-PG	OFFICIAL STATUS
01/29/2015	168	Introduction and first reading Referred to Judiciary
02/02/2015	194	Authors added Goodwin; Dibble

A bill for an act

relating to public safety; requiring courts to allow evidence of medical necessity for certain criminal, administrative, and civil cases involving natural herbs of the genus Cannabis; proposing coding for new law in Minnesota Statutes, chapter 634.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[634.40] EVIDENCE; MEDICAL OR THERAPEUTIC NECESSITY.**

Subdivision 1. **Admission into evidence.** Sections 152.02, subdivision 7, clause (1); 152.21; and 152.33, subdivision 3, and other law may not be construed, directly or by implication, to deny a defendant in a criminal proceeding, or a person involved in a civil or administrative proceeding, the right to introduce evidence or testimony of a medical need to use, or a therapeutic or palliative benefit derived from the use of, natural herbs of the genus Cannabis or confections or other products derived directly from, or containing extracts from, natural herbal cannabis; which evidence or testimony is acceptable as a mitigating or exculpatory circumstance in the proceeding. This evidence or testimony is also not precluded from consideration in the course of an appeal, under established rules, of any verdict, ruling, or decision reached in a criminal, civil, or administrative proceeding.

Subd. 2. **Exceptions.** This section does not apply to charges under section 152.021, subdivision 1; 152.022, subdivision 1; 152.023, subdivision 1; or 152.024, subdivision 1, that involve the sale of more than a small amount of cannabis.