

directly, indirectly or by derivative.

ii. When there are more applications for licenses than are available, except as stated in 4(c)ii.a. of this subsection immediately below, licenses shall be on the basis of competitive bids (such bids must be by money order, cashier's check, or other means as determined by the Research Board, and accompany the application and will be returned if the bid is unsuccessful), with licenses awarded to the highest bidder. Such bids shall be made in a manner prescribed by the Research Board to avoid disclosure of bid amounts to competing bidders during the bidding process.

a. The Research Board may set aside up to 50% of the Medical Marijuana Cultivation Facility licenses and 50% of the Medical Marijuana Research Cultivation Facility licenses to be awarded based upon a ranking using the following factors: site security, including capacity for ease of cultivation, experience with understanding the medicine and law surrounding the cultivation and use of medical marijuana, experience with agriculture, horticulture, health care and the cannabis market, and sufficient available capital to maximize probable success; acceptance in the site community; business plan for Medical Marijuana Cultivation Facility licenses and business plan plus research plan for Medical Marijuana Research Cultivation Facility licenses; potential for positive economic impact in the site community and maintaining competitiveness in the marijuana for medical use marketplace. In ranking applicants and awarding licenses, the Research Board may consult with or contract other public agencies with relevant expertise regarding these factors. The Research Board may lift or ease any limit on the number Medical Marijuana Cultivation Facilities and Medical Marijuana Research Cultivation Facilities to meet the demand for medical marijuana by qualifying patients and research.

iii. Marijuana must be grown indoors in an enclosed, locked facility: a room, warehouse or greenhouse, or other enclosed area equipped with locks or other security devices that permit access only by authorized personnel, meeting the Research Board standards and industry standards for safety and safe use of electricity.

iv. Upon request to the Research Board, state institutions of higher education governed by sections 174.020 to 174.500 Revised Statutes of Missouri and chapter 172 Revised Statutes of Missouri shall be granted, without charge, up to one (1) medical marijuana research cultivation facility license per institution per year to grow marijuana.

v. Upon request to the Research Board by an entity operating under authority of section 10 of this Article XIV, the Research Board may grant, without charge, up to one (1) medical marijuana research cultivation facility license to a total of no more than ten (10) such entities for purposes of researching the benefits of medical marijuana for various presently incurable diseases.

vi. Initial applications for licenses shall be accepted beginning no more than seven (7) months after the effective date of this Article. The initial application period shall remain open for ninety (90) days.

vii. After the initial application period, when one or more licenses become available, the opening shall be published on the Research Board's website for ninety (90) days, at the close of which an additional application period of ninety (90) days shall immediately commence.

(d) Subject to the limitations within this Article a person who is a Missouri resident for three or more years, or entity that is registered to do business in the State of Missouri and owned at least seventy percent (70%) or more by three year or longer duration Missouri residents, may apply for and obtain a license to operate a Medical Marijuana Dispensary Facility in Missouri. Such person or entity may apply to the Research Board for and obtain a yearly Medical Marijuana Dispensary Facility license to sell marijuana or marijuana-infused/ extraction products for medical use within a county or city not within a county. Each such license shall be taxed at an initial rate of \$25,000 for the first year per license (which must be by money order, cashier's check, or other means as determined by the Research Board, and accompany the application and will be returned if the application is unsuccessful) and then annually at \$10,000 per license upon renewal, with such rates to be increased or decreased each year by the percentage of increase or decrease of the Consumer Price Index (CPI), or successor index as published by the U.S. Research Board of Labor or its successor agency.

i. No more than five (5) Medical Marijuana Dispensary Facility licenses shall be issued to or possessed by any one individual, group of individuals, or entity(s) under

substantially common control, ownership, or management, whether directly, indirectly or by derivative, nor shall such one individual, group of individuals, or entity ever possess more than fifty percent (50%) of the licenses for a given county or city not within a county.

