

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1499

By: Hicks

AS INTRODUCED

An Act relating to medical marijuana; amending 63 O.S. 2021, Section 427.4, as last amended by Section 138, Chapter 452, O.S.L. 2024 (63 O.S. Supp. 2025, Section 427.4), which relates to the Oklahoma Medical Marijuana Authority Executive Director; requiring the Oklahoma Medical Marijuana Authority Executive Advisory Council to hire certain Executive Director; requiring Executive Director to report to the Council; allowing Executive Director to be removed with cause; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 427.4, as last amended by Section 138, Chapter 452, O.S.L. 2024 (63 O.S. Supp. 2025, Section 427.4), is amended to read as follows:

Section 427.4. A. The Oklahoma Medical Marijuana Authority shall employ an Executive Director and other personnel as necessary to assist the Authority in carrying out its duties. The Executive Director shall be ~~appointed~~ hired by the Governor, ~~with the advice and consent of the Senate. The Executive Director shall serve at the pleasure of the Governor and may be removed or replaced without~~ cause Oklahoma Medical Marijuana Authority Executive Advisory

1 Council. The Executive Director shall report to the Council and may  
2 be removed or replaced with cause. Compensation for the Executive  
3 Director shall be determined pursuant to Section 3601.2 of Title 74  
4 of the Oklahoma Statutes.

5 B. The Authority shall not employ an individual if any of the  
6 following circumstances exist:

7 1. The individual has a direct or indirect interest in a  
8 licensed medical marijuana business; or

9 2. The individual or his or her spouse, parent, child, spouse  
10 of a child, sibling, or spouse of a sibling has an application for a  
11 medical marijuana business license pending before the Authority or  
12 is a member of the board of directors of a medical marijuana  
13 business, or is an individual financially interested in any licensee  
14 or medical marijuana business.

15 C. All officers and employees of the Authority shall be in the  
16 exempt unclassified service.

17 D. The Executive Director may delegate to any officer or  
18 employee of the Authority any of the powers of the Executive  
19 Director and may designate any officer or employee of the Authority  
20 to perform any of the duties of the Executive Director.

21 E. The Executive Director may promulgate rules governing the  
22 oversight and implementation of the Oklahoma Medical Marijuana and  
23 Patient Protection Act.  
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1 F. The Authority is hereby authorized to create employment  
2 positions necessary for the implementation of its obligations  
3 pursuant to the Oklahoma Medical Marijuana and Patient Protection  
4 Act including, but not limited to, investigators of the Authority  
5 and a director of enforcement. The Authority, the director of  
6 enforcement, the Executive Director, investigators of the Authority,  
7 the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control,  
8 the Oklahoma State Bureau of Investigation, and the Attorney General  
9 shall have all the powers and authority of a peace officer of this  
10 state for the purpose of enforcing the provisions of the Oklahoma  
11 Medical Marijuana and Patient Protection Act and other laws  
12 pertaining to medical marijuana, rules promulgated by the Executive  
13 Director, or criminal laws of this state. These powers shall  
14 include, but not be limited to:

15 1. Investigating violations or suspected violations of the  
16 Oklahoma Medical Marijuana and Patient Protection Act or other laws  
17 pertaining to medical marijuana, any rules promulgated pursuant  
18 thereto, and any violations of criminal laws of this state  
19 discovered through the course of such investigations;

20 2. Serving and executing all warrants, summonses, subpoenas,  
21 administrative citations, notices or other processes relating to the  
22 enforcement of laws regulating marijuana, concentrate, and marijuana  
23 product;

1        3. Seizing, destroying, confiscating, embargoing, or placing an  
2 administrative hold on any marijuana or marijuana product not  
3 properly logged in the inventory tracking system or untraceable  
4 product required to be in the system, altered or improperly  
5 packaged, or illegally held in violation of the Oklahoma Medical  
6 Marijuana and Patient Protection Act, any other laws of this state,  
7 or any rules promulgated by the Executive Director;

8        4. Assisting or aiding any law enforcement officer in the  
9 performance of his or her duties upon such law enforcement officer's  
10 request or the request of other local officials having jurisdiction;

