

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 697 By: Coleman of the Senate
3 and
4 Marti of the House
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7 An Act relating to medical marijuana licenses; 63
8 O.S. 2021, Section 427.16, as last amended by Section
9 140, Chapter 452, O.S.L. 2024 (63 O.S. Supp. 2024,
10 Section 427.16), which relates to medical marijuana
11 transporter license; establishing certain
12 requirements for license issuance; updating statutory
13 language; allowing certain actions by certain
14 licensee; requiring certain information to be
15 documented in certain inventory manifest prior to
16 certain action; and providing an effective date.

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18 AUTHOR: Remove Representative Marti as principal House author and
19 substitute with Representative Turner

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21 AMENDMENT NO. 1. Page 1, Line 13 1/2, delete Section 1 in its
22 entirety and insert a new Section 1 to read:

23 "SECTION 1. AMENDATORY 63 O.S. 2021, Section 2-309, as
24 last amended by Section 6, Chapter 308, O.S.L. 2024 (63 O.S. Supp.
2024, Section 2-309), is amended to read as follows:

Section 2-309. A. 1. Except for dosages medically required
for a period not to exceed forty-eight (48) hours which are

1 administered by or on direction of a practitioner, other than a
2 pharmacist, or medication dispensed directly by a practitioner,
3 other than a pharmacist, to an ultimate user, no controlled
4 dangerous substance included in Schedule II, which is a prescription
5 drug as determined under regulation promulgated by the Board of
6 Pharmacy, shall be dispensed without an electronic prescription of a
7 practitioner; provided, that in emergency situations, as prescribed
8 by the Board of Pharmacy by regulation, such drug may be dispensed
9 upon oral prescription reduced promptly to writing and filed by the
10 pharmacist in a manner to be prescribed by rules and regulations of
11 the Director of the Oklahoma State Bureau of Narcotics and Dangerous
12 Drugs Control.

13 2. Electronic prescribing shall be utilized for Schedules II,
14 III, IV and V, subject to the requirements set forth in 21 CFR,
15 Section 1311 et seq.

16 3. An electronic prescription with electronic signature may
17 serve as an original prescription, subject to the requirements set
18 forth in 21 CFR, Section 1311 et seq.

19 4. Prescriptions shall be retained in conformity with the
20 requirements of this section and Section 2-307 of this title. No
21 prescription for a Schedule II substance may be refilled.

22 5. The electronic prescription requirement provided for in this
23 section shall not apply to prescriptions for controlled dangerous
24 substances issued by any of the following:

- a. a person licensed to practice veterinary medicine,
- b. a practitioner who experiences temporary technological or electrical failure or other extenuating circumstance that prevents the prescription from being transmitted electronically; provided, however, that the practitioner documents the reason for this exception in the medical record of the patient,
- c. a practitioner, other than a pharmacist, who dispenses directly to an ultimate user,
- d. a practitioner who orders a controlled dangerous substance to be administered through an on-site pharmacy in:
 - (1) a hospital as defined in Section 1-701 of this title,
 - (2) a nursing facility as defined in Section 1-1902 of this title,
 - (3) a hospice inpatient facility as defined in Section 1-860.2 of this title,
 - (4) an outpatient dialysis facility,
 - (5) a continuum of care facility as defined in Section 1-890.2 of this title, or
 - (6) a penal institution listed in Section 509 of Title 57 of the Oklahoma Statutes,

- e. a practitioner who orders a controlled dangerous substance to be administered through a hospice program including but not limited to a hospice program that provides hospice services in the private residence of a patient or in a long-term care facility where the patient resides. As used in this subparagraph, "hospice program" has the same meaning as provided by Section 1-860.2 of this title,
- f. a practitioner who writes a prescription to be dispensed by a pharmacy located on federal property, provided the practitioner documents the reason for this exception in the medical record of the patient,
- g. a practitioner that has received a waiver or extension from his or her licensing board,
- h. a practitioner who prescribes a controlled dangerous substance for a supply that when taken as prescribed would be consumed within seventy-two (72) hours, or
- i. a practitioner who determines that an electronic prescription cannot be issued in a timely manner and the condition of the patient is at risk.

6. Electronic prescriptions may be utilized under the following circumstances:

- a. compounded prescriptions,
- b. compounded infusion prescriptions, or

1 c. prescriptions issued under approved research
2 protocols.

