

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3355

By: Marti

AS INTRODUCED

An Act relating to medical marijuana; amending 63 O.S. 2021, Section 426.1, as amended by Section 6, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 426.1), which relates to medical marijuana licensure revocations; providing exception to certificate of compliance requirements; requiring submission of certificate of compliance under certain circumstances; authorizing municipalities to implement inspection programs; directing the Oklahoma Medical Marijuana Authority to create a standard affidavit form; providing for the suspension of operations; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 426.1, as amended by Section 6, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 426.1), is amended to read as follows:

Section 426.1 A. All licensure revocation hearings conducted pursuant to marijuana licenses established in the Oklahoma Statutes shall be recorded. A party may request a copy of the recording of the proceedings. Copies shall be provided to local law enforcement if the revocation was based on alleged criminal activity.

1       B. The Oklahoma Medical Marijuana Authority shall assist any  
2 law enforcement officer in the performance of his or her duties upon  
3 such request by the law enforcement officer or the request of other  
4 local officials having jurisdiction. Except for license information  
5 concerning licensed patients, as defined in Section 427.2 of this  
6 title, the Authority shall share information with law enforcement  
7 agencies upon request without a subpoena or search warrant.

8       C. The Authority shall make available all information on  
9 whether or not a medical marijuana patient or caregiver license is  
10 valid to law enforcement electronically through an online  
11 verification system.

12       D. The Authority shall make available to state agencies and  
13 political subdivisions a list of marijuana-licensed premises,  
14 medical marijuana businesses or any other premises where marijuana  
15 or its by-products are licensed to be cultivated, grown, processed,  
16 stored or manufactured to aid state agencies and county and  
17 municipal governments in identifying locations within their  
18 jurisdiction and ensuring compliance with applicable laws, rules and  
19 regulations.

20       E. Any marijuana-licensed premises, medical marijuana business  
21 or any other premises where marijuana or its by-products are  
22 licensed to be cultivated, grown, processed, stored or manufactured  
23 shall submit with its application or request to change location,  
24 after notifying the political subdivision of its intent, a  
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1 certificate of compliance from the political subdivision where the  
2 facility of the applicant or licensee is to be located certifying  
3 compliance with zoning classifications, applicable municipal  
4 ordinances and all applicable safety, electrical, fire, plumbing,  
5 waste, construction and building specification codes.

6       Once a certificate of compliance has been submitted to the  
7 Oklahoma Medical Marijuana Authority showing full compliance as  
8 outlined in this subsection, no additional certificate of compliance  
9 shall be required for license renewal ~~unless~~ if the application for  
10 renewal is submitted with an affidavit stating the premises still  
11 comply with zoning classifications, applicable municipal ordinances  
12 and all applicable safety, electrical, fire, plumbing, waste,  
13 construction and building specification codes. The provisions of  
14 this subsection shall not apply and a certificate of compliance  
15 shall be submitted if a change of use or occupancy occurs, or there  
16 is any change concerning the facility or location that would, by  
17 law, require additional inspection, licensure or permitting by the  
18 state or municipality. Municipalities may implement an inspection  
19 program to verify compliance of the provisions of this subsection.  
20 The Authority shall create a standard affidavit form as authorized  
21 in this subsection. If an application for renewal is submitted in  
22 violation of the provisions of this subsection or information  
23 provided on the affidavit is inaccurate or untrue, the Authority  
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1 shall suspend operations of the licensee until compliance is  
2 reestablished.

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

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