County_____
Page No. _____

It is a class A misdemeanor punishable, notwithstanding the provisions of Section 560.021, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

INITIATIVE PETITION

To the Honorable John (Jay) Ashcroft, Secretary of State for the State of Missouri:

We, the undersigned, registered voters of the State of Missouri and _____County (or City of St. Louis), respectfully order that the following proposed amendment to the constitution shall be submitted to the voters of the State of Missouri, for their approval or rejection, at the general election to be held on the 6th day of November, 2018 and each for himself or herself says: I have personally signed this petition; I am a registered voter of the State of Missouri and _____ County (or City of St. Louis); my registered voting address and the name of the city, town or village in which I live are correctly written after my name.

(Official Ballot Title)

RECEIVED
NOV 09 2016
MO. SECRETARY OF STATE

CIRCULATOR'S AFFIDAVIT

STATE OF MISSOURI, COUNTY OF _____ I, _____ being first duly sworn, say
(print or type names of signers)

NAME (Signature)	Date Signed	REGISTERED VOTING ADDRESS Street, No PO Boxes (City, Town or Village)	Zip Code	Cong. Dist.	NAME (Printed or Typed)
1.	/ /				
2.	/ /				
3.	/ /				
4.	/ /				
5.	/ /				
6.	/ /				
7.	/ /				
8.	/ /				
9.	/ /				
10.	/ /				

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the State of Missouri and _____ County.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age. I do ___ do not ___ (check one) expect to be paid for circulating this petition. If paid, list the payer _____.

_____
Signature of Affiant (Person obtaining signatures)

_____
Printed Name of Affiant (Person obtaining signatures)

_____
Address of Affiant (Person obtaining signatures)

Subscribed and sworn to before me this _____day of _____, A.D. _____.

_____
Signature of Notary

_____
Address of Notary

Notary Public (Seal)

My Board expires _____.

Be it resolved by the people of the State of Missouri that the Constitution be amended:

One new article and twelve new sections are adopted by adding twelve new sections to a new Article, to be known as Sections 1 through Section 12 of Article XIV to read as follows:

Section 1. Purpose.

(a) For the purpose of benefiting the citizens of Missouri by providing for medical research to find and develop cures and treatments for cancer and other incurable and chronic diseases or medical conditions, and by funding said medical research by the legalization and use of medical marijuana or its derivatives as palliative or ameliorative treatment for any such condition, with taxes on medical marijuana or any derivatives thereof as set forth herein, with the proceeds of such taxes to be used to establish, provide for, and continue such medical research as provided herein. This Article XIV permits authorized physicians to recommend marijuana for medical purposes to patients with serious illnesses and medical conditions. The Article XIV allows patients with qualifying medical conditions the right to discuss freely with their physicians the possible benefits of medical marijuana use, the right of their physicians to provide professional advice concerning the same, and the right to use medical marijuana for treatment under the supervision of a physician. This Article XIV is not intended to change current civil and criminal laws governing the use of marijuana for nonmedical purposes. The section does not allow for the public use of marijuana or driving under the influence of marijuana.

Section 2. Definitions:

As used in this Article XIV, the following terms shall mean:

(a) "Administer" means the direct application of marijuana to the body of a qualifying patient by any approved methods, as defined herein.

(b) "Approved methods" for the administration of marijuana are defined to include ingestion of capsules, teas and other sanctioned marijuana-infused products, vaporization or smoking of dried flowers/buds, oils, resins, or plant material, application of ointments, patches, suppositories or balms, consuming marijuana-infused food products or any other method recommended by a qualifying patient's physician and approved by the Research Board.

(c) "Article XIV Coordinator" means the individual who coordinates activation and implementation of this Article XIV and its subsections by initially and temporarily functioning as the Chairperson of the Research Board of the Biomedical Research and Drug Development Institute and Chairperson of the Land Acquisition Board until those positions are otherwise filled pursuant to this Article XIV.

(d) "Authorized physician" means an individual who is licensed and in good standing to practice medicine or osteopathy under Missouri law and has not in the past ten years had their licensed suspended, or in the last twenty years revoked, for excessively dispensing controlled substances.

(e) "Building and construction" means the erection, renovation, development or remodeling of any structure allowed for in this article including, but not limited to, marijuana cultivation facilities, offices, buildings, clinics, hospitals, sidewalks, roads, public transit systems and structures, public recreational and entertainment facilities, community developments, landscaping, green spaces, enterprise zones, housings, parks, recreational areas and the planning, design, development, architectural design and engineering of any of the same.

(f) "Campus" means the primary and main physical location of a campus where medical research and treatment shall be performed, medical marijuana and the diseases it ameliorates may be cultivated and studied, and headquarters of the Research Board and where the Research Board shall primarily operate, also including but not limited to, the campus selected and developed under land acquisition and land development, and used as the primary physical location for jobs, building and construction, land development, improvements, research, cures and education in Missouri in the endeavor to find cures for presently incurable diseases under this Article XIV.

(g) "Cures" means any and all cures, also including but not limited to, medical treatments, psychiatric and psychological treatments, medications, protocols, therapies, surgeries, genetic material, biologicals, behavioral treatments, clinical trials, laboratory studies, diagnostic tests, evaluations, counseling, treatments, implants, grafts, hardware, orthotics, machines, electronic devices, computers, software programs, studies, and endeavors that help or may help in studying, slowing, curing, eliminating, halting, placing in remission, ameliorating, ending, or regressing any or all presently incurable diseases, targeted diseases, or conditions, illnesses and diseases that are otherwise incurable.

(h) "Designated primary caregiver" means an individual twenty-one (21) years of age or older who has significant responsibility for managing the well-being of a person who has a physician certification and has been designated as such on that person's application for a designated primary caregiver identification card consistent with the regulations of the Research Board.

(i) "Designated primary caregiver identification card" means a card issued by the Research Board to a designated primary caregiver.

(j) "Education" means any and all education, also including but not limited to, teaching, training and education that is, directly or indirectly, necessary, helpful or supportive to jobs, building and construction, land development, campus development, campus improvement, research, jobs and education in Missouri in the endeavor to find cures for incurable diseases.

(k) "Endeavor" means any and all endeavors, also including but not limited to, attempts, quests, searches, championing, pursuit, travel, work, inquiries, treatments, protocols, implementations, and research relating to jobs, building and construction, land development, campus, research and education in Missouri in the effort to find cures for presently incurable diseases.

(l) "In Missouri" means within the geographic boundaries of the State of Missouri as established by law and this Constitution.

(m) "Jobs" means any and all forms of jobs and work pursuant to this Article XIV, also including but not limited to, salaries, consultants and fees, employment of individuals where the work classification is directly or indirectly related to building and construction, land development, campus, research, cures and education in Missouri in the endeavor to find cures for presently incurable diseases.

