

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1892

By: Cantrell

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5
6 AS INTRODUCED

7 An Act relating to medical marijuana; directing
8 certain medical marijuana business licensees to pay
9 an environmental cleanup fee; stating amount of fee;
10 stating purpose of fee; requiring payment of fee by
11 certain date; requiring fees collected to be credited
12 to certain revolving fund; creating the County
13 Environmental Cleanup Revolving Fund; providing
14 sources of funds; providing for use of funds;
15 prescribing procedures for expenditures; providing
16 for codification; and providing an effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 427.26 of Title 12A, unless
20 there is created a duplication in numbering, reads as follows:

21 A. Upon the effective date of this act and annually thereafter,
22 every licensed medical marijuana commercial grower and medical
23 marijuana processor in this state shall pay to the Oklahoma Medical
24 Marijuana Authority an environmental cleanup fee of One Thousand
Dollars (\$1,000.00).

1 B. The fee imposed pursuant to the provisions of this section
2 shall be used for those expenses incurred by counties in the
3 investigation, evaluation, monitoring, testing, removal,
4 containment, treatment, disposal, remediation, detoxification or
5 neutralization of smoke, soot, fumes, acids, alkalis, toxic
6 chemicals, asbestos, liquids or gases, waste materials or other
7 irritants, contaminants or pollutants as a direct result of a
8 pollution incident caused by a medical marijuana commercial grower
9 or medical marijuana processor.

10 C. Payment of the annual fee required by this section shall be
11 due no later than the last day of the month of expiration of the
12 current medical marijuana business license.

13 D. All fees received by the Authority pursuant to the
14 provisions of this section shall be credited to the County
15 Environmental Cleanup Revolving Fund created in subsection E of this
16 section.

17 E. There is hereby created in the State Treasury a revolving
18 fund for the Oklahoma Medical Marijuana Authority to be designated
19 the "County Environmental Cleanup Revolving Fund". The fund shall
20 be a continuing fund, not subject to fiscal year limitations, and
21 shall consist of all fees collected by the Oklahoma Medical
22 Marijuana Authority pursuant to the provisions of subsection A of
23 this section. All monies accruing to the credit of the fund are
24 hereby appropriated and may be budgeted and expended by the Oklahoma

1 Medical Marijuana Authority for the purposes of providing financial
2 assistance and support to any county of the state that is responding
3 to an environmental pollution incident caused by a medical marijuana
4 commercial grower or medical marijuana processor. Expenditures from
5 the fund shall be made upon warrants issued by the State Treasurer
6 against claims filed as prescribed by law with the Director of the
7 Office of Management and Enterprise Services for approval and
8 payment.

9 SECTION 2. This act shall become effective November 1, 2023.

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11 59-1-5554 GRS 01/18/23

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