

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

☐ FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

☐ COMMITTEE AMENDMENT

\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend Senate Bill No. 756, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator McCortney

McCortney-DC-FS-Req#2086  
3/11/2019 4:59 PM

(Floor Amendments Only)    Date and Time Filed: \_\_\_\_\_

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

FLOOR SUBSTITUTE  
FOR

SENATE BILL NO. 756

By: McCortney of the Senate

and

Echols of the House

FLOOR SUBSTITUTE

[ medical marijuana - packaging - ~~emergency~~ ]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

Section 18. A. An Oklahoma medical marijuana business shall  
not sell, transfer or otherwise distribute medical marijuana or  
medical marijuana product that has not been packaged and labeled in  
accordance with this section and rules promulgated by the State  
Commissioner of Health.

B. A medical marijuana dispensary shall return medical  
marijuana and medical marijuana product that does not meet packaging  
or labeling requirements in this section or rules promulgated

1 pursuant thereto to the entity who transferred it to the dispensary.  
2 The medical marijuana dispensary shall document to whom the item was  
3 returned, what was returned and the date of the return or dispose of  
4 any usable marijuana that does not meet these requirements in  
5 accordance with this act.

6 C. 1. Medical marijuana packaging shall be packaged to  
7 minimize its appeal to children and shall not depict shapes, text or  
8 designs appealing to children including, but not limited to,  
9 cartoons, or any images other than the business name logo of the  
10 medical marijuana producer and image of the product.

11 ~~2. A medical marijuana business shall not place any content on~~  
12 ~~a container in a manner that reasonably appears to target~~  
13 ~~individuals under the age of twenty one (21), including but not~~  
14 ~~limited to cartoon characters or similar images.~~

15 ~~3.~~ Labels on a container shall not include any false or  
16 misleading statements.

17 ~~4.~~ 3. No container shall be intentionally or knowingly labeled  
18 so as to cause a reasonable patient confusion as to whether the  
19 medical marijuana, medical marijuana concentrate or medical  
20 marijuana product is a trademarked product or labeled in a manner  
21 that violates any federal trademark law or regulation. Medical  
22 marijuana packaging shall not bear a reasonable resemblance to any  
23 commercially available product.

1       ~~5.~~ 4. The label on the container shall not make any claims  
2 regarding health or physical benefits to the patient.

3       ~~6.~~ 5. All medical marijuana, medical marijuana concentrate and  
4 medical marijuana products shall be in a child-resistant container  
5 or child-resistant packaging as required by the federal Poison  
6 Prevention Packaging Act of 1970 at the point of transfer to the  
7 patient or caregiver.

8       D. The State Department of Health shall develop minimum  
9 standards for packaging and labeling of medical marijuana and  
10 medical marijuana products. Such standards shall include, but not  
11 be limited to, the required contents of labels to be affixed to all  
12 medical marijuana and medical marijuana products prior to transfer  
13 to a licensed patient or caregiver, which shall include, at a  
14 minimum:

15       1. A universal symbol indicating that the product contains  
16 tetrahydrocannabinol (THC);

17       2. THC and other cannabinoid potency, and terpenoid potency;

18       3. A statement indicating that the product has been tested for  
19 contaminants;

20       4. One or more product warnings to be determined by the  
21 Department; and

22       5. Any other information the Department deems necessary.

23       E. Medical marijuana and medical marijuana product packages  
24 shall:

1        1. Be plain;

2        2. Be opaque;

3        3. Be designed to maximize the shelf life of contained medical  
4 marijuana products;

5        4. Be tamper-evident; and

6        5. Protect the product from contamination and shall not impart  
7 any toxic or deleterious substance to the product.

8        ~~SECTION 2. It being immediately necessary for the preservation~~  
9 ~~of the public peace, health or safety, an emergency is hereby~~  
10 ~~declared to exist, by reason whereof this act shall take effect and~~  
11 ~~be in full force from and after its passage and approval.~~

12  
13        57-1-2086            DC            3/11/2019 4:59:41 PM