

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

POLICY COMMITTEE
RECOMMENDATION

FOR ENGROSSED

SENATE BILL NO. 1039

By: Alvord of the Senate

and

Cantrell of the House

POLICY COMMITTEE RECOMMENDATION

An Act relating to medical marijuana license;
amending 63 O.S. 2021, Sections 420, as amended by
Section 1, Chapter 182, O.S.L. 2024, and 427.14, as
last amended by Section 1, Chapter 342, O.S.L. 2024
(63 O.S. Supp. 2024, Sections 420 and 427.14), which
relate to medical marijuana patient license and
medical marijuana business license; modifying grounds
for denying certain applications; requiring the
notification of applicants for additional licensing
fees; providing time limitation for the remittance of
license and application fees; mandating application
denial for failing to remit fees; updating statutory
references; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 420, as
amended by Section 1, Chapter 182, O.S.L. 2024 (63 O.S. Supp. 2024,
Section 420), is amended to read as follows:

Section 420. A. A person in possession of a state-issued
medical marijuana patient license shall be able to:

1 1. Consume marijuana legally;

2 2. Legally possess up to three (3) ounces or eighty-four and
3 nine-tenths (84.9) grams of marijuana on their person;

4 3. Legally possess six mature marijuana plants and the
5 harvested marijuana therefrom;

6 4. Legally possess six seedling plants;

7 5. Legally possess one (1) ounce or twenty-eight and three
8 tenths (28.3) grams of concentrated marijuana;

9 6. Legally possess seventy-two (72) ounces or two thousand
10 thirty-seven and six-tenths (2037.6) grams of edible marijuana;

11 7. Legally possess up to eight (8) ounces or two hundred
12 twenty-six and four-tenths (226.4) grams of marijuana in their
13 residence; and

14 8. Legally possess seventy-two (72) ounces of topical
15 marijuana.

16 B. Possession of up to one and one-half (1.5) ounces or forty-
17 two and forty-five one-hundredths (42.45) grams of marijuana by
18 persons who can state a medical condition, but are not in possession
19 of a state-issued medical marijuana patient license, shall
20 constitute a misdemeanor offense punishable by a fine not to exceed
21 Four Hundred Dollars (\$400.00) and shall not be subject to
22 imprisonment for the offense. Any law enforcement officer who comes
23 in contact with a person in violation of this subsection and who is
24 satisfied as to the identity of the person, as well as any other

1 pertinent information the law enforcement officer deems necessary,
2 shall issue to the person a written citation containing a notice to
3 answer the charge against the person in the appropriate court. Upon
4 receiving the written promise of the alleged violator to answer as
5 specified in the citation, the law enforcement officer shall release
6 the person upon personal recognizance unless there has been a
7 violation of another provision of law.

8 C. The Oklahoma Medical Marijuana Authority shall be
9 established which shall receive applications for medical marijuana
10 patient and caregiver license recipients, dispensaries, growers, and
11 processors within sixty (60) days of the passage of this initiative.

12 D. The Authority shall, within thirty (30) days of passage of
13 this initiative, make available on its website, in an easy-to-find
14 location, an application for a medical marijuana patient license.
15 The license shall be valid for two (2) years. The biannual
16 application fee shall be One Hundred Dollars (\$100.00), or Twenty
17 Dollars (\$20.00) for individuals on Medicaid, Medicare or
18 SoonerCare. The methods of payment shall be provided on the website
19 of the Authority. Reprints of the medical marijuana patient license
20 shall be Twenty Dollars (\$20.00).

21 E. A short-term medical marijuana patient license application
22 shall also be made available on the website of the Authority. A
23 short-term medical marijuana patient license shall be granted to any
24 applicant who can meet the requirements for a two-year medical

1 marijuana patient license, but whose physician recommendation for
2 medical marijuana is only valid for sixty (60) days. Short-term
3 medical marijuana patient licenses shall be issued for sixty (60)
4 days. The fee for a short-term medical marijuana patient license,
5 reprints of the short-term medical marijuana patient license, and
6 the procedure for extending or renewing the license shall be
7 determined by the Executive Director of the Authority.

8 F. A temporary medical marijuana patient license application
9 shall also be made available on the website of the Authority for
10 residents of other states. Temporary medical marijuana patient
11 licenses shall be granted to any medical marijuana license holders
12 from other states, provided that such states have state-regulated
13 medical marijuana programs, and applicants can prove they are
14 members of such programs. Temporary medical marijuana patient
15 licenses shall be issued for thirty (30) days. The cost for a
16 temporary license shall be One Hundred Dollars (\$100.00). Renewal
17 shall be granted with resubmission of a new application. No
18 additional criteria shall be required. Reprints of the temporary
19 medical marijuana patient license shall be Twenty Dollars (\$20.00).

