

§2430-D. Collectives prohibited

Collectives are prohibited under this chapter. A person may not form or participate in a collective. For purposes of this section, "collective" means an association, cooperative, affiliation or group of caregivers who physically assist each other in the act of cultivation, processing or distribution of cannabis for medical use for the benefit of the members of the collective. The following relationships are not collectives and are not prohibited: [PL 2023, c. 679, Pt. A, §20 (AMD).]

1. Caregivers assisting for the benefit of a mutual qualifying patient. Two caregivers to the extent the relationship is to:

A. Consult with each other to assist the same qualifying patient; [PL 2017, c. 452, §24 (NEW).]

B. Refer a qualifying patient to a caregiver to obtain specialized cannabis plants or harvested cannabis; [PL 2017, c. 452, §24 (NEW); PL 2021, c. 669, §5 (REV).]

C. Obtain specialized cannabis plants or harvested cannabis from another caregiver to assist the same qualifying patient; or [PL 2017, c. 452, §24 (NEW); PL 2021, c. 669, §5 (REV).]

D. Transfer harvested cannabis pursuant to section 2423-A, subsection 2, paragraph K; [PL 2017, c. 452, §24 (NEW); PL 2021, c. 669, §5 (REV).]
[PL 2017, c. 452, §24 (NEW); PL 2021, c. 669, §5 (REV).]

2. Employer and assistant, family members or members of the same household. Two caregivers to the extent the relationship is as employer and assistant, members of the same family or members of the same household;
[PL 2023, c. 679, Pt. A, §21 (AMD).]

3. Caregivers sharing common areas. Any number of caregivers who are operating separately and occupying separate spaces within a common facility to engage in activities authorized pursuant to the provisions of this chapter, even if they also share utilities or common areas, including but not limited to storage areas and building facilities, and who do not share cannabis plants or harvested cannabis resulting from the cultivation of those plants; or
[PL 2023, c. 679, Pt. A, §22 (AMD).]

4. Caregivers providing short-term assistance. A caregiver assisting up to 2 other caregivers at any one time with activities authorized under this chapter, as long as the caregiver has given prior notice to the office. Notice required by this subsection must include the name of each caregiver needing assistance and the duration of the assistance to be provided. Assistance may not exceed 90 days within a calendar year unless approved in advance by the office.
[PL 2023, c. 679, Pt. A, §23 (NEW).]

SECTION HISTORY

PL 2017, c. 452, §24 (NEW). PL 2021, c. 669, §5 (REV). PL 2023, c. 679, Pt. A, §§20-23 (AMD).

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