3 7. A pharmacist who receives a written, oral or facsimile
4 prescription shall not be required to verify that the prescription
5 falls under one of the exceptions provided for in paragraph 6 of
6 this subsection. Pharmacists may continue to dispense medications
7 from otherwise valid written, oral or facsimile prescriptions that
8 are consistent with the provisions of this section.

9 8. Practitioners shall indicate in the health record of a
10 patient that an exception to the electronic prescription requirement
11 was utilized.

12 9. All prescriptions issued pursuant to paragraph 5 and
13 subparagraph c of paragraph 6 of this subsection shall be on an
14 official prescription form approved by the Oklahoma State Bureau of
15 Narcotics and Dangerous Drugs Control if not issued electronically.
16 All prescriptions issued pursuant to subparagraphs a and b of
17 paragraph 6 of this subsection may be transmitted via written, oral,
18 or facsimile.

19 10. a. Practitioners shall be registered with the Oklahoma
20 State Bureau of Narcotics and Dangerous Drugs Control
21 in order to purchase official prescription forms.
22 Such registration shall include, but not be limited
23 to, the primary address and the address of each place
24 of business to be imprinted on official prescription

1 forms. Any change to a registered practitioner's
2 registered address shall be promptly reported to the
3 practitioner's licensing board and the Bureau by the
4 practitioner in a manner approved by the Bureau.

5 b. Where the Bureau has revoked the registration of a
6 registered practitioner, the Bureau may revoke or
7 cancel any official prescription forms in the
8 possession of the registered practitioner. Any
9 revocation or any suspension shall require the
10 registered practitioner to return all unused official
11 prescription forms to the Bureau within fifteen (15)
12 calendar days after the date of the written
13 notification.

14 c. A practitioner that has had any license to practice
15 terminated, revoked or suspended by a state or federal
16 agency may, upon restoration of such license or
17 certificate, register with the Bureau.

18 11. a. Official prescription forms shall be purchased at the
19 expense of the practitioner or the employer of the
20 practitioner from a list of vendors approved by the
21 Bureau.

22 b. Official prescription forms issued to a registered
23 practitioner shall be imprinted with the primary
24 address and may include other addresses listed on the

1 registration of the practitioner to identify the place
2 of origin. Such prescriptions shall be sent only to
3 the primary address of the registered practitioner.

4 c. Official prescription forms of a registered
5 practitioner shall be used only by the practitioner
6 designated on the official prescription form.

7 d. The Bureau may revoke or cancel official prescription
8 forms in possession of registered practitioners when
9 the license of such practitioner is suspended,
10 terminated or revoked.

11 e. Official prescription forms of registered
12 practitioners who are deceased or who no longer
13 prescribe shall be returned to the Bureau at a
14 designated address. If the registered practitioner is
15 deceased, it is the responsibility of the registered
16 practitioner's estate or lawful designee to return
17 such forms.

18 f. The Bureau may issue official prescription forms to
19 employees or agents of the Bureau and other government
20 agencies for the purpose of preventing, identifying,
21 investigating and prosecuting unacceptable or illegal
22 practices by providers and other persons and assisting
23 in the recovery of overpayments under any program
24 operated by the state or paid for with state funds.

1 Such prescription forms shall be issued for this
2 purpose only to individuals who are authorized to
3 conduct investigations on behalf of the Bureau or
4 other government agencies as part of their official
5 duties. Individuals and agencies receiving such
6 prescription forms for this purpose shall provide
7 appropriate assurances to the Bureau that adequate
8 safeguards and security measures are in place to
9 prevent the use of such prescription forms for
10 anything other than official government purposes.

11 12. a. Adequate safeguards and security measures shall be
12 undertaken by registered practitioners holding
13 official prescription forms to assure against the
14 loss, destruction, theft or unauthorized use of the
15 forms. Registered practitioners shall maintain a
16 sufficient but not excessive supply of such forms in
17 reserve.

18 b. Registered practitioners shall immediately notify the
19 Bureau, in a manner designated by the Bureau, upon
20 their knowledge of the loss, destruction, theft or
21 unauthorized use of any official prescription forms
22 issued to them, as well as the failure to receive
23 official prescription forms within a reasonable time
24 after ordering them from the Bureau.

