

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 56<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 3468</b>
<b>Version:</b>	<b>FA2</b>
<b>Request Number:</b>	<b>10163</b>
<b>Author:</b>	<b>Rep. Jordan</b>
<b>Date:</b>	<b>3/13/2018</b>
<b>Impact:</b>	<b>Dept. of Health: unknown startup costs, measure provides for compensation and travel reimbursement for Commission members, creates fines and fees as well as a 7% tax on gross sales and apportions it to common education and Dept. of Health</b>

**Research Analysis**

The second floor amendment makes major modifications to the proposed regulatory framework for the state's medical marijuana program in the event that State Question No. 788 passes.

Prepared By: Scott Tohlen

**Fiscal Analysis**

HB 3468 creates the Oklahoma Cannabis Commission. The measure provides for compensation and travel reimbursement for Commission members. The language is unclear from which agency or entity is responsible for providing the funds for this. The Dept. of Health is responsible for creating and staffing the Commission until it becomes a standalone agency. This could present some startup costs for the Dept. of Health. The exact cost is unknown at this time.

The measure also creates license fees for individuals and dispensaries, processors, growers and laboratories as well as inspection and audit fees. The measure also creates monetary penalties which can be assessed by the Commission as a disciplinary action against a licensed grower, processor, laboratory, or dispensary.

The license fees are as follows:

\$100 application fee for medical marijuana license  
\$20 for individuals on Medicaid or Medicare  
\$2,500 for a dispensary license  
\$2,500 for processor license  
\$2,500 for grower license  
\$2,500 for testing laboratory license

The inspection/audit fees are as follows:

\$2,500 for dispensary inspection/audit  
\$10,000 for processor inspection/audit  
\$10,000 for grower inspection/audit  
\$10,000 for laboratory inspection/audit

The penalties are as follows:

\$100 for the first assessed monetary penalty in a calendar year;  
\$500 for the second;

\$1,000 for every penalty thereafter;  
And \$5,000 for sales to persons other than those allowed by the law  
\$500 for each processor deficiency  
\$5,000 for gross discrepancies

Proceeds from the above fees and fines shall be deposited in a special revenue fund known as the Oklahoma Cannabis Commission Fund with the State Treasurer.

In order to fund the Commission, the measure institutes a 7% sales tax. If the proceeds exceeds the amount for running the regulatory and licensing affairs of the medical marijuana program, any surplus shall be apportioned with 75% going to the General Revenue Fund and may only be expended for common education. 25% shall be apportioned to the Oklahoma State Department of Health and earmarked for drug and alcohol rehabilitation.

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### **Other Considerations**

None.