(n) "Land acquisition" means the acquisition of real and personal property, also including but not limited to investigations, inquiries, studies, plans and review of data to determine five potential locations for land development and acquisition for a campus where jobs will be had, building and construction will occur and research and education in Missouri will take place in the endeavor to find cures for presently incurable diseases and where the Research Board shall be primarily located.

(o) "Land development" means any and all land planning and development, also including but not limited to studies, inquiries, exploration, research, planning, and actual purchase of lands, buildings, real estate and property related to site development and campus, land acquisition, land design and use, covenants, restrictions, and ancillary jobs, building and construction, research and education in Missouri in the endeavor to find cures for presently incurable diseases.

(p) "Local government" means a county or city not within a county, or any city, town or village under Chapters 71-82 RSMo.

(q) "Marijuana" means *Cannabis indica*, *Cannabis sativa*, and *Cannabis ruderalis*, hybrids of such species, and any other strains, including but not limited to extractions, resins, concentrates and infusions, commonly understood within the scientific community to constitute or contain marijuana, and the seeds of such plants. "Marijuana" does not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, or commodities or products manufactured from industrial hemp, or synthetic marijuana.

(r) "Medical Marijuana Cultivation Facility" means a facility, person or entity, licensed by the Research Board, to cultivate in Missouri, store and transport in Missouri and sell in Missouri, marijuana to a Medical Marijuana Dispensary Facility for sale for medical use or to a Medical Marijuana-Infused/Extraction Products Manufacturing Facility for use and manufacture in marijuana-infused/extraction products for sale to a Medical Marijuana Dispensary Facility for sale for medical use.

(s) "Medical Marijuana Research Cultivation Facility" means a facility, person or entity, licensed by the Research Board, to cultivate in Missouri, store and transport in Missouri and sell in Missouri, marijuana for research purposes or to a Medical Marijuana Dispensary Facility for sale for medical use or to a Medical Marijuana-Infused/Extraction Products Manufacturing Facility for use and manufacture in marijuana-infused/extraction products for sale to a Medical Marijuana Dispensary Facility for sale for medical use, with such Medical Marijuana Dispensary Facilities participating in the research in some fashion directed towards the use of medical marijuana, by voluntary surveys, or otherwise, with qualifying patients who purchase the research cultivated marijuana.

(t) "Medical Marijuana Dispensary Facility" means a facility, licensed by the Research Board, to transport, store and sell in Missouri marijuana or marijuana-infused/extraction products for medical use, as provided in this Article XIV.

(u) "Medical Marijuana-Infused/Extraction Products Manufacturing Facility" means a facility, licensed by the Research Board, to manufacture products which are infused with marijuana or its extracts, or products produced from extracts or derivatives of marijuana, and store and transport marijuana-infused/extraction products in Missouri for sale to a Medical Marijuana Dispensary Facility for sale for medical use.

(v) "Medical use of marijuana" means the production, possession, delivery, transportation, distribution or administration of marijuana, or paraphernalia used to administer marijuana, as necessary for the exclusive benefit of a person to mitigate the symptoms or effects of the person's qualifying medical condition.

(w) "Missouri Resident" means for purposes of this Article XIV that the natural person was physically present and maintained a residence in the state of Missouri for greater than one hundred and eighty (180) days out of any calendar year in question and was legally in both the United States and Missouri during that entire time period.

(x) "Participating research entities" means public, private, quasi-public or quasi-private entities or individuals that enter into contracts with the Research Board for research, building and construction and endeavors to facilitate finding cures for presently incurable diseases.

(y) "Physician certification" means a written document, valid for up to twenty-four (24) months from the date of the authorized physician's signature, signed by an authorized physician, that states in the physician's professional opinion, the qualifying patient suffers from a qualifying medical condition, is likely to receive therapeutic or palliative benefit from the medical use of marijuana to treat or alleviate the patient's qualifying medical condition or symptoms associated with the qualifying medical condition, and that the potential benefits of the medical use of marijuana may outweigh the health risks to the qualifying patient.

(z) "Plant canopy" means the area dedicated to live marijuana plants, such as maintaining mother plants, propagating plants from seed to plant tissue, clones, vegetative or flowering area. Plant canopy does not include areas such as space used for the storage of fertilizers, pesticides, or other products, quarantine, office space, walkways and the like.

(aa) "Presently incurable diseases" means any and all diseases and disorders that are presently as well as in the future determined/classified to be incurable, including but not limited to, illnesses, diseases, ailments, conditions and syndromes that are terminal, fatal, progressive, not necessarily progressive but result in long term and frequently permanent injury, disability or suffering, or such conditions that are not readily or not effectively treatable to a full cure.

(bb) "Qualifying medical condition" means diseases that medical marijuana ameliorates, including but not limited to:

i. cancer,
ii. epilepsy,
iii. multiple sclerosis,
iv. human immunodeficiency virus and acquired immune deficiency syndrome,
v. glaucoma,
vi. intractable migraines unresponsive to other treatment,
vii. a chronic medical condition that causes persistent pain and/or persistent muscle spasms including but not limited to those associated with paralysis, Parkinson's disease, Bell's Palsy, and Tourette's syndrome,
viii. debilitating psychiatric disorders that benefit from medical marijuana and have been treated at some point in the patient's medical history by a physician who has received at least three months or more of training in a psychiatric internship, residency program, or through a continuing education program sponsored by an accredited psychiatric residency program, approved by the Research Board and directed toward the recommendations or use of medical marijuana for psychiatric disorders,
ix. a terminal illness,
x. end stage illness as defined by the Research Board, and
xi. any other diseases that the Research Board determines, based upon reliable data and generally accepted scientific principles, will benefit from treatment with medical marijuana.

(cc) "Qualifying patient" means 1) a patient, eighteen (18) years old or older, with one or more qualifying medical conditions, or 2) a patient, under eighteen (18) years old, with one or more qualifying medical conditions who also has notarized written consent from a parent or legal guardian to use medical marijuana or medical marijuana-infused products, as well as verbal in person consent from a parent or legal guardian to an authorized physician writing the physician certification.

(dd) "Qualifying patient identification card" means a card issued by the Research Board for a qualifying patient with a valid physician certification.

(ee) "Research" means any and all research and development, also including but not limited to, teaching, training, studies, analysis, evaluations, and education that is, directly or indirectly, necessary, helpful or supportive to discovering, implementing, or finding cures, and studies for cures of illnesses and diseases that are presently incurable diseases and ancillary jobs, building and construction, research and education in Missouri in the endeavor to find cures for presently incurable diseases.

(ff) "Research Board" means the Board of the Biomedical Research and Drug Development Institute.

(gg) "Rule" or "Rules" has the meaning in this article as it does in Section 536.010 of RSMo.

