

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1909

By: Dahm

AS INTRODUCED

An Act relating to medical marijuana; amending Section 4, Chapter 509, O.S.L. 2019 (63 O.S. Supp. 2019, Section 426.1), which relates to medical marijuana regulations; prohibiting the State Department of Health from sharing certain information with the Oklahoma State Bureau of Investigation; clarifying language; updating statutory references; and providing an effective date.

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

SECTION 1. AMENDATORY Section 4, Chapter 509, O.S.L. 2019 (63 O.S. Supp. 2019, Section 426.1), is amended to read as follows:

Section 426.1. A. Except for revocation hearings concerning licensed patients, as defined in ~~Section 2 of Enrolled House Bill No. 2612 of the 1st Session of the 57th Oklahoma Legislature~~ Section 427.2 of this title, all licensure revocation hearings conducted ~~pursuant to~~ for medical marijuana licenses established in the Oklahoma Statutes shall be recorded. A party may request a copy of the recording of the proceedings. Copies shall be provided to local

1 law enforcement if the revocation was based on alleged criminal
2 activity.

3 B. The State Department of Health shall assist any law
4 enforcement officer in the performance of his or her duties upon
5 such request by the law enforcement officer or the request of other
6 local officials having jurisdiction. Except for license information
7 concerning licensed patients, as defined in ~~Section 2 of Enrolled~~
8 ~~House Bill No. 2612 of the 1st Session of the 57th Oklahoma~~
9 ~~Legislature~~ Section 427.2 of this title, the Department shall share
10 information with law enforcement agencies upon request without a
11 subpoena or search warrant.

12 C. ~~The State Department of Health~~ Department shall make
13 available all information displayed on medical marijuana licenses,
14 as well as whether ~~or not~~ the license is valid, to law enforcement
15 electronically through the Oklahoma Law Enforcement
16 Telecommunications System. The Department shall not share license
17 information, or whether the license is valid, with the Oklahoma
18 State Bureau of Investigation for the purpose of approval or denial
19 of a license under the Oklahoma Self-Defense Act as provided for in
20 Section 1290.12 of Title 21 of the Oklahoma Statutes.

21 D. The Department shall make available to political
22 subdivisions a list of marijuana-licensed premises, medical
23 marijuana businesses or any other premises where marijuana or its
24 by-products are licensed to be cultivated, grown, processed, stored

1 or manufactured to aid county and municipal governments in
2 identifying locations within their jurisdiction and ensure
3 compliance with local regulations.

4 E. All marijuana-licensed premises, medical marijuana
5 businesses or any other premises where marijuana or its by-products
6 are licensed to be cultivated, grown, processed, stored or
7 manufactured shall submit with their application, after notifying
8 the political subdivision of their intent, a certificate of
9 compliance from the political subdivision where the facility of the
10 applicant or use is to be located certifying compliance with zoning
11 classifications, applicable municipal ordinances and all applicable
12 safety, electrical, fire, plumbing, waste, construction and building
13 specification codes.

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

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