ii. When there are more applications for licenses than are available, in total or for particular locations, except as stated in 4(d)ii.a, licenses shall be on the basis of a three prong test established by the board, 1) knowledge of pharmacy and ability to have a pharmacist available for consultation to qualifying patients purchasing marijuana, 2) knowledge of medicine and medical research, and 3) competitive bids (such bids must be by money order, cashier's check, or other means as determined by the Research Board, and accompany the application and will be returned if the bid is unsuccessful), with licenses awarded to the individual, individuals or entities with the highest score. Such bids shall be made in a manner prescribed by the Research Board to avoid disclosure of bid amounts to competing bidders during the bidding process.

a. The Research Board may set aside up to 50% of the Medical Marijuana Dispensary Facility licenses to be awarded based upon a ranking using the following factors: knowledge of pharmacy, knowledge of neuroscience and marijuana interactions, site security, experience with understanding the medicine and law surrounding the use of medical marijuana, experience with retail pharmacy, health care and the cannabis market, business plan, and sufficient available capital to maximize probable success; acceptance in the site community; potential for positive economic impact in the site community and maintaining competitiveness in the marijuana for medical use marketplace. In ranking applicants and awarding licenses, the Research Board may consult with or contract other public agencies with relevant expertise regarding these factors.

iii. Initial applications for licenses shall be accepted beginning no more than seven (7) months after the effective date of this Article. The initial application period shall remain open for ninety (90) days.

iv. After the initial application period, when one or more licenses become available, the opening shall be published on the Research Board's website for ninety (90) days, at the close of which an additional application period of ninety (90) days shall immediately commence.

(e) Subject to the limitations within this Article a person who is a Missouri resident for three or more years, or entity that is registered to do business in the State of Missouri and owned at least seventy percent (70%) or more by three year or longer duration Missouri residents, may apply for and operate a Medical Marijuana-Infused/Extraction Products Manufacturing Facility in Missouri. Such person or entity may apply to the Research Board for and obtain a yearly Medical Marijuana-Infused/Extraction Manufacturing Products Facility a license to buy marijuana from Medical Marijuana Cultivation Facility or Medical Marijuana Research Cultivation Facility and sell medical marijuana-infused/ extracted products to a Medical Marijuana Dispensary Facility. Each such license shall be taxed at an initial rate of \$20,000 for the first year per license (which must be by money order, cashier's check, or other means as determined by the Research Board, and accompany the application and will be returned if the application is unsuccessful) and then annually at \$10,000 per license upon renewal, with such rates to be increased or decreased each year by the percentage of increase or decrease of the Consumer Price Index (CPI), or successor index as published by the U.S. Research Board of Labor or its successor agency.

i. No more than five (5) Medical Marijuana-Infused/Extraction Products Manufacturing Facility licenses shall be issued to or possessed by any one individual, group of individuals, or entity(s) under

a. The Research Board may set aside up to 50% of the Medical Marijuana Dispensary Facility licenses to be awarded based upon a ranking using the following factors: site security, experience with understanding the medicine and law surrounding the use of medical marijuana, experience with retail pharmacy, health care and the cannabis market, business plan, and sufficient available capital to maximize probable success; acceptance in the site community; potential for positive economic impact in the site community and maintaining competitiveness in the marijuana for medical use marketplace. In ranking applicants and awarding licenses, the Research Board may consult with or contract other public agencies with relevant expertise regarding these factors.

iii. Initial applications for licenses shall be accepted beginning no more than seven (7) months after the effective date of this Article. The initial application period shall remain open for ninety (90) days.

iv. After the initial application period, when one or more licenses become available, the opening shall be published on the Research Board's website for ninety (90) days, at the close of which an additional application period of ninety (90) days shall immediately commence.

(f) A qualifying patient must obtain annually a qualifying patient identification card from the Research Board and shall be taxed at an annual rate of \$100 per issuance, with such rate to be increased or decreased each year by the percentage of increase or decrease of the Consumer Price Index (CPI), or successor index as published by the U.S. Board of Labor or its successor agency. Upon application for a qualifying patient identification card, the Research Board must, within thirty (30) days, provide either the card or a written explanation for its denial of the card. It shall not be grounds for denial that use of medical marijuana is not approved under federal law.