(hh) "Secondary Campus" means Research Board discretionary secondary physical locations, including but not limited to building and construction of such secondary campuses that will operate in collaboration with any accredited medical or pharmacy school located within Missouri under this Article XIV, section 5, and used for jobs, building and construction, research, cures, and education in Missouri in the endeavor to find cures for presently incurable diseases under this Article XIV.

(ii) "Shall" means must in this Article XIV.

(jj) "Targeted Disease(s)" means any and all presently incurable diseases that are, or may be, specifically identified or singled out, or otherwise isolated, whether by type, sub-type, sub-sub-type, and to show by example: breast cancer, or interlobular breast cancer, or estrogen positive breast cancer, or estrogen negative interlobular breast cancer, or poorly differentiated estrogen positive interlobular breast cancer, etc.; or leukemia or chronic lymphocytic leukemia or acute lymphocytic leukemia, or acute lymphocytic leukemia with certain genetic markers, or chronic myelogenous leukemia, etc.; or Parkinson's disease, or early onset Parkinson's disease, etc.; or endogenous depression, or depression secondary to bipolar disorder, etc.

Section 3. Research Board and Duties.

(a) There is hereby created and established as a governmental instrumentality of the State of Missouri the "Biomedical Research and Drug Development Institute" which shall constitute a body corporate and politic and operate pursuant to this Article XIV. The Biomedical Research and Drug Development Institute shall exist on a campus established by building and construction on land acquired and land developed pursuant to this Article. On this Biomedical Research and Drug Development Institute campus research shall be performed in the endeavors to find cures for presently incurable diseases. The Biomedical Research and Drug Development Institute shall have located on its campus targeted disease research groups to further this research.

(b) "Biomedical Research and Drug Development Institute" shall be governed by the "Board of Biomedical Research and Drug Development" hereafter "Research Board".

(c) It is expressly directed and permitted that the "Biomedical Research and Drug Development Institute" and the "Research Board" shall not be assigned to any Missouri Department but rather shall be an independent institute existing and operating pursuant to this Article XIV under the direction of the Research Board.

(d) In the event Section 3 subsection (c) of this Article XIV is contrary to existing superseding constitutional law the "Biomedical Research and Drug Development Institute" and "Research Board" shall be transferred by operation of Article IV section 12 to a department, then they shall be assigned to the Department of Health and Senior Services with supervision of the department extending only to budgeting and reporting as provided by subdivisions (4) and (5) of subsection 6 of section 1 of the Reorganization Act of 1974. Supervision by the department shall not extend to matters relating to policies, regulatory functions or other matters specifically entrusted to the Research Board by this Article XIV, and neither the director of the department nor any employee of the department shall, directly or indirectly, interfere with the activities of the Research Board or the research provided by this Article XIV.

(e) The Research Board is charged by the people of the State of Missouri to effectuate this Article XIV, to find cures for currently incurable diseases, and to the extent reasonably practicable generate income pursuant to this Article XIV to the State of Missouri with such cures.

(f) It is the duty of the Research Board to promulgate rules in accordance with the provisions of this Article, and to effectuate the provisions of this Article. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this article shall become effective only if it complies with and is subject to all of the provisions of chapter 536 RSMo.

i. For purposes of only rule making and adjudicated cases, as defined in RSMo 536.010, the Research Board is an agency who is subject to chapter 536 RSMo, except;

ii. For purposes of adjudicated cases as defined in 536.010, the Research board is not subject to chapter 536 RSMo if it has established written procedures to assure that constitutionally required due process safeguards exist and apply to proceedings that would otherwise constitute a contested cases as defined in section 536.010 RSMo.

(g) Any member of a Board established by this Article XIV may be removed for cause by a vote of three fourths of both the Missouri House of Representatives and Senate, with the concurrence of the Governor.

(h) The Research Board shall issue, renew, regulate, restrict, and revoke licenses for marijuana facilities, including but not limited to Medical Marijuana Cultivation Facilities, Medical Marijuana-Infused/Extraction Products Manufacturing Facilities, and Medical Marijuana Dispensary Facilities, and issue, renew, regulate, restrict, and revoke qualifying patient identification cards and designated primary caregiver cards.

(i) The Research Board shall issue rules for licensure of marijuana facilities, including but not limited to procedures for:

i. issuing, renewing, regulating, restricting and revoking licenses for Medical Marijuana Cultivation Facilities, Medical Marijuana-Infused/Extraction Products Manufacturing Facilities, and Medical Marijuana Dispensary Facilities,

ii. the issuance, renewal, regulating, restricting and revocation of qualifying patient identification cards and designated primary caregiver identification cards, and

iii. the creation of a confidential qualifying patient, confidential cultivation location and confidential designated primary caregiver registry. Patients may be issued confidential patient identification numbers for purposes of identity protection and medical marijuana sales. The purpose of the regulations within this subsection is to ensure the availability and safe confidential use of marijuana by qualifying patients.

(j) The Research Board shall develop rules whereby the denial or revocation of a license, license renewal, identification card or other adverse action by the Research Board shall be:

i. appealable to the Administrative Hearing Commission and otherwise subject to judicial review as provided by law, or

ii. subject to Biomedical Research and Drug Development Institute established written procedures to assure that constitutionally required due process safeguards exist and apply to such a denial, revocation, or adverse action of the Research Board.

(k) The Research Board shall consist of nine members to be selected, as soon as practicable, by the Article XIV Coordinator as set forth in this Article XIV, one of whom shall be selected by the Article XIV Coordinator as Research Chairperson. The Article XIV Coordinator shall serve as Research Chairperson until the nine members are selected, at which time the Article XIV Coordinator is terminated from the Research Board. The members of the Board, other than the temporary "then existing Research Board" in section 3(t), selected by the Article XIV Coordinator shall serve the following terms: four shall serve three years, and five, including the Research Chairperson, shall serve six years. Thereafter, each appointment shall be for a term of six years. Upon conclusion of the Research Chairperson's first term, or vacancy, whichever comes first, the Research Board shall choose from within their members a Research Chairperson. If for any reason a vacancy occurs, the Research Chairperson shall appoint a new member to fill the unexpired term. Members are eligible for up to four reappointments. Although members of the Research Board and Article XIV Coordinator may hold other employment, no member of such Research Board shall hold any public office, and no member shall hold any official position in a political party.

i. It is expressly directed and permitted that the person who is designated on the initially submitted Initiative Petition Submission Cover Page to be the contact person to whom any notices shall be sent under sections 116.140 and 116.180 RSMo for the initiative petition filed for this Article XIV pursuant to RSMo 116.100 and 116.332, shall serve as the Article XIV Coordinator.

ii. If the person who is designated on the initially submitted Initiative Petition Submission Cover Page to be the contact person to whom any notices shall be sent under sections 116.140 and 116.180 RSMo for the initiative petition filed for this Article XIV pursuant to RSMo 116.100 and 116.332 for any reason does not serve as the Article XIV Coordinator the Governor shall appoint an individual who is both a licensed Missouri physician and licensed Missouri attorney, but if no such person is available or accepts the appointment, then any Missouri resident who also holds a Missouri license to practice medicine and a PhD in Biology, Chemistry, Biochemistry, Physics, Genetics, Anatomy or equivalent degree, from an accredited university that has been in existence at least fifty (50) years.

iii. The Article XIV Coordinator shall serve without compensation but shall receive reimbursement for expenses associated with the performance and delegation of duties pursuant to this Article XIV, and shall have two administrative assistants who shall each be paid out of the General Purpose Account at the rate of a Missouri State Representative, so long as there are funds available. If no funds are immediately available, the administrative assistants may serve with deferred compensation until funds are available and when funds become available the administrative assistants shall be paid the full compensation owed, as shall the expenses of the Article XIV Coordinator be reimbursed.

