

Accommodations for School Attendance for Children Certified for the Medical Use of Marijuana

A child who holds a written certification for the medical use of marijuana may not be denied eligibility to attend school solely because the child requires medical marijuana in a nonsmokeable form as a reasonable accommodation necessary for the child to attend school. The Act also allows primary caregivers to possess and administer marijuana in a nonsmokeable form in a school bus and on the grounds of a school in which a minor qualifying patient is enrolled.

Submitted as:

Maine

[LD 557 / HP 381](#)

Status: Governor's veto overridden on June 30, 2015.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Eligibility to attend school.*]

2 A child who holds a written certification for the medical use of marijuana under [*Insert citation –*
3 *medical marijuana - authorized conduct by a medical provider.*] may not be denied eligibility to
4 attend school solely because the child requires medical marijuana in a nonsmokeable form as a
5 reasonable accommodation necessary for the child to attend school.

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7 Section 2. [*Medical Use of Marijuana Act – scope -- limitations.*]

8 1. Limitations. This chapter does not permit any person to:

9 A. Except as provided in section 3, possess marijuana or otherwise engage in the medical
10 use of marijuana:

11 (1) In a school bus;

12 (2) On the grounds of any preschool or primary or secondary school; or

13 (3) In any correctional facility;

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15 Section 3. [*Medical Use of Marijuana Act – scope -- school exceptions.*]

16 Notwithstanding section 2, a primary caregiver designated pursuant to [*Insert citation – Medical*
17 *Use of Marijuana Act – authorized conduct for the medical use of marijuana – primary*
18 *caregiver*] may possess and administer marijuana in a nonsmokeable form in a school bus and on
19 the grounds of the preschool or primary or secondary school in which a minor qualifying patient
20 is enrolled only if:

21 A. A medical provider has provided the minor qualifying patient with a current written
22 certification for the medical use of marijuana under this chapter; and

23 B. Possession of marijuana in a nonsmokeable form is for the purpose of administering
24 marijuana in a nonsmokeable form to the minor qualifying patient.