(g) A designated primary caregiver must obtain annually a designated primary caregiver identification card from the Research Board for each designated qualifying patient and shall be taxed at an annual rate of \$100 per issuance, with such rate to be increased or decreased each year by the percentage of increase or decrease of the Consumer Price Index (CPI), or successor index as published by the U.S. Board of Labor or its successor agency. Upon application for a designated primary caregiver identification card, the Research Board must, within thirty (30) days, provide either the card or a written explanation for its denial of the card. It shall not be grounds for denial that use of medical marijuana is not approved under federal law.

(h) Marijuana in Missouri for retail sale may only be sold by a licensed Medical Marijuana Dispensary Facility.

(i) No Medical Marijuana Cultivation Facility, Medical Marijuana Dispensary Facility, or Medical Marijuana-Infused/Extraction Products Manufacturing Facility shall assign, sell, give, lease, sublease, or otherwise transfer its license to any other individual or entity for at least five (5) years from the time of the initial application by the licensee, and then not without the express consent of the Research Board, not to be unreasonably withheld. Licenses are transferable upon death by will or inheritance.

(j) No taxes or fees shall be imposed on the sale of medical marijuana except as provided in this Article.

(k) In event subsection (j) of this section 4, immediately above, is found unconstitutional, the taxes imposed pursuant to this section are separate from and in addition to any general state and local sales and use taxes that apply to retail sales of tangible personal property.

(1) All revenues collected from the taxes imposed on the sale of marijuana pursuant to this section must be deposited in the Biomedical Research and Drug Development Institute Trust Fund. All revenues and taxes collected from the issuance of licenses to Medical Marijuana Cultivation Facilities, Medical Marijuana Research Cultivation Facilities, Medical Marijuana-Infused/Extraction Products Manufacturing Facilities, and Medical Marijuana Dispensary Facilities, except as provided elsewhere in this Article XIV, must likewise be deposited in the Biomedical Research and Drug Development Institute Trust Fund.

Section 5. Trust Fund

(a) The "Biomedical Research and Drug Development Institute Trust Fund" is hereby established in the state treasury. Within the Biomedical Research and Drug Development Institute Trust Fund shall be the following accounts which include but are not necessarily limited to:

i. General Purpose Account;

ii. Land Acquisition Account;

iii. Targeted Diseases Account and its sub-accounts; and

iv. Section 10 Account.

(b) Except for repayment of bonds under this Section 5, subsection b, which shall be paid first, at the conclusion of each fiscal year, the state treasurer shall allocate all monies in the Biomedical Research and Drug Development Institute Trust Fund that are not otherwise in an account to the Research Board for disbursement and investment as directed in this section. During the first five (5) years, the monies shall be deposited 50% into the General Purpose Account, 25% into the Land Acquisition Account and 25% into the targeted disease account. Thereafter the Research Board shall direct the percentage of money to be deposited into each account. Monies deposited

in the fund shall include but are not limited to the designated funds received from sections 4, 5 and 10 of Article XIV, money transferred from the Research Board and any other amounts which may be received from grants, gifts, devises, bequests, contributions, donations, and money from contracts, from the state or federal government, derivative of intellectual property rights, or any other source. Monies in the fund shall be used solely for the purposes established by this Article XIV.

(c) Monies deposited into the General Purpose Account shall be used for research, presently incurable diseases, targeted diseases, building and construction, the campus, cures, endeavors, jobs, payment and compensation for jobs, administrative expenses, and education in Missouri pursuant to the performed pursuant to this Article XIV. Up to 10% of the annual General Purpose Account may be allocated by the Board to various universities in the State of Missouri with accredited medical or pharmacy schools, or currently existing at the time of passage of this Article XIV independently accredited medical or pharmacy schools within the State of Missouri, for collaborative efforts pursuant to section 10 of Article XIV, and to the development of secondary campuses in Missouri at these in-state universities with accredited medical schools and pharmacy schools, plus up to a further 5% annually maybe allocated for research purposes to various such universities who have developed, or have in the past 12 months before passage of this Article XIV been actively taking steps to develop, including but not limited to providing classes that will count as credit for, graduate programs in biomedical engineering and neuroscience. Additionally, up to 10% more of the General Purpose Account may be allocated by the Research Board to various joint collaborative in-Missouri/non-Missouri research efforts pursuant to section 10 of Article XIV, and up to 2% more of the General Purpose Account may be allocated by the Research Board as grants to Missouri local law enforcement agencies to assist with costs associated with medical marijuana law enforcement and safety.