(l) Five members of the Research Board shall constitute a quorum. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all the rights and perform all the duties of the Board. The Research Board may act only by the concurrence of a majority of a quorum, with such quorum meeting in person when practicable but by video teleconference or similar means when approved by a majority of the quorum. Failure to regularly and frequently participate in Board business shall be grounds for dismissal from the Board upon a vote of six members of the Board.

(m) The Research Board is hereby granted, has and may exercise all powers necessary or appropriate to implement, carry out, enforce and effectuate its purpose, and the purposes of this Article XIV including but not limited to the following:

i. To make, purchase or participate in the purchase of property;

ii. Adopt bylaws for the regulation of its affairs and the conduct or discharge of its business and define terms so as to reasonably and effectively carry out the purpose of this Article XIV;

iii To accept appropriations, gifts, grants, bequests, and devises and to utilize or dispose of the same to carry out its purpose;

iv. To make and execute contracts, releases, compromises, and other instruments necessary or convenient for the exercise of its powers, or to carry out its purpose;

v. To sue and be sued;

vi. To have a seal and alter the same at will;

vii. To make, promulgate and from time to time, amend and repeal rules;

viii. To perform all administrative duties necessary or that reasonably assist in the discharge and conduct of its business as defined in this Article, including, but not limited to, the formation of committees and subcommittees and the delegation of its authority, to the extent permitted by law, to such committees and subcommittees.

ix. To form advisory panels of licensed cultivators, infusers/extractors, and dispensaries;

x. To acquire, hold, lease, sell and dispose of personal property for its purpose;

xi. To sell, at public or private sale, any mortgage, negotiable instrument or obligation securing building and construction or land development;

xii. To enter into agreements or other transactions with any federal or state agency, international entity, any person or any domestic or foreign partnership, corporation, association or organization;

xiii. To acquire real property, or an interest therein, in its own name, to hold, not sell, and may lease for up to 100 years and one option to renew up to another 100 years such property to a tenant to develop, for building and construction, and to manage and operate such property, to enter into management contracts with respect to such property and to mortgage such property;

xiv. To procure insurance against any loss in connection with its property in such amounts, and from such insurers, as may be necessary or desirable;

xv. To develop a retirement or pension plan for employees, staff and board members working for the Research Board or the Biomedical Research and Drug Development Institute;

xvi. To issue and sell revenue bonds to fund any purpose authorized by this Article. Any bonds issued under the provisions of this Article shall not be deemed to be an indebtedness of the State of Missouri or of any political subdivision thereof, and shall not be deemed to be an indebtedness within the meaning of any constitutional or statutory limitation upon the incurring of indebtedness. The proceeds of the sale or sales of any bonds issued hereunder shall be paid into the state treasury and be credited to a fund to be designated the "Biomedical Research and Drug Development Institute Trust Fund". The bonds shall be retired serially and by installments within a period not to exceed twenty-five years from their date of issue and shall bear interest at a rate or rates not exceeding the rate permitted by law.

(n) The Research Board shall charge fees for each applicant for each license to operate a Medical Marijuana Cultivation Facility, Medical Marijuana Research Cultivation Facility, Medical Marijuana Dispensary Facility or Medical Marijuana-Infused/Extraction Products Manufacturing Facility as follows: 1. Except for Medical Marijuana Research Cultivation Facilities, a non-refundable $25,000 application fee for each type of facility which shall constitute the licensure fee for the first year of licensure; 2. For Medical Marijuana Research Cultivation Facilities a non-refundable $5,000 application fee which shall constitute the licensure fee for the first year of licensure and, in addition 3. For each type of facility in each subsequent licensure year, a fee equal to 125% of the pro-rata estimated average yearly cost to the Research Board of administrating and enforcing this Article XIV application and licensing process, estimated over a five (5) year period, divided equally among all applicants based on the yearly estimated number of applicants for such licenses over the same five (5) year period, as reasonably estimated by the Research Board.

(o) The Research Board shall set a limit on the amount of marijuana that may be purchased per month, provided that limit is not less than three (3) ounces every thirty (30) days of dried unprocessed marijuana or its extract equivalent as reasonably determined by the Research Board. A requested waiver of any such limit may be reviewed by the Research Board for a qualifying patient with written certification from two physicians, not of the same clinic, setting forth compelling reasons for additional amounts requested.

(p) The Research Board shall restrict the number of licenses granted for Medical Marijuana-Infused/Extraction Products Manufacturing Facilities within the state of Missouri to a total of not less than fifty (50) licenses. Upon the written request of a local government to the Research Board for an exception to increase the specific number of available licenses within that local government, above the restriction, such exception for a specific number of licenses may be granted by the Research Board for such licenses. Alternatively, upon the written request of local government for an exception to exclude local government from Medical Marijuana-Infused/Extraction Products Manufacturing Facilities, the Research Board may provide such a requesting local government a five (5) year exclusion, which thereafter may be reconsidered by the Research Board for renewal every five (5) years if the local government has placed the matter to a vote of the local government population and such vote resulted in a majority vote for a continued ban upon infused/extraction products facilities.

(q) The Research Board shall restrict the number of licenses granted for Medical Marijuana Dispensary Facilities within each county or city not within a county to two (2) for every twenty thousand (20,000) inhabitants. If a county or city not within a county has fewer than twenty thousand (20,000) inhabitants, the Research Board may restrict the number of licenses granted for Medical Marijuana Dispensary Facilities to two (2). Upon the written request of a local government to the Research Board for an exception to increase the specific number of available licenses within that local government, above the restriction, such exception for a specific number of licenses may be granted by the Research Board for such licenses. Alternatively, upon the written request of a local government for an exception to exclude local government from Medical Marijuana Dispensary Facilities, the Research Board may provide such a requesting local government a five (5) year exclusion, which thereafter may be reconsidered by the Research Board for renewal every five (5) years if the local government has placed the matter to a vote of the local government population and such vote resulted in a majority vote for a continued ban upon dispensaries.