1 c. Registered practitioners shall immediately notify the
2 Bureau upon their knowledge of any diversion or
3 suspected diversion of drugs pursuant to the loss,
4 theft or unauthorized use of prescriptions.

5 B. 1. Except for dosages medically required for a period not
6 to exceed seventy-two (72) hours which are administered by or on
7 direction of a practitioner other than a pharmacist or medication
8 dispensed directly by a practitioner, other than a pharmacist, to an
9 ultimate user, or the circumstances provided for in paragraphs 5 and
10 6 of subsection A of this section, no controlled dangerous substance
11 included in Schedule III or IV, which is a prescription drug as
12 determined under regulation promulgated by the Board of Pharmacy,
13 shall be dispensed without an electronic prescription.

14 2. Any prescription for a controlled dangerous substance in
15 Schedule III, IV or V may not be filled or refilled more than six
16 (6) months after the date thereof or be refilled more than five
17 times after the date of the prescription, unless renewed by the
18 practitioner.

19 C. Whenever it appears to the Director of the Oklahoma State
20 Bureau of Narcotics and Dangerous Drugs Control that a drug not
21 considered to be a prescription drug under existing state law or
22 regulation of the Board of Pharmacy should be so considered because
23 of its abuse potential, the Director shall so advise the Board of
24

1 Pharmacy and furnish to the Board all available data relevant
2 thereto.

3 D. 1. "Prescription", as used in this section, means a
4 written, oral or electronic order by a practitioner to a pharmacist
5 for a controlled dangerous substance for a particular patient, which
6 specifies the date of its issue, and the full name and address of
7 the patient and, if the controlled dangerous substance is prescribed
8 for an animal, the species of the animal, the name and quantity of
9 the controlled dangerous substance prescribed, the directions for
10 use, the name and address of the owner of the animal and, if
11 written, the signature of the practitioner. When electronically
12 prescribed, the full name of the patient may include the name and
13 species of the animal.

14 2. "Registered practitioner", as used in this section, means a
15 licensed practitioner duly registered with the Oklahoma State Bureau
16 of Narcotics and Dangerous Drugs Control authorized to purchase
17 official prescription forms.

18 E. No person shall solicit, dispense, receive or deliver any
19 controlled dangerous substance through the mail, unless the ultimate
20 user is personally known to the practitioner and circumstances
21 clearly indicate such method of delivery is in the best interest of
22 the health and welfare of the ultimate user."

23 and amend title to conform
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1 Passed the House of Representatives the 8th day of May, 2025.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2025.

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9 Presiding Officer of the Senate
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1 ENGROSSED SENATE
2 BILL NO. 697

By: Coleman of the Senate

3 and

4 Marti of the House
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6 An Act relating to medical marijuana licenses; 63
7 O.S. 2021, Section 427.16, as last amended by Section
8 140, Chapter 452, O.S.L. 2024 (63 O.S. Supp. 2024,
9 Section 427.16), which relates to medical marijuana
10 transporter license; establishing certain
11 requirements for license issuance; updating statutory
12 language; allowing certain actions by certain
13 licensee; requiring certain information to be
14 documented in certain inventory manifest prior to
15 certain action; and providing an effective date.

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

17 SECTION 2. AMENDATORY 63 O.S. 2021, Section 427.16, as
18 last amended by Section 140, Chapter 452, O.S.L. 2024 (63 O.S. Supp.
19 2024, Section 427.16), is amended to read as follows:

20 Section 427.16. A. There is hereby created a medical marijuana
21 transporter license as a category of the medical marijuana business
22 license.

23 B. Pursuant to Section 424 of this title, the Oklahoma Medical
24 Marijuana Authority shall issue a medical marijuana transporter
license to licensed medical marijuana commercial growers, processors
and dispensaries upon issuance of such licenses and upon each
renewal. Medical marijuana transporter licenses shall also be

1 issued to licensed medical marijuana research facilities, medical
2 marijuana education facilities and medical marijuana testing
3 laboratories upon issuance of such licenses and upon each renewal.

4 C. A medical marijuana transporter license may also be issued
5 to qualifying applicants who are registered with the Secretary of
6 State and otherwise meet the requirements for a medical marijuana
7 business license set forth in the Oklahoma Medical Marijuana and
8 Patient Protection Act and the requirements set forth in this
9 section to provide logistics, distribution and storage of medical
10 marijuana, medical marijuana concentrate and medical marijuana
11 products.

