

CORRECTED

An Act

ENROLLED HOUSE
BILL NO. 2807

By: Marti and Turner of the
House

and

Coleman of the Senate

An Act relating to medical marijuana; amending 63 O.S. 2021, Section 427.16, as last amended by Section 140, Chapter 452, O.S.L. 2024 (63 O.S. Supp. 2024, Section 427.16), which relates to medical marijuana transporter license; providing for the issuance of licenses for premises under certain circumstances; directing creation of inventory manifests documenting certain information by certain licensees; allowing certain licensees to maintain and operate warehouses under certain conditions; providing for the issuance of annual permits for each warehouse location; establishing terms for the issuance of permits; allowing for the denial of permits; requiring approval of warehouse locations by the Oklahoma Medical Marijuana Authority; allowing for the temporary storage of certain medical marijuana products under certain circumstances; requiring certain information on inventory manifests; directing licensees of certain warehouses to maintain copies of inventory manifests and logs; updating statutory language; amending Sections 1 and 2, Chapter 381, O.S.L. 2024 (63 O.S. Supp. 2024, Sections 427.27 and 427.28), which relate to facility employees' fingerprints for criminal background check; modifying definition; amending Section 1, Chapter 95, O.S.L. 2024 (63 O.S. Supp. 2024, Section 431.1), which relates to pre-packaged form and rules; updating statutory reference; providing certain exception to certain definition; and declaring an emergency.

SUBJECT: Medical marijuana

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 427.16, as last amended by Section 140, Chapter 452, O.S.L. 2024 (63 O.S. Supp. 2024, Section 427.16), is amended to read as follows:

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

B. Pursuant to Section 424 of this title, the Oklahoma Medical 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 issued to licensed medical marijuana research facilities, medical marijuana education facilities, and medical marijuana testing laboratories upon issuance of such licenses and upon each renewal.

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

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

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

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

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

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

I. A licensed medical marijuana transporter may maintain and operate one or more warehouses in the state to handle medical marijuana, medical marijuana concentrate, and medical marijuana products, provided the licensed medical marijuana transporter possesses a valid, unexpired medical marijuana transporter license and has applied for and received a permit for each warehouse location. The Authority shall issue an annual permit for each warehouse location operated by a licensee that is tied to the annual medical marijuana transporter license term, and there shall be no limit to the number of permits issued under a medical marijuana transporter license. A permit shall be issued only upon proper application by a licensee and determination by the Authority that the proposed site and facility are physically and technically suitable. Upon a finding that a proposed warehouse location is not physically or technically suitable, the Authority shall deny the permit. Each warehouse location shall be ~~registered~~ approved and inspected by the Authority prior to its use. Medical marijuana transporter warehouses that are licensed and approved by the Authority may temporarily store medical marijuana, medical marijuana concentrate, and medical marijuana products, provided that all temporary storage is documented, tracked, and traceable in the state-mandated seed-to-sale tracking system.

J. With the exception of a lawful transfer between medical marijuana businesses who are licensed to operate at the same

physical address, all medical marijuana, medical marijuana concentrate, and medical marijuana products shall be transported:

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

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

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

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

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

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

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

1. The name, address, and date of birth of the person;

2. Proof of current state residency;

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

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

5. Verification of employment with a licensed transporter;

6. The application and affiliated fee; and

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

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

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

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

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

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

1. Insured at or above the legal requirements in this state;

2. Capable of securing medical marijuana during transport; and

3. In possession of a shipping container as defined in Section 427.2 of this title capable of securing all transported products.

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

1. For the origination point of the medical marijuana:

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

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

- a. the license number for the commercial medical marijuana grower, medical marijuana processor, or medical marijuana dispensary,
- b. the address of origination of transport,
- c. the name and contact information for the originating licensee, and
- d. the license number, physical address, and name and contact information of the medical marijuana transporter licensed premises or warehouse location and notation that the medical marijuana, medical marijuana concentrate, and medical marijuana products are being temporarily stored;

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

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

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

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

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

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

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

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

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

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

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

SECTION 2. AMENDATORY Section 1, Chapter 381, O.S.L. 2024 (63 O.S. Supp. 2024, Section 427.27), is amended to read as follows:

Section 427.27. A. The Oklahoma Medical Marijuana Authority shall require owners of medical marijuana facilities to submit their fingerprints to the Oklahoma State Bureau of Investigation (OSBI) for the purpose of conducting a state and federal fingerprint-based criminal background check.

B. The Authority may require that such fingerprint submissions be made as part of a medical marijuana facility application, a medical marijuana facility renewal application, or an individual application for a license or permit authorizing that individual to be an owner of a medical marijuana facility.

C. Fingerprint cards and any required fees shall be sent to the OSBI central repository. The fingerprint records shall be used for

searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal record search as provided in Section 150.9 of Title 74 of the Oklahoma Statutes. The OSBI shall notify the Authority of any criminal history record information or lack of criminal history record information discovered on the submitting individual. Notwithstanding the provisions of Section 150.9b of Title 74 of the Oklahoma Statutes, all records related to any criminal history information discovered shall be accessible and available to the Authority.

