



Marijuana Policy Project
P.O. Box 77492
Washington, DC 20013
p: (202) 462-5747 • f: (202) 232-0442
info@mpp.org • www.mpp.org

“We change laws.”

Dispensaries and Accessories

Medical cannabis dispensaries should be allowed to sell accessories related to the administration of medical cannabis. For patients and caregivers, it is vital to have a convenient, state-legal, and trustworthy source for accessories related to their treatment. Dispensary staff will be the best versed in discussing different options for administration.

- If a particular form of administration is prohibited by the medical cannabis law, then dispensaries can be prohibited from selling related accessories. For example, if smoking is prohibited, then pipes could be prohibited.
- Under federal law if the sale of an accessory is authorized under state law, it is not illegal under federal law.
- The specifics of what accessories can or cannot be sold in a dispensary or elsewhere should be determined by the regulatory authority responsible for oversight of the medical cannabis law.

It is also important that others be allowed to sell accessories, based on the definition of accessories. For example, a gardening retailer should be allowed to sell supplies to a licensed growing facility.

Sample language:

Defining a dispensary

“Medical cannabis dispensary” or “dispensary” means an entity registered with the department pursuant to this act that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, **paraphernalia**, or related supplies and educational materials to cardholders.

Protection for sale of accessories

(x) No person may be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including any civil penalty or disciplinary action by a court or occupational or professional licensing board or bureau, for:

- (1) providing or selling cannabis paraphernalia to a cardholder, nonresident cardholder, or to a medical cannabis establishment;
- (2) deliver, sell, supply, transfer, or transport cannabis, cannabis products, and cannabis paraphernalia, and related supplies and educational materials to cardholders, nonresident cardholders, and dispensaries.

Protection for facilities

(x) A cultivation facility or a cultivation facility agent is not subject to prosecution, search, or inspection, except by the department pursuant to this section, seizure, or penalty in any

manner, and may not be denied any right or privilege, including civil penalty or disciplinary action by a court or business licensing board or entity, for acting pursuant to this chapter and rules authorized by this chapter to:

deliver, sell, supply, transfer, or transport cannabis, cannabis paraphernalia, and related supplies and educational materials to cultivation facilities and dispensaries.