12 D. A medical marijuana transporter license shall be valid for
13 one (1) year and shall not be transferred with a change of
14 ownership. A licensed medical marijuana transporter shall be
15 responsible for all medical marijuana, medical marijuana concentrate
16 and medical marijuana products once the transporter takes control of
17 the product.

18 E. A transporter license shall be required for any person or
19 entity to transport or transfer medical marijuana, medical marijuana
20 concentrate or medical marijuana products from a licensed medical
21 marijuana business to another medical marijuana business, or from a
22 medical marijuana business to a medical marijuana research facility
23 or medical marijuana education facility.

1 F. A medical marijuana transporter licensee may contract with
2 multiple licensed medical marijuana businesses.

3 G. A medical marijuana transporter may maintain a licensed
4 premises to temporarily store medical marijuana, medical marijuana
5 concentrate and medical marijuana products and to use as a
6 centralized distribution point. A medical marijuana transporter may
7 store and distribute medical marijuana, medical marijuana
8 concentrate and medical marijuana products from the licensed
9 premises. The licensed premises shall meet all security
10 requirements applicable to a medical marijuana business. The
11 Authority shall issue licenses upon proper application by a licensee
12 and determination by the Authority that the proposed site and
13 facility are physically and technically suitable.

14 H. A medical marijuana transporter licensee shall use the seed-
15 to-sale tracking system developed pursuant to the Oklahoma Medical
16 Marijuana and Patient Protection Act to create ~~shipping~~ inventory
17 manifests documenting the transport or temporary storage of medical
18 marijuana, medical marijuana concentrate and medical marijuana
19 products throughout the state.

20 I. A licensed medical marijuana transporter may maintain and
21 operate one or more warehouses in the state to handle medical
22 marijuana, medical marijuana concentrate and medical marijuana
23 products, provided they possess a valid, unexpired medical marijuana
24 transport license and have applied for and received a permit for

1 each warehouse location. The Authority shall issue an annual permit
2 for each warehouse location operated by a licensee that is equal to
3 the annual medical marijuana transport license term, and there shall
4 be no limit to the number of permits issued under a medical
5 marijuana transporter license. A permit shall be issued only upon
6 proper application by a licensee and determination by the Authority
7 that the proposed site and facility are physically and technically
8 suitable. Upon a finding that the proposed site and facility are
9 not physically or technically suitable, the Authority shall deny the
10 permit. Each warehouse location shall be ~~registered~~ approved and
11 inspected by the Authority prior to its use. Medical marijuana
12 transporter warehouses that are licensed and approved by the
13 Authority may temporarily store medical marijuana, medical marijuana
14 concentrate, and medical marijuana products, provided all temporary
15 storage is documented, tracked, and traceable.

16 J. With the exception of a lawful transfer between medical
17 marijuana businesses who are licensed to operate at the same
18 physical address, all medical marijuana, medical marijuana
19 concentrate and medical marijuana products shall be transported:

20 1. In vehicles equipped with Global Positioning System (GPS)
21 trackers;

22 2. In a locked container and clearly labeled "Medical Marijuana
23 or Derivative"; and
24

1 3. In a secured area of the vehicle that is not accessible by
2 the driver during transit.

3 K. A transporter agent may possess marijuana at any location
4 while the transporter agent is transferring marijuana to or from a
5 licensed medical marijuana business, licensed medical marijuana
6 research facility or licensed medical marijuana education facility.
7 The Authority shall administer the provisions of this section and
8 the Authority, the Oklahoma State Bureau of Narcotics and Dangerous
9 Drugs Control, the Oklahoma State Bureau of Investigation, and the
10 Attorney General shall have the authority to enforce the provisions
11 of this section concerning transportation.

12 L. The Authority shall issue a transporter agent license to
13 individual agents, employees, officers or owners of a transporter
14 license in order for the individual to qualify to transport medical
15 marijuana, medical marijuana concentrate or medical marijuana
16 products.

17 M. The annual fee for a transporter agent license shall be
18 Twenty-five Dollars (\$25.00) and shall be paid by the transporter
19 license-holder or the individual applicant. Transporter agent
20 license reprints shall be Twenty Dollars (\$20.00).

21 N. The Authority shall issue each transporter agent a registry
22 identification card within thirty (30) days of receipt of:

- 23 1. The name, address and date of birth of the person;
24 2. Proof of current state residency;

1 3. Proof of identity as required for a medical marijuana
2 business license;

3 4. Possession of a valid state-issued driver license;

4 5. Verification of employment with a licensed transporter;

5 6. The application and affiliated fee; and

6 7. A copy of the criminal background check conducted by the
7 Oklahoma State Bureau of Investigation, paid for by the applicant.

8 O. If the transporter agent application is denied, the
9 Authority shall notify the transporter in writing of the reason for
10 denying the registry identification card.

11 P. A registry identification card for a transporter shall
12 expire one (1) year after the date of issuance or upon notification
13 from the holder of the transporter license that the transporter
14 agent ceases to work as a transporter.

15 Q. The Authority may revoke the registry identification card of
16 a transporter agent who knowingly violates any provision of this
17 section, and the transporter is subject to any other penalties
18 established by law for the violation.

19 R. The Authority may revoke or suspend the transporter license
20 of a transporter that the Authority determines knowingly aided or
21 facilitated a violation of any provision of this section, and the
22 license holder is subject to any other penalties established in law
23 for the violation.
24

1 S. Vehicles used in the transport of medical marijuana or
2 medical marijuana product shall be:

- 3 1. Insured at or above the legal requirements in this state;
- 4 2. Capable of securing medical marijuana during transport; and
- 5 3. In possession of a shipping container as defined in Section
6 427.2 of this title capable of securing all transported products.

7 T. Prior to the transport of any medical marijuana, medical
8 marijuana concentrate or medical marijuana products, an inventory
9 manifest shall be prepared at the origination point of the medical
10 marijuana. The inventory manifest shall include the following
11 information:

12 1. For the origination point of the medical marijuana:

- 13 a. the licensee number for the commercial grower,
14 processor or dispensary,
- 15 b. address of origination of transport, and
- 16 c. name and contact information for the originating
17 licensee;

18 2. For temporary storage at a medical marijuana transporter
19 licensed premises or warehouse location that is licensed and
20 approved by the Authority:

- 21 a. the license number for the commercial grower,
22 processor, or dispensary,
- 23 b. the address of origination of transport,
24

- 1 c. name and contact information for the originating
2 licensee, and
3 d. the license number, physical address, and name and
4 contact information of the medical marijuana
5 transporter licensed premises or warehouse location
6 and notation that the medical marijuana, medical
7 marijuana concentrates, and medical marijuana products
8 are being temporarily stored;

9 3. For the end recipient license holder of the medical
10 marijuana:

- 11 a. the license number for the dispensary, commercial
12 grower, processor, research facility or education
13 facility destination,
14 b. address of the destination, and
15 c. name and contact information for the destination
16 licensee;

17 ~~3.~~ 4. Quantities by weight or unit of each type of medical
18 marijuana product contained in transport;

19 ~~4.~~ 5. The date of the transport and the approximate time of
20 departure;

21 ~~5.~~ 6. The arrival date and estimated time of arrival;

22 ~~6.~~ 7. Printed names and signatures of the personnel
23 accompanying the transport; and

24 ~~7.~~ 8. Notation of the transporting licensee.

1 U. 1. A separate inventory manifest shall be prepared for each
2 licensee receiving the medical marijuana.

3 2. The transporter agent shall provide the other medical
4 marijuana business with a copy of the inventory manifest at the time
5 the product changes hands and after the other licensee prints his or
6 her name and signs the inventory manifest.

7 3. A receiving licensee shall refuse to accept any medical
8 marijuana, medical marijuana concentrate or medical marijuana
9 products that are not accompanied by an inventory manifest.

10 4. Originating and receiving licensees, including medical
11 marijuana transporter warehouses temporarily storing medical
12 marijuana, medical marijuana concentrate, and medical marijuana
13 products, shall maintain copies of inventory manifests and logs of
14 quantities of medical marijuana received for seven (7) years from
15 date of receipt.

16 SECTION 3. This act shall become effective November 1, 2025.
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1 Passed the Senate the 13th day of March, 2025.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2025.

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8 _____
9 Presiding Officer of the House
10 of Representatives