

1 ENGROSSED SENATE  
2 BILL NO. 440

By: Garvin of the Senate

3 and

4 Marti of the House

5  
6 [ medical marijuana - promulgation of rules - potency  
7 limits - codification - effective date ]  
8

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

10 SECTION 1. NEW LAW A new section of law to be codified  
11 in the Oklahoma Statutes as Section 427.18a of Title 63, unless  
12 there is created a duplication in numbering, reads as follows:

13 A. The Executive Director of the Oklahoma Medical Marijuana  
14 Authority shall promulgate rules to limit the tetrahydrocannabinol  
15 (THC) serving size of edible medical marijuana products sold in  
16 medical marijuana dispensaries. The serving sizes imposed by such  
17 rules shall be at the discretion of the Executive Director;  
18 provided, that the limits do not exceed:

19 1. One thousand milligrams (1,000 mg) delta-9  
20 tetrahydrocannabinol per package for edible medical marijuana  
21 products;

22 2. Five milligrams (5 mg) of delta-8 tetrahydrocannabinol or  
23 any other tetrahydrocannabinol isomer or analogue that occurs  
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1 naturally in cannabis per package for edible medical marijuana  
2 products; and

3 3. An action level of 1.0 parts per million (0.0001%) of any  
4 tetrahydrocannabinol isomer, tetrahydrocannabinol analogue, or any  
5 other cannabinoid that does not occur naturally in cannabis per  
6 package for edible medical marijuana products. A list of such  
7 compounds may be established at the discretion of the Executive  
8 Director.

9 B. A licensed medical marijuana dispensary shall not sell any  
10 edible medical marijuana product that exceeds the THC per package  
11 limits imposed in this section.

12 C. For medical marijuana patients eighteen (18) years of age or  
13 younger, the Executive Director may impose further limits on THC per  
14 serving in edible medical marijuana products. No dispensaries shall  
15 be allowed to sell any medical marijuana product for the use of  
16 vaping to any medical marijuana patient eighteen (18) years of age  
17 or younger.

18 D. The Executive Director shall establish rules that require  
19 dispensaries to provide educational efforts to patients regarding  
20 potency, dosing, and pharmacological impacts pertaining to usage and  
21 consumption of medical marijuana and medical marijuana products.

22 SECTION 2. This act shall become effective January 1, 2025.

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1 Passed the Senate the 23rd day of March, 2023.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2023.

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8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives