

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 440

By: Garvin

AS INTRODUCED

An Act relating to medical marijuana; directing promulgation of rules to impose limits on tetrahydrocannabinol (THC) potency of medical marijuana and medical marijuana products; setting certain limits on potency; prohibiting licensed medical marijuana dispensary from selling medical marijuana or medical marijuana product that exceeds potency limits; providing for codification; and providing an effective date.

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

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

A. The Executive Director of the Oklahoma Medical Marijuana Authority shall promulgate rules to limit the tetrahydrocannabinol (THC) potency of medical marijuana and medical marijuana products sold in medical marijuana dispensaries. The limits imposed by such rules shall be at the discretion of the Executive Director, provided that the limits do not exceed:

1           1. Thirty percent (30%) delta-9 tetrahydrocannabinol potency  
2 for medical marijuana and sixty percent (60%) delta-9  
3 tetrahydrocannabinol potency for medical marijuana products;

4           2. Two percent (2%) delta-8 tetrahydrocannabinol potency for  
5 medical marijuana and medical marijuana products; and

6           3. Zero percent (0%) potency of delta-10 tetrahydrocannabinol  
7 and all other isomers, precursors, and other variations of  
8 tetrahydrocannabinol for medical marijuana and medical marijuana  
9 products.

10           B. A licensed medical marijuana dispensary shall not sell any  
11 medical marijuana or medical marijuana product that exceeds the THC  
12 potency limits imposed under this section.

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

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