

The Regulation of Medical Marijuana Businesses

(Law 5862; All Sections)

Professor Barondes

Fall 2019

Texts and First Week's Reading

Welcome!

Following are the required texts for this class:

- Robert A. Mikos, *Marijuana Law, Policy, and Authority*, ISBN: 9781454859420 (Wolters Kluwer 2017).
- Royce de R. Barondes, *Supplemental Reading on the Regulation of Medical-Marijuana Business* (Fall 2019).
 - This will be available for purchase at the bookstore. The Bookstore often will only print this type of supplemental reading for a particular student following a specific request (i.e., they often do not simply print in advance a number equal to the enrollment). Filling the request may take a few days. So, it may not produce satisfactory results to wait until the day before you wish to start reading it to attempt to purchase it.

Reading Assignments for the First Three Classes (References to decimal points in page numbers are explained below; note a discussion of “panels” in this class follows):

Class 1—Read:

- Syllabus (to be posted on the class Canvas site (meaning a website created using the Canvas course management software), available by August 13 at: <https://courses.missouri.edu/>).
 - Note: The course Canvas site should be available to you starting on or about August 13, 2019.
 - University administrative personnel handle arranging the access, and the instructor is without the ability to assist in access issues before that time. So, if you attempt to access the website before that time and cannot, you would simply need to wait until the site is made available by university administrative staff—your instructor is not postured to address those matters before that time.
 - If there are access issues after that time, they normally are better addressed by first contacting administrative IT staff who handle those issues. They are available through the portals referenced at <https://courses.missouri.edu/> under “Student Support.” For example, some years at the beginning of the term the system will be overwhelmed by all the new students and not function for

some period of time. That support mechanism will have the up-to-date information as to those kinds of matters.

- Mikos, pp. 3–31.
- Note: The enactment of the Agriculture Improvement Act of 2018 (Farm Bill) on Dec. 20, 2018, which post-dates our casebook, materially changed the framework for hemp and CBD. Although treatment of hemp and CBD are not at the core of this class, I will nevertheless spend a little time in class discussing those developments. You may wish to scan the author’s blog post at: <https://my.vanderbilt.edu/marijuanalaw/2018/12/new-congressional-farm-bill-legalizes-some-marijuana/>. Additionally, it may be efficient to spend less time on any reference to the regulation of hemp and CBD in the casebook.

Class 2—Read:

- Mikos, pp. 223–26 (re. Implicit Constitutional Protection under State Law)
- Mikos, pp. 35 & 77–84 (re. Possession)
- Mikos, pp. 303–323, 327–31 (re. Manufacturing)

Class 3—Read:

- Mikos, pp. 655–662.1 (re. Housing)
- Mikos, pp. 571–99; Barondes, pp. II–1 through II–7 (re. Aiding and Abetting, etc.)

Note about decimal points in page references:

At times I will recommend reading begin or end in the middle of the page. I indicate that by a decimal point. So, 2.3 would be through about three-tenths of the way down page two. (2.0 would be the top of page 2; 2.10 would be the bottom of page 2.)

These decimal figures will be estimated, not measured. If you have any question as to the precise point on the page between two possibilities, what you should do is construe it so that you read more. It takes more time for you to send me a question about where to stop in that kind of circumstance and for me to respond than for you simply to read the fraction of the page. So, in that kind of circumstance, simply read the material that you think may or may not be included.

If I do not reference fractions of page numbers, you are to use your best judgement in ascertaining where to begin, if the page does not begin with a natural break (and the same for an ending point). And again, if there is any question, simply read the larger of the possibilities—it’s less efficient to have us communicate about what fractions of a page ought to be read.

Panels:

Groups of approximately four or five students (panels) will be assigned for each class. The initial assignments have been provided by the instructor on the course website (see the “Administrative” link). If a student cannot attend, or be suitably prepared, for a class meeting where he or she is assigned on the panel, he or she will need to find a student to “switch,” as discussed in the syllabus.