(r) The Research Board may restrict the number of licenses granted for Medical Marijuana Cultivation Facilities within the state of Missouri to a total of not less than fifty (50) licenses, and the number of Medical Marijuana Research Cultivation facilities to a total of not less than four hundred (400) licenses. If the number of licenses is restricted by the Research Board, upon the written request of a local government to the Research Board for an exception to increase the specific number of available licenses within that local government, above the restriction, such exception for a specific number of licenses may be granted by the Research Board for such licenses. Alternatively, upon the written request of a local government for an exception to exclude local government from Medical Marijuana Cultivation Facilities and Medical Marijuana Research Cultivation Facilities, the Research Board may provide such a requesting local government a five (5) year exclusion, which thereafter may be reconsidered by the Research Board for renewal every five (5) years if the local government has placed the matter to a vote of the local government population and such vote resulted in a majority vote for a continued ban upon cultivation.

(s) The initial nine members of the Research Board shall have their compensation set as the annual salary received by the Missouri Supreme Court Chief Justice. Thereafter, for new members of the Board, the compensation shall be an amount agreed upon by at least one half of the Research Board, and approved by the Governor, but not less than the annual salary received by the Missouri Supreme Court Chief Justice. Upon further years of service, the compensation shall be increased every three years by the greater of a cost of living increase based upon the Consumer Price Index (CPI), or successor index as published by the U.S. Board of Labor or its successor agency, or at a raised amount agreed upon unanimously by the Research Board and approved by the Governor.

(t) A nonpartisan scientific nominating committee, hereafter nonpartisan commission, of five (5) individuals shall review applications, interview candidates and for each vacancy in the Research Board and shall select a panel of four (4) individuals from which the Research Chairperson shall appoint as member(s) of the Research Board. The five individuals on the nonpartisan commission members shall be elected from the combined pool of licensed Missouri physicians and pharmacists as set out in this subsection (t). Residents of the State of Missouri who are licensed Missouri physicians or licensed Missouri pharmacists and living in the State of Missouri at least six (6) months over the twelve (12) months before the election in this subsection (t) shall elect a grand total of five individuals from the combined pool of licensed Missouri physicians and pharmacists to serve as members of said nonpartisan commission. Each member shall serve four (4) year terms except that from the initial election of members of the nonpartisan commission, the three (3) with the lowest number of votes shall be elected to two (2) year terms, and the other two (2) members which shall be elected to a four (4) year term, and the members of the nonpartisan commission shall select one of their number to serve as chairperson. No member of the nonpartisan commission shall hold any public office, and no member shall hold any official position in a political party. The nonpartisan commission may act only by the concurrence of a majority of its members. The members of such nonpartisan commission shall receive a salary equal to that of an elected state senator as compensation for their services and they shall receive their necessary traveling and other expenses incurred while actually engaged in the discharge of their official duties. Except as provided otherwise in this Article XIV, any and all such nonpartisan commissions shall be governed, and all nonpartisan commission elections provided for under this section shall be held by, and regulated under, such rules as a panel of three retired Missouri judges appointed by the Research Chairperson, or Article XIV Coordinator prior to the Research Chairperson, shall promulgate. Said rules shall be presented to the Research Chairperson who shall file such rules with the secretary of state on behalf of the Research Board within twenty-one (21) days of receiving them from the three judge panel. The three judge panel shall be compensated the standard rate of retired senior judges paid out of the General Purpose Account during the weeks in which they perform work. Pending selection and appointment that will fill the Research Board, the Article XIV Coordinator shall appoint four (4) temporary acting members and the Governor shall appoint four (4) temporary acting members who together with the Article XIV Coordinator shall be the "then existing Research Board" and shall have the power and duties of the Research Board until such member positions are otherwise filled pursuant to this Article. 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 for their reasonable expenses incurred to effectuate their duties.

(u) Applications for vacancies in the Research Board are permitted by any licensed physician or licensed pharmacist residing in the State of Missouri for at least three years prior to their application who also holds a PhD in Biology, Chemistry, Biochemistry, Physics, Genetics, Anatomy, Biomedical Engineering, Neuroscience, a Juris Degree, or equivalent degree who may submit an application to the nonpartisan commission for consideration. Additionally, any citizen of the United States, or Nobel Laureate in the field of medicine or science with permanent residence in the United States, who also holds a PhD in Biology, Chemistry, Biochemistry, Physics, Genetics, Anatomy, Biomedical engineering, Neuroscience, a Juris Degree, or equivalent degree, from an accredited university that has been in existence at least fifty (50) years, upon nomination of a Dean of the School of Medicine of the University of Missouri – Columbia, Kansas City, St. Louis, St. Louis University, or Washington University in St. Louis, or upon nomination of a member of the Missouri State Senate may submit their application to the nonpartisan commission for consideration.

(v) The Research Board shall establish targeted diseases research groups, hereafter research groups, aimed at research, finding cures, and endeavors for fighting specific targeted diseases consistent with the purpose of the charge of this Article XIV. Specific targeted diseases shall be identified by the Research Board, and such targeted diseases may be identified for receiving segregated donations and contributions before and after the targeted disease research group is established. Research groups shall be governed by a panel of not less than three (3) individuals and not more than seven (7), chosen by the Research Board, who shall oversee, supervise, steer, and regulate the group's research to find cures. Individuals on the Research Board may sit on up to four (4) targeted disease group governing panels. Research group panel members, except for Research Board members who shall receive no additional compensation, shall have their compensation set as the annual salary determined by the Research Board, but in no event less than 70% of the annual compensation of the Missouri Supreme Court Chief Justice. When a targeted disease group governing panel includes five (5) or more members, up to two (2) of those members may be non-compensated non-voting advisory members of a 501c3 charitable organization(s) that has demonstrated a commitment, as determined by the Research Board, to finding a cure for the targeted disease.

(w) Members of the Research Board, except as allowed under this Article XIV shall not enter into any financial or business relationships with an entity that profits from medical research or medications and therapies to treat incurable disease under this Article XIV, other than in an accredited university faculty position, during the member's tenure on the Research Board, and for a period of two (2) years after that member's tenure on the Research Board ends, nor may a Research Board member ever steer research to or toward a particular direction or activity with the purpose of helping a private company for personal or for family financial gain, either directly or indirectly. Nothing in this subsection shall prohibit or prejudice a board member or Article XIV Coordinator from entering into any employment, financial or business relationship so long as such does not steer or influence Article XIV research toward a particular company nor toward a result/outcome for personal financial gain.

