

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 1734

By: Townley of the House

and

4 Garvin of the Senate
5

6
7 An Act relating to medical marijuana use; requiring
8 warning signage to be displayed in dispensaries for
9 the use of THC products while pregnant; requiring
10 owners of any place where THC is sold to pay for the
11 signage at their own expense; providing for
12 codification; and providing an effective date.

13 AUTHOR: Add the following House Coauthors: Pittman and Roe

14 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert

15 "An Act relating to medical marijuana; authorizing
16 the Oklahoma Medical Marijuana Authority to require
17 fingerprints from owners and employees of commercial
18 medical marijuana facilities; specifying when
19 fingerprints shall be submitted; providing for the
20 manner of submission; requiring the Oklahoma State
Bureau of Investigation to provide the Authority
certain notice; permitting the Authority access to
the findings of background checks; defining terms;
providing for codification; and declaring an
emergency.

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23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
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1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 427.27 of Title 63, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The Oklahoma Medical Marijuana Authority shall require
5 owners of medical marijuana facilities to submit their fingerprints
6 to the Oklahoma State Bureau of Investigation (OSBI) for the purpose
7 of conducting a state and federal fingerprint-based criminal
8 background check.

9 B. The Authority may require that such fingerprint submissions
10 be made as part of a medical marijuana facility application, a
11 medical marijuana facility renewal application, or an individual
12 application for a license or permit authorizing that individual to
13 be an owner of a medical marijuana facility.

14 C. Fingerprint cards and any required fees shall be sent to the
15 OSBI central repository. The fingerprint records shall be used for
16 searching the state criminal records repository and shall also be
17 forwarded to the Federal Bureau of Investigation for a federal
18 criminal record search as provided in Section 150.9 of Title 74 of
19 the Oklahoma Statutes. The OSBI shall notify the Authority of any
20 criminal history record information or lack of criminal history
21 record information discovered on the submitting individual.

22 Notwithstanding the provisions of Section 150.9b of Title 74 of the
23 Oklahoma Statutes, all records related to any criminal history
24

1 information discovered shall be accessible and available to the
2 Authority.

3 D. As used in this section:

4 1. "Medical marijuana facility" means an entity licensed or
5 certified by the Authority to acquire, cultivate, process,
6 manufacture, test, store, sell, transport, or deliver medical
7 marijuana; and

8 2. "Owner" means a direct beneficial owner including, but not
9 limited to, all persons or entities, as follows:

- 10 a. all shareholders owning an interest of a corporate
11 entity and all officers of a corporate entity,
12 b. all partners of a general partnership,
13 c. all general partners and all limited partners that own
14 an interest in a limited partnership,
15 d. all members that own an interest in a limited
16 liability company,
17 e. all beneficiaries that hold a beneficial interest in a
18 trust and all trustees of a trust,
19 f. all persons or entities that own interest in a joint
20 venture,
21 g. all persons or entities that own an interest in an
22 association,
23 h. the owners of any other type of legal entity, and
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1 i. any other person holding an interest or convertible
2 note in any entity, which owns, operates, or manages a
3 licensed medical marijuana facility.

4 SECTION 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 427.28 of Title 63, unless there
6 is created a duplication in numbering, reads as follows:

7 A. The Oklahoma Medical Marijuana Authority shall require all
8 employees of medical marijuana facilities to submit their
9 fingerprints to the Oklahoma State Bureau of Investigation (OSBI)
10 for the purpose of conducting a state and federal fingerprint-based
11 criminal background check.

12 B. The Authority may require that such fingerprint submissions
13 be made as part of an individual's application for a license,
14 permit, identification card, or credential authorizing that
15 individual to be an employee of a medical marijuana facility.

16 C. Fingerprint cards and any required fees shall be sent to the
17 OSBI central repository. The fingerprint records shall be used for
18 searching the state criminal records repository and shall also be
19 forwarded to the Federal Bureau of Investigation for a federal
20 criminal record search as provided in Section 150.9 of Title 74 of
21 the Oklahoma Statutes. The OSBI shall notify the Authority of any
22 criminal history record information or lack of criminal history
23 record information discovered on the submitting individual.

24 Notwithstanding the provisions of Section 150.9b of Title 74 of the

1 Oklahoma Statutes, all records related to any criminal history
2 information discovered shall be accessible and available to the
3 Authority.

4 D. As used in this section:

5 1. "Employee" means any natural person who:

- 6 a. grows, harvests, dries, cures, purchases, sells,
7 transfers, transports, processes, produces,
8 manufactures, creates, or packages medical marijuana,
9 medical marijuana products, or medical marijuana waste
10 on behalf of or for a licensed medical marijuana
11 commercial grower, processor, or dispensary,
- 12 b. samples, trains, or educates on behalf of or for a
13 licensed medical marijuana education or research
14 facility,
- 15 c. disposes of or transports medical marijuana, medical
16 marijuana products, and medical marijuana waste on
17 behalf of or for a licensed medical marijuana waste
18 disposal facility,
- 19 d. tests and conducts research on medical marijuana and
20 medical marijuana products on behalf of or for a
21 medical marijuana licensed testing laboratory,
- 22 e. transports, stores, distributes, but does not take
23 ownership of, medical marijuana and medical marijuana
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1 products on behalf of or for a licensed medical
2 marijuana commercial transporter,

3 f. tracks, traces, reports, and inputs any information
4 into the state inventory tracking system on behalf of
5 or for a licensed medical marijuana commercial license
6 holder, or

7 g. conducts any other additional business for the benefit
8 of a medical marijuana commercial license holder as
9 authorized by rules promulgated by the Executive
10 Director of the Authority, with the exception of
11 professional services not involved in the handling of
12 medical marijuana, medical marijuana products, or
13 medical marijuana concentrates; and

14 2. "Medical marijuana facility" means an entity licensed or
15 certified by the Authority to acquire, cultivate, process,
16 manufacture, test, store, sell, transport, or deliver medical
17 marijuana.

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval."
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1 Passed the Senate the 25th day of April, 2024.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2024.

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8 _____
9 Presiding Officer of the House
10 of Representatives

1 ENGROSSED HOUSE
2 BILL NO. 1734

By: Townley of the House

3 and

4 Garvin of the Senate

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7 An Act relating to medical marijuana use; requiring
8 warning signage to be displayed in dispensaries for
9 the use of THC products while pregnant; requiring
10 owners of any place where THC is sold to pay for the
11 signage at their own expense; providing for
12 codification; and providing an effective date.

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

14 SECTION 4. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 427.30 of Title 63, unless there
16 is created a duplication in numbering, reads as follows:

17 A. Every dispensary or any place marijuana or THC products are
18 sold shall display at all times a printed sign with a minimum height
19 of eight and one-half (8 1/2) inches and a minimum width of eleven
20 (11) inches, with large visible font and posted near the cash
21 register or place of checkout and at least two other highly visible
22 places in the store, which shall read as follows:

23 WARNING: INGESTING THC PRODUCTS WHILE PREGNANT IS NOT HEALTHY FOR
24 THE DEVELOPMENT OF AN UNBORN CHILD.