11        5. Referring any evidence, reports, or charges regarding  
12 violations of any provision of the Oklahoma Medical Marijuana and  
13 Patient Protection Act that carries criminal penalty, or of any  
14 other criminal laws of this state, to the appropriate law  
15 enforcement authority and prosecutorial authority for action;

16        6. Aiding the enforcement authorities of this state or any  
17 county or municipality of the state, or the federal government, in  
18 prosecutions of violations of the Oklahoma Medical Marijuana and  
19 Patient Protection Act or any other laws of this state that carry  
20 criminal penalty involving crimes discovered during the  
21 investigation of violations or suspected violations of the Oklahoma  
22 Medical Marijuana and Patient Protection Act or other laws  
23 pertaining to medical marijuana or any rules promulgated pursuant  
24 thereto;

1        7. As provided in Section 427.6 of this title, requiring any  
2 business applicant or licensee to permit an inspection of licensed  
3 premises during business hours or at any time of apparent operation,  
4 marijuana equipment, and marijuana accessories, or books and  
5 records; and to permit the testing of or examination of medical  
6 marijuana, concentrate, or product;

7        8. Requiring applicants and licensees to submit complete and  
8 current applications, information and fees required by the Oklahoma  
9 Medical Marijuana and Patient Protection Act, the Oklahoma Medical  
10 Marijuana Waste Management Act, and Sections 420 through 426.1 of  
11 this title, and approve material changes made by the applicant or  
12 licensee;

13        9. Requiring medical marijuana business licensees to submit a  
14 sample or unit of medical marijuana or medical marijuana product to  
15 the quality assurance laboratory when the Authority has reason to  
16 believe the medical marijuana or medical marijuana product may be  
17 unsafe for patient consumption or inhalation or has not been tested  
18 in accordance with the provisions of the Oklahoma Medical Marijuana  
19 and Patient Protection Act and the rules and regulations promulgated  
20 by the Executive Director. The licensee shall provide the samples  
21 or units of medical marijuana or medical marijuana products at its  
22 own expense but shall not be responsible for the costs of testing;  
23 and  
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1        10. Requiring medical marijuana business licensees to  
2 periodically submit samples or units of medical marijuana or medical  
3 marijuana products to the quality assurance laboratory for quality  
4 assurance purposes. Licensed growers, processors, dispensaries, and  
5 transporters shall not be required to submit samples or units of  
6 medical marijuana or medical marijuana products more than twice a  
7 year. The licensee shall provide the samples or units of medical  
8 marijuana or medical marijuana products at its own expense but shall  
9 not be responsible for the costs of testing.

10        G. All investigators of the Authority shall meet all training  
11 requirements and qualifications for peace officers as required by  
12 Section 3311 et seq. of Title 70 of the Oklahoma Statutes.

13        H. During the course of an investigation, the Authority, as  
14 provided by subsection F of this section, may arrest a violator or  
15 suspected violator of any laws of this state committed in the  
16 presence of the Authority or upon the development of probable cause  
17 that such crime has been committed. The Authority, as provided by  
18 subsection F of this section, may, upon request of a sheriff or  
19 another peace officer of this state, or any political subdivision  
20 thereof, assist in the apprehension and arrest of a violator or  
21 suspected violator of any of the laws of this state.

22        I. The Executive Director may employ or contract with  
23 attorneys, as needed, to advise the Authority on all legal matters  
24 and to appear for and represent the Executive Director and the

1 Authority in all administrative hearings and all litigation or other  
2 proceedings which may arise in the discharge of their duties. At  
3 the request of the Executive Director, such attorneys shall assist  
4 district attorneys in prosecuting charges of violators of the  
5 Oklahoma Medical Marijuana and Patient Protection Act or any other  
6 laws of this state that carry criminal penalty involving crimes  
7 discovered during the investigation of violations or suspected  
8 violations of the Oklahoma Medical Marijuana and Patient Protection  
9 Act or other laws pertaining to medical marijuana or any rules  
10 promulgated pursuant thereto.

11 SECTION 2. This act shall become effective November 1, 2026.  
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