(x) The monies, including but not limited to all revenues and taxes generated, obtained and distributed under this Article XIV, and all other monies generated, obtained, and distributed under this Article XIV shall not be included within the definition of "total state revenues" as that term is used in section 17 of Article X of this constitution nor be considered as an "expense of state government" as that term is used in section 20 of article X of this constitution.

(y) The Research Board shall establish a public website for transmission and receipt of information to and from the public.

(z) Within ninety (90) days of the effective date of this Article XIV if practicable, but in no event shall the time exceed six (6) months after the effective date of this Article XIV, the Research Board shall make available to the public license application forms and application instructions for Medical Marijuana Cultivation Facilities, Medical Marijuana Research Cultivation Facilities, Medical Marijuana Dispensary Facilities, and Medical Marijuana-Infused/Extraction Products Manufacturing Facilities.

(aa) Within ninety (90) days of the effective date of this Article XIV if practicable, but in no event shall the time exceed six (6) months after the effective date of this Article XIV, the Research Board shall make available to the public application forms and application instructions for qualifying patient and primary caregiver identification cards. Within one hundred and twenty (120) days of the effective date of this Article XIV, if practicable, but in no event more than eight (8) months after the effective date of this Article XIV, the Research Board shall begin accepting applications for such identification.

Section 4. Licensure, Taxation and Reporting.

(a) A cultivation tax is hereby imposed on each wholesale sale in Missouri by a Medical Marijuana Cultivation Facility and Medical Marijuana Research Cultivation Facility to a Medical Marijuana-Infused/Extraction Products Manufacturing Facility, and a Medical Marijuana Cultivation Facility and Medical Marijuana Research Cultivation Facility to a Medical Marijuana Dispensary Facility, at a rate for marijuana flowers of nine dollars and twenty five cents ($9.25) per dry-weight ounce, and the tax rate for marijuana leaves shall be set at two dollars and seventy five cents ($2.75) per dry-weight ounce, 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.

i. For all wholesale sales of marijuana, a receipt must be given by the seller which identifies all the parties involved in the sale, all amounts and types of marijuana involved in the sale and the total amount of money involved in the sale, including itemizations and grand total sale amounts.

(b) A tax is hereby imposed on each retail sale in Missouri of Marijuana and Marijuana Infused/Extraction products by a Medical Marijuana Dispensary Facility at a rate of fifteen percent (15%) of the purchase price paid or charged, or in case such sale involves the exchange of property, to fifteen percent (15%) of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange.

i. The tax must be collected by the Medical Marijuana Dispensary Facility and paid to the Department of Revenue within thirty (30) days of the retail sale.

ii. For all retail sales of marijuana, a receipt must be given by the seller which identifies all the parties involved in the sale, all amounts and types of marijuana involved in the sale and the total amount of money involved in the sale, including itemizations and grand total sale amounts. The seller of the product must issue a copy of the receipt to the Department of Revenue or be subject to an automatic penalty up to $100 per-occurrence; failure to submit such receipts may further subject a seller to prohibition on obtaining a future license for Medical Marijuana Cultivation, a Medical Marijuana Dispensary Facility, or a Medical Marijuana-Infused/Extraction Products Manufacturing Facility, for a minimum of 30 days to a maximum of life, and if a non-human entity a maximum of forever.

(c) 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 from the Research Board a license to operate a Medical Marijuana Cultivation Facility or Medical Marijuana Research Cultivation Facility in Missouri.

i. Such person or entity may apply to the Research Board for and obtain:

a. A yearly Medical Marijuana Cultivation Facility license to grow marijuana. Each such license shall be valid for growing marijuana in up to twenty thousand (20,000) square feet of plant canopy. 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 $15,000 per license upon renewal; or

b. A yearly Medical Marijuana Research Cultivation Facility license to grow marijuana. Each such license shall be valid for growing marijuana in up to two thousand five hundred (2,500) square feet of plant canopy. Each such license shall be taxed at an initial rate of $10,000 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 $5,000 per license upon renewal.

c. Such licenses may be renewed each year, and rates for both licenses may 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.

d. No more than three Medical Marijuana Cultivation Facility licenses shall be issued to or possessed by any individual, group of individuals, or entity(s) under substantially common control, ownership, or management, whether directly, indirectly or by derivative.

e. No more than five Medical Marijuana Research Cultivation Facility licenses shall be issued to or possessed by any individual, group of individuals, or entity(s) under substantially common control, ownership, or management, whether 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 passage of this Article. The initial application period shall remain open for ninety (90) days.

vi. 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 passage 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 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, except as stated in 4(e)ii.a, 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 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 passage 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.

(l) 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 Product 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 vehicle, aircraft, dangerous device, or navigating a boat, under the influence of marijuana, and except as specifically set out in this Article the use of marijuana shall not be a defense to any civil liability or criminal activity.

(j) Missouri attorneys providing legal advice or representation relative to this Article XIV shall not be subject to professional discipline, or to criminal or civil liability or sanctions under Missouri law for providing such legal advice or representation.

(k) Patient information under this Article shall be afforded the same protection and confidentiality under the law as other patient medical information.

(l) No patient shall be denied access to medical care or priority for an organ transplant because they hold a qualifying patient identification card or use marijuana for medical use.

(m) No patient shall be denied Medicaid or other medical insurance or other governmental benefits because they hold a qualifying patient identification card or use marijuana for medical use.

(n) No testing laboratory shall be subject to civil or criminal prosecution, denial of any right or privilege, civil or administrative penalty or sanction, or disciplinary action by any accreditation or licensing board or commission for providing laboratory testing services that relate to the medical use of marijuana consistent with this Article XIV and otherwise meeting legal standards of professional conduct.

(o) No health care provider shall be subject to mandatory reporting requirements for the medical use of marijuana by non-emancipated qualifying patients under eighteen years of age in a manner consistent with this Article XIV and with consent of a parent or guardian.

(p) Subject to provisions to the contrary within this Article XIV, any individual acting within the scope of this Article XIV shall not be subject to professional discipline, or to criminal or civil liability or sanctions under Missouri law for actions authorized within this Article XIV.

Section 8. Legislation.

(a) Nothing in this Article shall limit the legislature from enacting laws consistent with this Article, or otherwise effectuating this Article, but the legislature shall not be allowed to enact laws to hinder the effectiveness of this Article or otherwise alter this Article. Except as specifically provided in this Article, nothing in this Article shall limit the authority of a municipality or county under its land planning and zoning regulations to restrict the location, but not the number of or presence of in a municipality or county of Medical Marijuana Cultivation Facilities, Medical Marijuana Research Cultivation Facility, Medical Marijuana Dispensary Facilities or Medical Marijuana-Infused/Extraction Products Manufacturing Facilities.

(b) No elected official shall interfere directly or indirectly with the Research Board's obligations and activities under this Article XIV.

Section 9. Limitations and Other Provisions.