D. As used in this section:

1. "Medical marijuana facility" means an entity licensed or certified by the Authority to acquire, cultivate, process, manufacture, test, store, sell, transport, or deliver medical marijuana; and

2. "Owner" means a direct beneficial owner including, ~~but not limited to,~~ all persons or entities, as follows:

- a. all shareholders owning an interest of a corporate entity and all officers of a corporate entity,
- b. all partners of a general partnership,
- c. all general partners and all limited partners that own an interest in a limited partnership,
- d. all members that own an interest in a limited liability company,
- e. all beneficiaries that hold a beneficial interest in a trust and all trustees of a trust,
- f. all persons or entities that own interest in a joint venture,
- g. all persons or entities that own an interest in an association,
- h. the owners of any other type of legal entity, and

- i. any other person holding an interest or convertible note in any entity, which owns, operates, or manages a licensed medical marijuana facility.

SECTION 3. AMENDATORY Section 2, Chapter 381, O.S.L. 2024 (63 O.S. Supp. 2024, Section 427.28), is amended to read as follows:

Section 427.28. A. The Oklahoma Medical Marijuana Authority shall require all employees of medical marijuana facilities to submit their fingerprints to the Oklahoma State Bureau of Investigation (OSBI) for the purpose of conducting a state and federal fingerprint-based criminal background check.

B. The Authority may require that such fingerprint submissions be made as part of an individual's application for a license, permit, identification card, or credential authorizing that individual to be an employee of a medical marijuana facility.

C. Fingerprint cards and any required fees shall be sent to the OSBI central repository. The fingerprint records shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal record search as provided in Section 150.9 of Title 74 of the Oklahoma Statutes. The OSBI shall notify the Authority of any criminal history record information or lack of criminal history record information discovered on the submitting individual. Notwithstanding the provisions of Section 150.9b of Title 74 of the Oklahoma Statutes, all records related to any criminal history information discovered shall be accessible and available to the Authority.

D. As used in this section:

1. "Employee" means any natural person who:

- a. grows, harvests, dries, cures, purchases, sells, transfers, transports, processes, produces, manufactures, creates, or packages medical marijuana, medical marijuana products, or medical marijuana waste on behalf of or for a licensed medical marijuana commercial grower, processor, or dispensary,

- b. samples, trains, or educates on behalf of or for a licensed medical marijuana education or research facility,
- c. disposes of or transports medical marijuana, medical marijuana products, and medical marijuana waste on behalf of or for a licensed medical marijuana waste disposal facility,
- d. tests and conducts research on medical marijuana and medical marijuana products on behalf of or for a medical marijuana licensed testing laboratory,
- e. transports, stores, distributes, but does not take ownership of, medical marijuana and medical marijuana products on behalf of or for a licensed medical marijuana commercial transporter,
- f. tracks, traces, reports, and inputs any information into the state inventory tracking system on behalf of or for a licensed medical marijuana commercial license holder, or
- g. ~~conducts any other additional business for the benefit of a medical marijuana commercial license holder as authorized by rules promulgated by the Executive Director of the Authority, with the exception of professional services not involved in the handling of~~ serves in a role or provides services which would be reasonably expected to involve regular physical contact with medical marijuana, medical marijuana products, or medical marijuana ~~concentrates~~ waste; and

2. "Medical marijuana facility" means an entity licensed or certified by the Authority to acquire, cultivate, process, manufacture, test, store, sell, transport, or deliver medical marijuana.

SECTION 4. AMENDATORY Section 1, Chapter 95, O.S.L. 2024 (63 O.S. Supp. 2024, Section 431.1), is amended to read as follows:

Section 431.1. A. ~~Upon the effective date of this act~~ Beginning June 1, 2025, all medical marijuana flower, trim, shake, kief, ~~medical marijuana product~~ noninfused pre-rolls, infused pre-rolls, or other flower-based product not defined as a concentrate,

shall be sold by licensed medical marijuana processors and licensed medical marijuana commercial growers to licensed medical marijuana dispensaries only in pre-packaged form in package sizes weighing not less than one-half (1/2) of one (1) gram to not more than three (3) ounces. Licensed medical marijuana dispensaries shall have until November 1, 2025, to sell or waste all current inventory that is not in pre-packaged form pursuant to this section. The Oklahoma Medical Marijuana Authority shall be authorized to promulgate rules regarding the pre-packaging of medical marijuana products as provided for in the provisions of this section.

B. Nonopaque materials may be used when packaging medical marijuana flower, provided all other packaging and labeling requirements for medical marijuana products sold in this state are met and it is placed in an opaque container before leaving a licensed medical marijuana dispensary.

C. The display and smelling of medical marijuana shall be allowed pursuant to Section 421 of Title 63 of the Oklahoma Statutes.

D. The Oklahoma Medical Marijuana Authority shall promulgate rules necessary to allow for products to be returned to the licensed medical marijuana dispensary when found defective or hazardous to the health of the patient. The Authority shall further promulgate rules necessary to allow for the return of all medical marijuana and medical marijuana products from a licensed medical marijuana dispensary to a licensed medical marijuana processor or licensed medical marijuana commercial grower, from a licensed medical marijuana processor to a licensed medical marijuana commercial grower, or from any other licensed entity that transferred medical marijuana products to another licensed entity.

SECTION 5. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 15th day of May, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 30th day of April, 2025.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____