(d) Monies deposited into the Land Acquisition Account shall be used for Land Acquisition and Land Development. The Land Acquisition Account may receive specific designated grants, gifts, devises, bequests, contributions, donations, and money from contracts, from the state or federal government, derivative of intellectual property rights, or any other source, and such specific designated monies shall be segregated for the Land Acquisition and Land Development, not commingled with other money.

(e) Monies deposited into the Targeted Diseases Account shall be used for research performed by targeted disease research groups, targeted diseases research building and construction, targeted disease research jobs, ancillary activities of the research groups and for support of the research of targeted diseases research groups as set forth in this Article XIV. Individual targeted diseases groups may receive specific designated grants, gifts, bequests, contributions, donations, and money from contracts, from the state or federal government, derivative of intellectual property rights, or any other source, and such specific designated monies shall be segregated into targeted disease sub accounts for that individual targeted disease group, not commingled with other money, and shall be used only for the purposes of that research group.

(f) Except where specifically stated otherwise, all administrative costs, expenses, jobs and compensation for duties performed and incurred under this Article XIV and by the Research Board shall be paid from the General Purpose Account of this fund.

(g) The unexpended balance existing in the fund and any of its accounts at the end of any biennium year shall be exempt from the provisions of section 33.080 relating to the transfer of unexpended balances to the general revenue fund.

(h) All monies deposited in the Biomedical Research and Drug Development Institute Trust Fund and its accounts shall remain separate and apart from the general revenue of the State of Missouri and shall be used only for the purposes of this Article XIV. Monies in the Biomedical Research and Drug Development Institute Trust Fund shall be first used to repay bonds and any other form of indebtedness, if any, issued by the Board for the purposes authorized by Article XIV. The unexpended balances of such monies shall remain in the Biomedical Research and Drug Development Institute Trust Fund and in the particular account in which the monies are placed, and such balances shall not revert to the general revenue fund.

(i) To maintain transparency, each year the Research Board shall publish the itemized income and expenses from the fund and its accounts in a report made available on the Research Board's website using general accepted accounting principles.

Section 6. Land Acquisition.

(a) It is expressly directed and permitted that within the Research Board shall be established a subcommittee known as the Land Acquisition Board. Such subcommittee members shall not receive any additional pay. The Land Acquisition Board shall consist of five individuals, four members of the Research Board selected by the Article XIV Coordinator and the fifth member being the Article XIV Coordinator. The members of the Land Acquisition Board selected by the Article XIV Coordinator shall serve the following initial terms: one shall serve two years, one shall serve three years, and two shall serve four years. Thereafter, each appointment shall be for a term of four years. If for any reason a vacancy occurs, the Article XIV Coordinator shall appoint a new member from within the Research Board to fill

the unexpired term. Members are eligible for reappointment. Before the appointments by way of the nonpartisan commission that will fill the Research Board and then in turn the Land Acquisition Board, the Article XIV Coordinator shall appoint four temporary members of the Land Acquisition Board, who may or may not be members of the then existing Research Board, who together shall be the "then existing Land Acquisition Board" and shall have the power and duties of the Land Acquisition Board. Those temporary members shall serve at the same rate as Research Board members so long as there are funds available. If no funds are immediately available, the members may serve with deferred compensation until funds are available and when funds become available the members shall be paid for time served from appointment, and reasonable expenses incurred to effectuate their duties.

(b) The Land Acquisition Board shall make investigations, inquiries, studies and review data to identify no more than five but no less than three potential locations for land development and Land Acquisition and for a campus.

(c) The Land Acquisition Board shall have the authority to promulgate any necessary and supportive rules, regulations and procedures to fulfill its duties and authorized activities under this Article XIV, by and through the Research Board.

(d) The Land Acquisition Board shall report an overview of activities and status of the Land Acquisition Board to the Research Board no less than once every one hundred and twenty days.

(e) No earlier than one year after the Land Acquisition Board is formed, and no later than four years after it is formed, the Land Acquisition Board shall submit a report of final proposed locations for a campus and designated on maps for each proposed location. Such maps shall be drawn, by lines of longitude and latitude or by use of historical boundaries such as state lines, rivers, long standing thoroughfares, and county or city boundaries. The final dimensions and geographic inclusions of the land for campus development, which shall at a minimum include the inner one contiguous square mile, layered by additional increments at two, four, nine, sixteen, twenty five and thirty six contiguous square miles, with thirty six being the maximum that could be purchased pursuant to this Article XIV for campus development, will be determined by the Land Acquisition Board. The proposed locations of the campus and maps must be approved by 2/3 of the Research Board, or if the Research Board is not yet formed then by a unanimous vote of the then-existing Research Board members and the consent of the Governor.

(f) Upon approval pursuant to section 6 subsection (e) in the next general election more than 6 months after the section 6 subsection (e) approval occurs, voters of the affected county or counties, shall have a "yes" or "no" vote on whether they desire to allow the land to be acquired and the campus developed, along with its building and construction and Article XIV activities, on the proposed location that is within their respective county. Maps that include more than one county shall be designated a multi-county map, and the votes of all affected counties within the multi-county map shall be counted as though one county.

(g) The proposed campus location county which receives the most votes by percentage of votes cast, in the respective proposed campus location counties, shall be the approved campus development site.

(h) The question presented to voters pursuant to Section 6, subsection (f) shall be in the following format:

Shall a campus for research, development, building and construction, jobs, cures and education in Missouri for endeavors to find cures for incurable diseases, and all that entails under Article XIV of the Missouri Constitution, be built on the proposed campus development site that includes, the county in which I live and will result in land, in and around the vicinity set forth on the Biomedical Research and Drug Development Institute Map below, being affected, and/or purchased from the landowners:

| | |
|------------|----|
| Yes | No |
| [map here] | |

The amount to be acquired shall be a minimum of one square mile of contiguous property, but otherwise limited only by purchasing funds to a maximum of thirty six contiguous square miles.

(i) As funds become available, the Land Acquisition Board shall have authority to negotiate, acquire, and purchase property for the research campus. The Land Acquisition Board may use any and all legal means to acquire and purchase such property for the campus.

(j) The amount to be acquired for the campus shall be a minimum of one square mile of contiguous property, but otherwise limited only by purchasing funds to a maximum of thirty six square miles of contiguous property. The final dimensions and geographic inclusions of the land for campus development, which shall at a minimum include the inner one contiguous square mile, will be determined by the Land Acquisition Board.

(k) The Land Acquisition Board shall begin acquiring land by purchasing land, as outlined in this section of Article XIV, six (6) months after the general election referenced in section 6(f), takes place, or as soon thereafter as practicable. The purchasing shall proceed in a manner consistent with reasonable campus development.

(l) Clerical, research and general administrative support staff for the Land Acquisition Board shall be provided wages or salaries by the Land Acquisition Account. The Research Board, and the then existing Land Acquisition Board members until the Research Board

members are all appointed and fill the Land Acquisition Board, shall have the authority to employ, hire, fire and set wages for all clerical, research and general administrative support staff for the Land Acquisition Board and to fulfill its functions under this Article XIV.

(m) The Land Acquisition Board, until the board is terminated and its powers and duties then transferred to the Research Board, may establish a land use plan and set aside up to twenty five percent of the acquired land for enterprise zones, housing and parks and recreational activities within the campus. Such land, at the Research Board's discretion, may be leased but not purchased from the Research Board.

