COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3335
Of the printed Bill

Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Cynthia Roe

Adopted: _____

_____
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 3335 By: Roe

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to medical marijuana; amending 63 O.S. 2021, Section 427.18, as amended by Section 18, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.18), which relates to the Oklahoma Medical Marijuana and Patient Protection Act; modifying packing requirements; requiring the inclusion of certain warnings on packaging; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 427.18, as amended by Section 18, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.18), is amended to read as follows:

Section 427.18 A. A 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 Executive Director of the Oklahoma Medical Marijuana Authority.

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 pursuant thereto to the entity who transferred it to the dispensary. The medical marijuana dispensary shall document to whom the item was returned, what was returned and the date of the return or dispose of any usable marijuana that does not meet these requirements in accordance with the Oklahoma Medical Marijuana and Patient Protection Act.

C. 1. Medical marijuana packaging shall be packaged to minimize its appeal to children ~~and~~. The packaging shall be black and white and shall not ~~depict~~ contain any images ~~other than the business name logo of the medical marijuana producer and image of the product~~ of any type, except for the Oklahoma Uniform Symbol, which may be in color.

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

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

4. No container shall be intentionally or knowingly labeled so as to cause a reasonable patient confusion as to whether the medical marijuana, medical marijuana concentrate or medical marijuana

product is a trademarked product or labeled in a manner that violates any federal trademark law or regulation.

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

6. All medical marijuana, medical marijuana concentrate and medical marijuana products shall be in a child-resistant container at the point of transfer to the patient or caregiver.

D. The Executive Director shall develop minimum standards for packaging and labeling of medical marijuana and medical marijuana products. Such standards shall include, but not be limited to, the required contents of labels to be affixed to all medical marijuana and medical marijuana products prior to transfer to a licensed patient or caregiver, which shall include, at a minimum:

1. THC and other cannabinoid potency, and terpenoid potency;

2. A statement indicating that the product has been tested for contaminants;

3. ~~One or more product warnings to be determined by the Executive Director~~ The following warnings:

a. "Keep out of reach of children",

b. "For use by licensed medical marijuana patients only",

c. "Women should not use marijuana or medical marijuana products during pregnancy or while breastfeeding due to risk of harm to the baby", and

d. "Call the Oklahoma Poison Center with any questions about possible adverse effects from the use of this product or in case of accidental ingestion (800) 222-1222"; and

4. Any other information the Executive Director deems necessary.

SECTION 2. This act shall become effective November 1, 2024.

59-2-10088 GRS 02/12/24