

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 3279

By: Boles

AS INTRODUCED

An Act relating to medical marijuana; amending Section 16, Chapter 11, O.S.L. 2019 (63 O.S. Supp. 2019, Section 427.16), which relates to medical marijuana transporters; modifying insurance requirement; increasing minimum insurance; requiring certain disclosures; and providing an effective date.

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

SECTION 1. AMENDATORY Section 16, Chapter 11, O.S.L. 2019 (63 O.S. Supp. 2019, Section 427.16), is amended to read as follows:

Section 427.16 A. There is hereby created a medical marijuana transporter license as a category of the medical marijuana business license.

B. Pursuant to Section 424 of ~~Title 63 of the Oklahoma Statutes~~ this title, the Oklahoma Medical Marijuana Authority shall issue a medical marijuana transporter license to licensed medical marijuana commercial growers, processors and dispensaries upon issuance of such licenses and upon each renewal.

1 C. A medical marijuana transporter license may also be issued  
2 to qualifying applicants who are registered with the Oklahoma  
3 Secretary of State and otherwise meet the requirements for a medical  
4 marijuana business license set forth in this act and the  
5 requirements set forth in this section to provide logistics,  
6 distribution and storage of medical marijuana, medical marijuana  
7 concentrate and medical marijuana products.

8 D. A medical marijuana transporter license shall be valid for  
9 one (1) year and shall not be transferred with a change of  
10 ownership. A licensed medical marijuana transporter shall be  
11 responsible for all medical marijuana, concentrate and products once  
12 the transporter takes control of the product.

13 E. A transporter license shall be required for any person or  
14 entity to transport or transfer medical marijuana, concentrate or  
15 product from a licensed medical marijuana business to another  
16 medical marijuana business, or from a medical marijuana business to  
17 a medical marijuana research facility or medical marijuana education  
18 facility.

19 F. A medical marijuana transporter licensee may contract with  
20 multiple licensed medical marijuana businesses.

21 G. A medical marijuana transporter may maintain a licensed  
22 premises to temporarily store medical marijuana, concentrate and  
23 products and to use as a centralized distribution point. A medical  
24 marijuana transporter may store and distribute medical marijuana,

1 concentrate and products from the licensed premises. The licensed  
2 premises shall meet all security requirements applicable to a  
3 medical marijuana business.

4 H. A medical marijuana transporter licensee shall use the seed-  
5 to-sale tracking system developed pursuant to this act to create  
6 shipping manifests documenting the transport of medical marijuana,  
7 concentrate and products throughout the state.

8 I. A licensed medical marijuana transporter may maintain and  
9 operate one or more warehouses in the state to handle medical  
10 marijuana, concentrate and products.

11 J. All medical marijuana, concentrate and product shall be  
12 transported:

13 1. In vehicles equipped with Global Positioning System (GPS)  
14 trackers;

15 2. In a locked container and clearly labeled "Medical Marijuana  
16 or Derivative"; and

17 3. In a secured area of the vehicle that is not accessible by  
18 the driver during transit.

19 K. A transporter agent may possess marijuana at any location  
20 while the transporter agent is transferring marijuana to or from a  
21 licensed medical marijuana business, medical marijuana research  
22 facility or medical marijuana education facility. The Department  
23 shall administer and enforce the provisions of this section  
24 concerning transportation.

1 L. The Authority shall issue a transporter agent license to  
2 individual agents, employees, officers or owners of a transporter  
3 license in order for the individual to qualify to transport medical  
4 marijuana or product.

5 M. The annual fee for a transporter agent license shall be One  
6 Hundred Dollars (\$100.00) and shall be paid by the transporter  
7 license holder or the individual applicant.

8 N. The Authority shall issue each transporter agent a registry  
9 identification card within thirty (30) days of receipt of:

10 1. The name, address and date of birth of the person;

11 2. Proof of residency as required for a medical marijuana  
12 business license;

13 3. Proof of identity as required for a medical marijuana  
14 business license;

15 4. Possession of a valid Oklahoma driver license;

16 5. Verification of employment with a licensed transporter;

17 6. The application and affiliated fee; and

18 7. A criminal background check conducted by the Oklahoma State  
19 Bureau of Investigation, paid for by the applicant.

20 O. If the transporter agent application is denied, the  
21 Department shall notify the transporter in writing of the reason for  
22 denying the registry identification card.

23 P. A registry identification card for a transporter shall  
24 expire one (1) year after the date of issuance or upon notification

1 from the holder of the transporter license that the transporter  
2 agent ceases to work as a transporter.

3 Q. The Department may revoke the registry identification card  
4 of a transporter agent who knowingly violates any provision of this  
5 section, and the transporter is subject to any other penalties  
6 established by law for the violation.

7 R. The Department may revoke or suspend the transporter license  
8 of a transporter that the Department determines knowingly aided or  
9 facilitated a violation of any provision of this section, and the  
10 licenseholder is subject to any other penalties established in law  
11 for the violation.

12 S. Vehicles used in the transport of medical marijuana or  
13 medical marijuana product shall be:

14 1. Insured at or above ~~the legal requirements in Oklahoma~~ Three  
15 Hundred Fifty Thousand Dollars (\$350,000.00), and disclosures shall  
16 be made to the insurance carrier that the cargo being transported is  
17 medical marijuana or medical marijuana products;

18 2. Capable of securing medical marijuana during transport; and

19 3. In possession of a shipping container as defined in this act  
20 capable of securing all transported product.

21 T. Prior to the transport of any medical marijuana or products,  
22 an inventory manifest shall be prepared at the origination point of  
23 the medical marijuana. The inventory manifest shall include the  
24 following information:

1 1. For the origination point of the medical marijuana:

- 2 a. the licensee number for the commercial grower,
- 3 processor or dispensary,
- 4 b. address of origination of transport, and
- 5 c. name and contact information for the originating
- 6 licensee;

7 2. For the end recipient license holder of the medical  
8 marijuana:

- 9 a. the license number for the dispensary, commercial
- 10 grower, processor, research facility or education
- 11 facility destination,
- 12 b. address of the destination, and
- 13 c. name and contact information for the destination
- 14 licensee;

15 3. Quantities by weight or unit of each type of medical  
16 marijuana product contained in transport;

17 4. The date of the transport and the approximate time of  
18 departure;

19 5. The arrival date and estimated time of arrival;

20 6. Printed names and signatures of the personnel accompanying  
21 the transport; and

22 7. Notation of the transporting licensee.

23 U. 1. A separate inventory manifest shall be prepared for each  
24 licensee receiving the medical marijuana.

1        2. The transporter agent shall provide the other medical  
2 marijuana business with a copy of the inventory manifest at the time  
3 the product changes hands and after the other licensee prints his or  
4 her name and signs the inventory manifest.

5        3. An inventory manifest shall not be altered after departing  
6 the originating premises other than in cases where the printed name  
7 and signature of receipt by the receiving licensee is necessary.

8        4. A receiving licensee shall refuse to accept any medical  
9 marijuana or product that is not accompanied by an inventory  
10 manifest.

11       5. Originating and receiving licensees shall maintain copies of  
12 inventory manifests and logs of quantities of medical marijuana  
13 received for three (3) years from date of receipt.

14       SECTION 2. This act shall become effective November 1, 2020.

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16       57-2-9248        JW        12/30/19  
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