(a) Nothing in this Article permits a person to:

i. Undertake any task under the influence of marijuana when doing so would constitute negligence or professional malpractice; or

ii. Operate, navigate, or be in actual physical control of any dangerous device or motor vehicle, aircraft or motorboat while under the influence of marijuana; or

iii. Bring a claim against any employer, former employer or prospective employer for wrongful discharge, discrimination, or any similar cause of action or remedy, based on the employer, former employer or prospective employer prohibiting the employee, former employee or prospective employee from being under the influence of marijuana while at work or disciplining the employer or former employee, up to and including termination from employment, for working or attempting to work while under the influence of marijuana; or

iv. Consume, smoke, or use marijuana in a jail, prison, or other correctional facility; or

v. Consume, smoke, or use marijuana in a drug rehabilitation facility; or

vi. Consume, smoke, or use marijuana in a hospital or medical facility without a hospital or facility's consent; or

vii. Consume, smoke or use marijuana in a public place, including specifically, but not limited to, sidewalks, parks, playgrounds, sporting facilities, businesses, airports, bus stations, trains, casinos, government buildings, churches, synagogues or mosques; or

viii. Undertake growing or processing marijuana in a negligent or dangerous manner.

(b) A physician certification may only be given after the physician has conducted a full assessment of the patient's medical history and an in-person physical examination. A physician certification may be valid for up to twenty four (24) months.

(c) No Medical Marijuana Cultivation Facility, Medical Marijuana Research Cultivation Facility, Medical Marijuana Dispensary Facility or Medical Marijuana-Infused/Extraction Products Manufacturing Facility shall be owned, in whole or in part, or have as an officer, director, board member, manager or employee, any individual who has been convicted of a felony. However, the Research Board may on a case by case basis find an exception based upon letters of recommendation and proof of rehabilitation by community service and lack of subsequent convictions if:

i. The person's conviction was for the medical use of marijuana or assisting in the medical use of marijuana; or

ii. The person's conviction was for a non-violent crime for which the person was not incarcerated in the Missouri Department of Corrections, or its equivalent in other jurisdictions, that is more than ten (10) years old; or

iii. The person's conviction was for a non-violent crime for which the person was incarcerated in the Missouri Department of Corrections, or its equivalent in other jurisdictions, that is more than fifteen (15) years old; provided that at least five (5) years has elapsed since that person's release from incarceration.

(d) A Medical Marijuana Cultivation Facility and Medical Marijuana Research Cultivation Facility shall not be owned or controlled, in whole or in part, by any person who has not been a resident of Missouri for at one year prior to the date of the Medical Marijuana Cultivation Facility's application.

(e) No marijuana or medical marijuana-infused product may be brought into the State of Missouri from outside of the state for use, sale, distribution, or otherwise.

(f) No Medical Marijuana Cultivation Facility, Medical Marijuana Research Cultivation Facility, Medical Marijuana Dispensary Facility or Medical Marijuana-Infused/Extraction Products Manufacturing Facility shall manufacture, package or label marijuana or marijuana-infused products in a false, misleading or confusing manner or in any manner likely to cause confusion between the marijuana or marijuana-infused product and any product not containing marijuana.

(g) All edible marijuana-infused product must be sold in individual child-resistant re-closeable containers that are labeled with dosage amounts, instructions for use, and estimated length of effectiveness. All marijuana and marijuana-infused products must be sold in containers clearly and consciously labeled, in a font size at least as large as the largest other font size used on the package, as containing "Marijuana," or a "Marijuana-Infused/extraction Product." The product itself must additionally be imprinted with the conspicuous lettering "THC", when practicable. A label of at least 12 point bold font must be used alerting patients if processed or packed with nuts or allergens, or in a facility where nuts or other allergens are processed or used.

(h) No poisonous or deleterious substances shall be added to any marijuana or marijuana-infused/extracted product. Doing so shall be punishable by law as established by the State of Missouri.

(i) It shall be the responsibility of the Medical Marijuana Cultivation Facility, Medical Marijuana Research Cultivation Facility, Medical Marijuana Dispensary Facility and Medical Marijuana-Infused/Extraction Products Facility to provide each subsequent person or entity in the stream of commerce a listing of all substances used in the growth and processing of marijuana, other than soil, water, and seed. All Marijuana sold for approved methods, in addition to other labels required by this Article XIV, subject to modification by the Research Board, shall be labeled or include the following information on package inserts, in at least 8 point type:

i. "GOVERNMENT WARNING: THIS PACKAGE CONTAINS MARIJUANA, A CONTROLLED SUBSTANCE. KEEP OUT OF REACH OF CHILDREN AND ANIMALS. MARIJUANA MAY ONLY BE CONSUMED BY A QUALIFYING PATIENT WITH A QUALIFYING PATIENT IDENTIFICATION CARD. MARIJUANA USE WHILE PREGNANT OR BREASTFEEDING MAY BE HARMFUL. CONSUMPTION OF MARIJUANA IMPAIRS YOUR ABILITY TO DRIVE AND OPERATE MACHINERY. DO NOT USE WHEN OPERATING A MOTOR VEHICLE OR DANGEROUS MACHINERY. THE INTOXICATING EFFECTS OF INGESTED MARIJUANA PRODUCTS MAY BE DELAYED UP TO TWO HOURS."

ii. For packages containing only dried flower, the net weight of marijuana in the package.

iii. Identification of the source and date of cultivation, the type of marijuana, or for marijuana infused products the date of manufacturing and packaging.

iv. The appellation of origin, if any.

v. List of pharmacologically active ingredients, by percentage, including, but not limited to, tetrahydrocannabinol (THC), cannabidiol (CED), and other cannabinoid content, the THC and other cannabinoid amount in milligrams per serving, servings per package, and the THC and other cannabinoid amount in milligrams for the package total, and the potency of the marijuana or marijuana product by reference to the amount of tetrahydrocannabinol and cannabidiol in each serving.

vi. For marijuana infused products, a list of all ingredients and disclosure of nutritional information.

vii. A list of any solvents, nonorganic pesticides, herbicides, and fertilizers that were used in the cultivation, production, and manufacture of such marijuana or marijuana product.

viii. A warning if nuts or other known allergens are used in the product, or place of processing or sale.

(j) No Medical Marijuana Cultivation Facility, Medical Marijuana Research Cultivation Facility, Medical Marijuana Dispensary Facility or Medical Marijuana-Infused/Extraction Products Manufacturing Facility shall assign, sell, give, lease, sublicense, or otherwise transfer its license to any other facility, person, or entity except as provided in this Article XIV.

(k) This Article XIV shall not be construed as requiring health insurance companies to provide coverage for medical marijuana use.