20 G. Medical marijuana patient license applicants shall submit
21 their applications to the Authority for approval. The applicant
22 shall be a resident of this state and shall prove residency by a
23 valid driver license, utility bills, or other accepted methods.

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1 H. The Authority shall review the medical marijuana patient
2 license application; approve, reject, or deny the application; and
3 mail the approval, rejection, or denial letter stating any reasons
4 for rejection, to the applicant within fourteen (14) business days
5 of receipt of the application. Approved applicants shall be issued
6 a medical marijuana patient license which shall act as proof of his
7 or her approved status. Applications may only be rejected or denied
8 based on the applicant not meeting ~~stated criteria or improper~~
9 ~~completion of the application~~ the standards set forth in the
10 provisions of the Oklahoma Medical Marijuana and Patient Protection
11 Act and Sections 420 through 427.28 of this title, improper
12 completion of the application, unpaid license or application fees,
13 or for a reason provided for in the provisions of the Oklahoma
14 Medical Marijuana and Patient Protection Act and Sections 420
15 through 427.28 of this title. If an application is rejected for
16 failure to provide required information, the applicant shall have
17 thirty (30) days to submit the required information for
18 reconsideration. Unless the Authority determines otherwise, an
19 application that has been resubmitted but contains errors or
20 omissions that are not clerical or typographical in nature shall be
21 denied. The Authority shall deny any application that has been
22 submitted more than once with any errors or omissions that are not
23 clerical or typographical in nature.
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1 I. The Authority shall make available, both on its website and
2 through a telephone verification system, an easy method to validate
3 the authenticity of the medical marijuana patient license by the
4 unique twenty-four-character identification number.

5 J. The Authority shall ensure that all medical marijuana
6 patient and caregiver records and information are sealed to protect
7 the privacy of medical marijuana patient license applicants.

8 K. A caregiver license shall be made available for qualified
9 caregivers of a medical marijuana patient license holder who is
10 homebound. As provided in Section 427.11 of this title, the
11 caregiver license shall provide the caregiver the same rights as the
12 medical marijuana patient licensee including the ability to possess
13 marijuana, marijuana products and mature and immature plants or
14 cultivated medical marijuana pursuant to the Oklahoma Medical
15 Marijuana and Patient Protection Act, but excluding the ability to
16 use marijuana or marijuana products unless the caregiver has a
17 medical marijuana patient license. Applicants for a caregiver
18 license shall submit proof of the license status and homebound
19 status of the medical marijuana patient and proof that the applicant
20 is the designee of the medical marijuana patient. The applicant
21 shall also submit proof that he or she is eighteen (18) years of age
22 or older and proof of his or her state residency. This shall be the
23 only criteria for a caregiver license. A licensed caregiver shall
24 not cultivate medical marijuana for more than five medical marijuana

1 patient licensees and shall not charge a medical marijuana patient
2 licensee for cultivating medical marijuana in excess of the actual
3 costs incurred in cultivating the medical marijuana.

4 L. All applicants for a medical marijuana patient license shall
5 be eighteen (18) years of age or older. A special exception shall
6 be granted to an applicant under the age of eighteen (18); however,
7 these applications shall be signed by two physicians and the parent
8 or legal guardian of the applicant.

9 M. All applications for a medical marijuana patient license
10 shall be signed by an Oklahoma physician licensed by and in good
11 standing with the State Board of Medical Licensure and Supervision,
12 the State Board of Osteopathic Examiners, or the Board of Podiatric
13 Medical Examiners. There are no qualifying conditions. A medical
14 marijuana patient license shall be recommended according to the
15 accepted standards a reasonable and prudent physician would follow
16 when recommending or approving any medication. No physician may be
17 unduly stigmatized, penalized, subjected to discipline, sanctioned,
18 reprimanded or harassed for signing a medical marijuana patient
19 license application⁷, provided⁷ the physician acted in accordance
20 with the provisions of this subsection and all other rules governing
21 the medical license of the physician in this state.

22 N. Counties and cities may enact medical marijuana guidelines
23 allowing medical marijuana patient license holders or caregiver
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1 license holders to exceed the state limits set forth in subsection A
2 of this section.

3 SECTION 2. AMENDATORY 63 O.S. 2021, Section 427.14, as
4 last amended by Section 1, Chapter 342, O.S.L. 2024 (63 O.S. Supp.
5 2024, Section 427.14), is amended to read as follows:

6 Section 427.14. A. There is hereby created the medical
7 marijuana business license, which shall include the following
8 categories:

- 9 1. Medical marijuana commercial grower;
- 10 2. Medical marijuana processor;
- 11 3. Medical marijuana dispensary;
- 12 4. Medical marijuana transporter; and
- 13 5. Medical marijuana testing laboratory.