(n) By unanimous vote of the Land Acquisition Board, upon the final payment for land made, or on January 1, 2028, whichever occurs first, the Land Acquisition Board shall terminate and all powers and duties shall transfer to the Research Board, including but not limited to all those powers and duties under this section 6.

Section 7. Immunities.

(a) Upon passage of this Article XIV, and beginning with its effective date, the use of medical marijuana by a qualifying patient with a valid physician certification shall not be subject to criminal or civil liability or sanctions under Missouri law, except as provided for by this Article XIV. Pending rules for and issuance of, Qualifying Patient Identification Cards, the use of medical marijuana by a qualifying patient with a valid Physician Certification only, shall be valid in place of the Qualifying Patient Identification Card.

(b) A Medical Marijuana Dispensary Facility may sell medical marijuana or medical marijuana-infused products/ extractions to a qualifying patient or designated primary caregiver upon production of a valid qualifying patient identification card or designated primary caregiver identification card, respectively and shall not be subject to criminal or civil liability or sanctions under Missouri law except as provided for by this Article XIV.

(c) Medical marijuana cultivation, transportation, storage, infusion and extraction of products, and sale pursuant to this Article XIV is hereby legal, and shall not be subject to criminal or civil liability or sanctions under Missouri law except as provided for by this Article XIV.

(d) The possession of marijuana, in quantities less than the monthly limit established by the Research Board, shall not subject the possessor to arrest, criminal or civil liability, or sanctions under Missouri law, provided that a valid qualifying patient identification card, a designated primary caregiver identification card, or the equivalent issued to a non-Missouri resident by another state or political subdivision of another state that is that non-Missouri resident's place of residency, is produced upon demand.

(e) A physician shall not be subject to criminal or civil liability or sanctions under Missouri law or discipline by the Missouri State Board of Registration for the Healing Arts, or other agency, for issuing a physician certification or recommending the use of Medical Marijuana to a person diagnosed with a qualifying medical condition in a manner consistent with this Article.

(f) A health care provider, including but not limited to any pharmacist, shall not be subject to professional discipline, or to criminal or civil liability or sanctions under Missouri law, for providing health care services that involve the medical use of marijuana consistent with this Article.

(g) A designated primary caregiver shall not be subject to criminal or civil liability or sanctions under Missouri law for purchasing or administering marijuana for medical use by a qualifying patient in a manner consistent with this Article. No individual shall serve as the designated primary caregiver for more than three (3) qualifying patients at one time.

(h) Actions and conduct by a Medical Marijuana Cultivation Facility, Medical Marijuana Research Cultivation Facility, Medical Marijuana Dispensary Facility, or a Medical Marijuana-Infused/Extraction Products Manufacturing Facility, licensed and registered with the Research Board, or employees of such facilities, pursuant to and as permitted by this Article and in compliance with Research Board regulations, shall not be subject to criminal or civil liability or sanctions relating to marijuana under Missouri law except as provided for by this Article.

i. A Medical Marijuana Cultivation Facility, Medical Marijuana Research Cultivation Facility, Medical Marijuana Dispensary Facility or Medical Marijuana-Infused/Extraction Products Manufacturing Facility who allows any license under this Article to lapse or expire through failure to timely renew or reapply for such license shall still be subject to the protections of this Article, provided the licensee obtain a valid license within ninety (90) days of the date of the lapse or expiration of the prior license and pay all fines called for in this Article.

ii. A Medical Marijuana Cultivation Facility, Medical Marijuana Research Cultivation Facility, Medical Marijuana Dispensary Facility or Medical Marijuana-Infused/Extraction Products Manufacturing Facility who allows any license under this Article to lapse or expire through failure to timely renew or reapply for such license shall be subject to and must pay a fine of \$5,000 if a valid license is obtained within ninety (90) days of the lapse or expiration of the prior license.

(i) There shall be no immunities for negligence, either common law or statutorily created, nor criminal immunities for operating a