SENATE FLOOR VERSION
February 16, 2026
AS AMENDED

SENATE BILL NO. 1591 By: Rosino of the Senate

and

Newton of the House

An Act relating to medical marijuana; amending 63 O.S. 2021, Sections 423, as last amended by Section 8, Chapter 182, O.S.L. 2024 and 427.18, as last amended by Section 1, Chapter 272, O.S.L. 2025 (63 O.S. Supp. 2025, Sections 423 and 427.18), which relate to medical marijuana processing license and packaging and labeling requirements; limiting certain tetrahydrocannabinol (THC) amounts in certain products and packages; updating statutory language; and **declaring an emergency.**

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 423, as last amended by Section 8, Chapter 182, O.S.L. 2024 (63 O.S. Supp. 2025, Section 423), is amended to read as follows:

Section 423. A. The Oklahoma Medical Marijuana Authority shall make available on its website in an easy-to-find location an application for a medical marijuana processing license. The Authority shall be authorized to issue two types of medical marijuana processor licenses based on the level of risk posed by the type of processing conducted:

1. Nonhazardous medical marijuana processor license; and

2. Hazardous medical marijuana processor license.

The application fee for a nonhazardous or hazardous medical marijuana processor license shall be paid by the applicant in the amounts provided for in Section 427.14 of this title. A method of payment shall be provided on the website of the Authority. The Authority shall have ninety (90) business days to review the application; approve, reject, or deny the application; and send the approval, rejection, or denial letter stating the reasons for the rejection or denial to the applicant in the same method the application was submitted to the Authority.

B. The Authority shall approve all applications which meet the following criteria:

1. The applicant must be twenty-five (25) years of age or older;

2. The applicant, if applying as an individual, must show residency in this state;

3. All applying entities must show that all members, managers, and board members are ~~Oklahoma~~ residents of this state;

4. An applying entity may show ownership of nonstate residents, but that percentage ownership may not exceed twenty-five percent (25%);

5. All applying individuals or entities must be registered to conduct business in this state; and

6. All applicants must disclose all ownership interests in the processing operation.

Applicants with a nonviolent felony conviction in the last two (2) years, any other felony conviction in the last five (5) years, inmates in the custody of the Department of Corrections or any person currently incarcerated shall not qualify for a medical marijuana processing license.

C. 1. A licensed processor may take marijuana plants and distill or process these plants into concentrates, edibles, and other forms for consumption. No individual edible medical marijuana product shall include more than ten (10) milligrams of tetrahydrocannabinol (THC) per edible and no more than one hundred (100) milligrams of THC per package.

2. The Executive Director of the Authority shall make available a set of standards which shall be used by licensed processors in the preparation of edible marijuana products. The standards should be in line with current food preparation guidelines. No excessive or punitive rules may be established by the Executive Director.

3. Up to two times a year, the Authority may inspect a processing operation and determine its compliance with the preparation standards. If deficiencies are found, a written report of the deficiency shall be issued to the licensed processor. The licensed processor shall have one (1) month to correct the

deficiency or be subject to a fine of Five Hundred Dollars ($500.00) for each deficiency.

4. A licensed processor may sell marijuana products it creates to a licensed dispensary or any other licensed processor. All sales by a licensed processor shall be considered wholesale sales and shall not be subject to taxation.

5. Under no circumstances may a licensed processor sell marijuana or any marijuana product directly to a licensed medical marijuana patient or licensed caregiver. However, a licensed processor may process cannabis into a concentrated form for a licensed medical marijuana patient for a fee.

6. Licensed processors shall be required to complete a monthly yield and sales report to the Authority. This report shall be due on the fifteenth of each month and shall provide reporting on the previous month. This report shall detail the amount of marijuana and medical marijuana products purchased in pounds, the amount of marijuana cooked or processed in pounds, and the amount of waste in pounds. Additionally, this report shall show total wholesale sales in dollars. The Authority shall have oversight and auditing responsibilities to ensure that all marijuana being processed is accounted for.

D. The Authority shall oversee the inspection and compliance of licensed processors producing products with marijuana as an

additive. If it becomes permissible under federal law, marijuana may be moved across state lines.

E. Any device used for the processing or consumption of medical marijuana shall be considered legal to be sold, manufactured, distributed, and possessed. No merchant, wholesaler, manufacturer, or individual may be unduly harassed or prosecuted for selling, manufacturing, or possessing marijuana paraphernalia.

SECTION 2. AMENDATORY 63 O.S. 2021, Section 427.18, as last amended by Section 1, Chapter 272, O.S.L. 2025 (63 O.S. Supp. 2025, Section 427.18), is amended to read as follows:

Section 427.18. A. A medical marijuana business shall not sell, transfer, or otherwise distribute medical marijuana or medical marijuana product that has not been packaged and labeled in accordance with this section and rules promulgated by the Executive Director of the Oklahoma Medical Marijuana Authority.

B. A medical marijuana dispensary shall return medical marijuana and medical marijuana product that does not meet packaging or labeling requirements in this section or rules promulgated pursuant thereto to the entity who transferred it to the dispensary. The medical marijuana dispensary shall document to whom the item was returned, what was returned, and the date of the return, or dispose of any usable marijuana that does not meet these requirements in accordance with the Oklahoma Medical Marijuana and Patient Protection Act.

C. 1. Medical marijuana packaging shall be packaged to minimize its appeal to children and shall not depict images other than the business name logo of the medical marijuana producer and image of the product.

2. A medical marijuana business shall not place any content on a container in a manner that reasonably appears to target individuals under the age of twenty-one (21) including, but not limited to, cartoon characters or similar images.

3. Labels on a container shall not include any false or misleading statements.

4. No container shall be intentionally or knowingly labeled so as to cause a reasonable patient confusion as to whether the medical marijuana, medical marijuana concentrate, or medical marijuana product is a trademarked product or labeled in a manner that violates any federal trademark law or regulation. The label on the container shall include a warning that states the following:

a. "For use by licensed medical marijuana patients only",

b. "Keep out of reach of children",

c. "It is illegal to drive a motor vehicle while under the influence of marijuana or marijuana products",

d. "Women should not use marijuana or marijuana products during pregnancy because of the risk of birth defects", and

e. "This product has been tested for contaminants".

5. The label on the container shall not make any claims regarding health or physical benefits to the patient.

6. The container itself may be clear in order to allow licensed medical marijuana patients and licensed medical marijuana caregivers the ability to view the product inside the container but shall be child-resistant, as defined in Section 427.2 of this title.

7. At the point of sale and transfer of any medical marijuana, medical marijuana concentrate, or medical marijuana products to a licensed medical marijuana patient or licensed medical marijuana caregiver, the dispensary shall place the medical marijuana, medical marijuana concentrate, or medical marijuana products in an exit package, as such term is defined in Section 427.2 of this title.

8. No individual edible medical marijuana product sold shall include more than ten (10) milligrams of tetrahydrocannabinol (THC) per edible and no more than one hundred (100) milligrams of THC per package.

D. The Executive Director shall develop minimum standards for packaging and labeling of medical marijuana, medical marijuana concentrate, and medical marijuana products. Such standards shall include, but not be limited to, the required contents of labels to be affixed to all medical marijuana, medical marijuana concentrate, and medical marijuana products prior to transfer to a licensed patient or caregiver, which shall include, at a minimum:

1. THC and other cannabinoid potency, and terpenoid potency;

2. A statement indicating that the product has been tested for contaminants;

3. One or more product warnings to be determined by the Executive Director; and

4. Any other information the Executive Director deems necessary.

SECTION 3. 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.

COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
February 16, 2026 - DO PASS AS AMENDED