

## FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB765

			Of the printed Bill
Page	<u>15</u>	Section	<u>4</u>
		Lines	<u>6</u>
			Of the Engrossed Bill

By inserting a new "SECTION 4." and "SECTION 5." to read as follows:

(see attached)

and by renumbering the subsequent section of the bill.

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Jon Echols

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 "SECTION 4. AMENDATORY Section 3 of Enrolled House Bill  
2 No. 2612 of the 1st Session of the 57th Oklahoma Legislature, is  
3 amended to read as follows:

4 Section 3. A. There is hereby created the Oklahoma Medical  
5 Marijuana Authority within the State Department of Health which  
6 shall address issues related to the medical marijuana program in  
7 Oklahoma including, but not limited to, the issuance of patient  
8 licenses and medical marijuana business licenses, and the  
9 dispensing, cultivating, processing, testing, transporting, storage,  
10 research, and the use of and sale of medical marijuana pursuant to  
11 this act.

12 B. The Department shall provide support staff to perform  
13 designated duties of the Authority. The Department shall also  
14 provide office space for meetings of the Authority.

15 C. The Department shall implement the provisions of this act  
16 consistently with the voter-approved State Question No. 788,  
17 Initiative Petition No. 412, subject to the provisions of this act.

18 D. The Department shall exercise its respective powers and  
19 perform its respective duties and functions as specified in this act  
20 and Title 63 of the Oklahoma Statutes including, but not limited to,  
21 the following:

22 1. Determine steps the state shall take, whether administrative  
23 or legislative in nature, to ensure that research on marijuana and  
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1 marijuana products is being conducted for public purposes, including  
2 the advancement of:

- 3 a. public health policy and public safety policy,
- 4 b. agronomic and horticultural best practices, and
- 5 c. medical and pharmacopoeia best practices;

6 2. Contract with third-party vendors and other governmental  
7 entities in order to carry out the respective duties and functions  
8 as specified in this act. The Department shall not contract with  
9 any vendor providing commercial services to medical marijuana  
10 businesses either directly, through affiliates, or any joint venture  
11 or subsidiary;

12 3. Upon complaint or upon its own motion and upon a completed  
13 investigation, levy fines as prescribed in this act and suspend or  
14 revoke licenses pursuant to this act;

15 4. Issue subpoenas for the appearance or production of persons,  
16 records and things in connection with disciplinary or contested  
17 cases considered by the Department;

18 5. Apply for injunctive or declaratory relief to enforce the  
19 provisions of this section and any rules promulgated pursuant to  
20 this section;

21 6. Inspect and examine, with notice provided in accordance with  
22 this act, all licensed premises of medical marijuana businesses,  
23 research facilities and education facilities in which medical  
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1 marijuana is cultivated, manufactured, sold, stored, transported,  
2 tested or distributed;

3 7. ~~Work~~ Upon action by the federal government by which the  
4 production, sale and use of marijuana in Oklahoma does not violate  
5 federal law, work with the Oklahoma State Banking Department and the  
6 State Treasurer to develop good practices and standards for banking  
7 and finance for medical marijuana businesses;

8 8. Establish internal control procedures for licenses including  
9 accounting procedures, reporting procedures and personnel policies;

10 9. Establish a fee schedule and collect fees for performing  
11 background checks as the Commissioner deems appropriate. The fees  
12 charged pursuant to this paragraph shall not exceed the actual cost  
13 incurred for each background check; and

14 10. Require verification for sources of finance for medical  
15 marijuana businesses.

16 SECTION 5. AMENDATORY Section 23 of Enrolled House Bill  
17 No. 2612 of the 1st Session of the 57th Oklahoma Legislature, is  
18 amended to read as follows:

19 Section 23. A. The State Commissioner of Health, the Oklahoma  
20 Tax Commission, ~~the Banking Board,~~ the State Treasurer, the  
21 Secretary of State and the Director of the Office of Management and  
22 Enterprise Services shall promulgate rules to implement the  
23 provisions of this act.

1       B. The Food Safety Standards Board, in addition to the powers  
2 and duties granted in Section 423 of Title 63 of the Oklahoma  
3 Statutes, may recommend to the State Commissioner of Health rules  
4 relating to all aspects of the cultivation and manufacture of  
5 medical marijuana products."

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