(l) No new license shall be granted to any Medical Marijuana Cultivation Facility, Medical Marijuana Research Cultivation Facility, Medical Marijuana Dispensary Facility or Medical Marijuana-Infused/Extraction Products Manufacturing Facility that is located within one thousand feet of any then-existing school, group day care home, child day care center, church, synagogue or mosque.

(m) A physician:

i. shall not issue physician certifications for the use of medical marijuana exceeding twenty five percent (25%) of the number of prescriptions written by that physician in the same calendar year; and

ii. shall not have an income from treating qualifying patients with primarily medical marijuana exceeding twenty five percent (25%) of the physician's gross income.

(n) It is the public policy of the state of Missouri that contracts related to marijuana for medical use that are entered into by Qualifying Patients, Designated Primary Caregivers, Medical Marijuana Cultivation Facilities, Medical Marijuana Research Cultivation Facilities, Medical Marijuana-Infused/Extraction Products Manufacturing Facilities, or Medical Marijuana Dispensary Facilities and those who allow property to be used by those entities, should be enforceable. It is the public policy of the state of Missouri that no contract entered into by Qualifying Patients, Designated Primary Caregivers, Medical Marijuana Research Cultivation Facility, Medical Marijuana Cultivation Facilities, Medical Marijuana-Infused/Extraction Products Manufacturing Facilities, or Medical Marijuana Dispensary Facilities, or by a person who allows property to be used for activities that are exempt from state criminal penalties by this Article XIV, shall be unenforceable on the basis that activities related to medical marijuana may be prohibited by federal law.

(o) Marijuana cultivation of all types must occur indoors in an enclosed, locked facility: a warehouse, room, greenhouse, or other enclosed area equipped with locks or other security devices that permit access only by authorized personnel, Research Board requirements, and meeting industry standards for safety and safe use of electricity.

(p) Real and personal property used in the cultivation, manufacture, transport, testing, distribution, sale, and administration of marijuana for medical use or for activities otherwise in compliance with this Article XIV shall not be subject to asset forfeiture solely because of that use.

(q) The Research Board may require Medical Marijuana Dispensary Facility to have, on call during all operating hours, an individual licensed in Missouri to the practice of pharmacy as defined in Chapter 338 of the Revised Statutes of Missouri who is available for on-site or telephone consultation within thirty (30) minutes.

Section 10. Public-Private Collaborative Ventures.

(a) The Research Board may enter into leases of property owned or to be acquired by the Research Board on the campus with participating research entities for building and construction, jobs, education, research to find cures, and in such endeavors enter into contracts for joint ventures and collaborative efforts and to find cures and treatments for presently incurable diseases and targeted diseases and to develop cures that may be discovered, improved or patented, in whole or part, and lease property for reasonable campus development and pursuant to this Article XIV.

(b) Any participating research entities, whether public, private, quasi-public or quasi-private, which develops cures or treatments which occurs in whole or part, directly or indirectly, by having its presence on the Biomedical Research and Drug Development Institute campus or in participation by written agreement with the Research Board, shall pay to the Biomedical Research and Drug Development Trust Fund – Section 10 Account an agreed upon contractual amount but if no contract has been entered into as to an amount, then the greater of three percent of all gross revenues or seventeen percent of all profits derived from the participating research entities cures or treatments, whether such monies were produced, earned, derivative, interest or otherwise received. All contracts when practicable shall be published on the Research Board's website at least 14 calendar days before any contract is finalized and published again after the contract is finalized.

(c) The Research Board may, along with or in conjunction with the participating research entity, or other entities, or on its own, make, produce, develop, market, distribute, license, and sell cures, goods, services and products, both of a medical and non-medical nature.

(d) All participating research entities shall establish a physical presence in Missouri, be licensed to do business in the State of Missouri and consent to jurisdiction of Missouri courts, and all contracts shall be governed by Missouri law.

(e) Participating research entities shall not provide anything of value to any member of the Research Board or their employees that could influence academic or research freedom, or otherwise interfere with the academic or research freedom of any member of the Research Board, nor to targeted disease groups or panels. Participating research entities who violate this prohibition shall have leases voided, and shall surrender all profits derived from the participating cures and treatments produced, earned or received, to the State of Missouri, and shall be liable for any actual and consequential damages and in appropriate circumstances also punitive damages, to the Research Board with all such damage awards being credited to the Biomedical Research and Drug Development Trust Fund – Section 10 Account.

(f) Any monies received pursuant to this section 10 shall be paid into the Biomedical Research and Drug Development Trust Fund – Section 10 Account and annually disbursed by the following formula:

i. Fifty percent (50%) to the Biomedical Research and Drug Development Institute Trust Fund General Purpose Account;

ii. Twenty-five percent (25%) to general revenue of the State of Missouri with

a) 1/4 of this 25% for the exclusive purpose of funding Missouri state roads and bridges infrastructure repairs,

b) 1/4 of this 25% for the exclusive purpose of funding public pre-school programs, public elementary and secondary school programs, and to provide grants to in-state Missouri students to attend state institutions of higher education governed at the time of the enactment of this Article XIV by sections of 174.020 to 174.500 Revised Statutes of Missouri and chapter 172 Revised Statutes of Missouri., and

c) 1/4 of this 25% for the exclusive purpose of funding medical care for Missouri residents;

d) 1/4 of this 25% to fund Missouri public employee retirement trust funds; and

iii. Twenty-five percent (25%) to be refunded to Missouri state income tax paying citizens, refunded equally to all citizens of Missouri who have paid state income taxes of more than five hundred dollars ($500) or more in the year prior to the payments being received by the Research Board pursuant to this section 10, up to the total amount of state income tax paid by such Missouri citizen in that year. Any residual amounts above and beyond the tax refund shall be paid equally to all Missouri state income tax paying Missouri residents. The refund check to Missouri citizens shall clearly state "Research Board Tax Refund".

(g) All contracts entered into pursuant to this section 10 and this Article XIV shall require that any cures obtained pursuant to section 10 and this Article XIV shall be made available to the residents of the State of Missouri at cost, with no mark-up.

Section 11. Effective Date.

(a) The provisions of this Article shall become effective on December 31, 2018.

Section 12. Severability.

(a) All of the provisions of this Article, all sections, all subsections and all clauses and phrases shall be self-enforcing. All of the sections, subsections, provisions, clauses, phrases, and words within them are severable. If any of the sections, subsections, provisions, clauses, phrases, or words within them are found by a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted, the remaining sections, subsections, provisions, clauses, phrases, or words within them shall be and remain valid. If any appointment or selection pursuant to this Article, except 3(k)i-iii., are found by a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted, the appointment and selection, subject to any valid qualification requirement, shall be made by the Governor with the consent of a majority of the Senate. If all appointments or selections pursuant to 3(k)i-iii. are found by a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted, the appointment and selection, subject to any valid qualification requirement, shall be made by the Governor with the consent of a majority of the Senate.