14 B. The Oklahoma Medical Marijuana Authority, with the aid of
15 the Office of Management and Enterprise Services, shall develop a
16 website for medical marijuana business applications.

17 C. The Authority shall make available on its website in an
18 easy-to-find location, applications for a medical marijuana
19 business.

20 D. 1. The annual, nonrefundable fee for a medical marijuana
21 transporter license shall be Two Thousand Five Hundred Dollars
22 (\$2,500.00).

23 2. The initial, nonrefundable fee for a medical marijuana
24 commercial grower license shall be calculated based upon the total

1 amount of square feet of canopy or acres the grower estimates will
2 be harvested, transferred, or sold for the year. The annual,
3 nonrefundable license fee shall be based upon the total amount of
4 square feet of canopy or acres harvested, transferred, or sold by
5 the grower during the previous twelve (12) months. The amount of
6 the fees shall be determined as follows:

7 a. For an indoor, greenhouse, or light deprivation
8 medical marijuana grow facility:

9 (1) Tier 1: Up to ten thousand (10,000) square feet
10 of canopy, the fee shall be Two Thousand Five
11 Hundred Dollars (\$2,500.00),

12 (2) Tier 2: Ten thousand one (10,001) square feet of
13 canopy to twenty thousand (20,000) square feet of
14 canopy, the fee shall be Five Thousand Dollars
15 (\$5,000.00),

16 (3) Tier 3: Twenty thousand one (20,001) square feet
17 of canopy to forty thousand (40,000) square feet
18 of canopy, the fee shall be Ten Thousand Dollars
19 (\$10,000.00),

20 (4) Tier 4: Forty thousand one (40,001) square feet
21 of canopy to sixty thousand (60,000) square feet
22 of canopy, the fee shall be Twenty Thousand
23 Dollars (\$20,000.00),
24

- 1 (5) Tier 5: Sixty thousand one (60,001) square feet
2 of canopy to eighty thousand (80,000) square feet
3 of canopy, the fee shall be Thirty Thousand
4 Dollars (\$30,000.00),
- 5 (6) Tier 6: Eighty thousand one (80,001) square feet
6 of canopy to ninety-nine thousand nine hundred
7 ninety-nine (99,999) square feet of canopy, the
8 fee shall be Forty Thousand Dollars (\$40,000.00),
9 and
- 10 (7) Tier 7: One hundred thousand (100,000) square
11 feet of canopy and beyond, the fee shall be Fifty
12 Thousand Dollars (\$50,000.00), plus an additional
13 twenty-five cents (\$0.25) per square foot of
14 canopy over one hundred thousand (100,000) square
15 feet.

16 b. For an outdoor medical marijuana grow facility:

- 17 (1) Tier 1: Less than two and one-half (2 1/2)
18 acres, the fee shall be Two Thousand Five Hundred
19 Dollars (\$2,500.00),
- 20 (2) Tier 2: More than two and one-half (2 1/2) acres
21 up to five (5) acres, the fee shall be Five
22 Thousand Dollars (\$5,000.00),
23
24

- (3) Tier 3: More than five (5) acres up to ten (10) acres, the fee shall be Ten Thousand Dollars (\$10,000.00),
- (4) Tier 4: More than ten (10) acres up to twenty (20) acres, the fee shall be Twenty Thousand Dollars (\$20,000.00),
- (5) Tier 5: More than twenty (20) acres up to thirty (30) acres, the fee shall be Thirty Thousand Dollars (\$30,000.00),
- (6) Tier 6: More than thirty (30) acres up to forty (40) acres, the fee shall be Forty Thousand Dollars (\$40,000.00),
- (7) Tier 7: More than forty (40) acres up to fifty (50) acres, the fee shall be Fifty Thousand Dollars (\$50,000.00), and
- (8) Tier 8: If the amount of acreage exceeds fifty (50) acres, the fee shall be Fifty Thousand Dollars (\$50,000.00) plus an additional Two Hundred Fifty Dollars (\$250.00) per acre.

c. For a medical marijuana commercial grower that has a combination of both indoor and outdoor growing facilities at one location, the medical marijuana commercial grower shall be required to obtain a separate license from the Authority for each type of

grow operation and shall be subject to the licensing fees provided for in subparagraphs a and b of this paragraph.

d. As used in this paragraph:

(1) "canopy" means the total surface area within a cultivation area that is dedicated to the cultivation of flowering marijuana plants. The surface area of the plant canopy must be calculated in square feet and measured and must include all of the area within the boundaries where the cultivation of the flowering marijuana plants occurs. If the surface of the plant canopy consists of noncontiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used in the cultivation area, the surface area of each tier or shelf must be included in calculating the area of the plant canopy. Calculation of the area of the plant canopy may not include the areas within the cultivation area that are used to cultivate immature marijuana plants and seedlings, prior to flowering, and that are not used at any time to cultivate mature marijuana plants. If the flowering plants are

1 vertically grown in cylinders, the square footage
2 of the canopy shall be measured by the
3 circumference of the cylinder multiplied by the
4 total length of the cylinder,

5 (2) "greenhouse" means a structure located outdoors
6 that is completely covered by a material that
7 allows a controlled level of light transmission,
8 and

9 (3) "light deprivation" means a structure that has
10 concrete floors and the ability to manipulate
11 natural light.

12 3. The initial, nonrefundable fee for a medical marijuana
13 processor license shall be Two Thousand Five Hundred Dollars
14 (\$2,500.00). The annual, nonrefundable license fee for a medical
15 marijuana processor license shall be determined based on the
16 previous twelve (12) months as follows:

- 17 a. Tier 1: The transfer or sale of zero (0) to ten
18 thousand (10,000) pounds of biomass or the production,
19 transfer, or sale of up to one hundred (100) liters of
20 cannabis concentrate, whichever is greater, the annual
21 fee shall be Two Thousand Five Hundred Dollars
22 (\$2,500.00),
- 23 b. Tier 2: The transfer or sale of ten thousand one
24 (10,001) pounds to fifty thousand (50,000) pounds of

- 1 biomass or the production, transfer, or sale of one
2 hundred one (101) to three hundred fifty (350) liters
3 of cannabis concentrate, whichever is greater, the
4 annual fee shall be Five Thousand Dollars (\$5,000.00),
- 5 c. Tier 3: The transfer or sale of fifty thousand one
6 (50,001) pounds to one hundred fifty thousand
7 (150,000) pounds of biomass or the production,
8 transfer, or sale of three hundred fifty-one (351) to
9 six hundred fifty (650) liters of cannabis
10 concentrate, whichever is greater, the annual fee
11 shall be Ten Thousand Dollars (\$10,000.00),
- 12 d. Tier 4: The transfer or sale of one hundred fifty
13 thousand one (150,001) pounds to three hundred
14 thousand (300,000) pounds of biomass or the
15 production, transfer, or sale of six hundred fifty-one
16 (651) to one thousand (1,000) liters of cannabis
17 concentrate, whichever is greater, the annual fee
18 shall be Fifteen Thousand Dollars (\$15,000.00), and
- 19 e. Tier 5: The transfer or sale of more than three
20 hundred thousand one (300,001) pounds of biomass or
21 the production, transfer, or sale in excess of one
22 thousand one (1,001) liters of cannabis concentrate,
23 the annual fee shall be Twenty Thousand Dollars
24 (\$20,000.00).

1 For purposes of this paragraph only, if the cannabis concentrate
2 is in nonliquid form, every one thousand (1,000) grams of
3 concentrated marijuana shall be calculated as one (1) liter of
4 cannabis concentrate.

5 4. The initial, nonrefundable fee for a medical marijuana
6 dispensary license shall be Two Thousand Five Hundred Dollars
7 (\$2,500.00). The annual, nonrefundable license fee for a medical
8 marijuana dispensary license shall be calculated at ten percent
9 (10%) of the sum of twelve (12) calendar months of the combined
10 annual state sales tax and state excise tax of the dispensary during
11 the previous twelve (12) months. The minimum fee shall be not less
12 than Two Thousand Five Hundred Dollars (\$2,500.00) and the maximum
13 fee shall not exceed Ten Thousand Dollars (\$10,000.00).

14 5. The annual, nonrefundable license fee for a medical
15 marijuana testing laboratory shall be Twenty Thousand Dollars
16 (\$20,000.00).

17 E. All applicants seeking licensure or licensure renewal as a
18 medical marijuana business shall comply with the following general
19 requirements:

20 1. All applications for licenses and registrations authorized
21 pursuant to this section shall be made upon forms prescribed by the
22 Authority;
23
24

1 2. Each application shall identify the city or county in which
2 the applicant seeks to obtain licensure as a medical marijuana
3 business;

4 3. Applicants shall submit a complete application to the
5 Authority before the application may be accepted or considered;

6 4. All applications shall be complete and accurate in every
7 detail;

8 5. All applications shall include all attachments or
9 supplemental information required by the forms supplied by the
10 Authority;

11 6. All applications for a transporter license, initial
12 dispensary license, initial processor license, or laboratory license
13 shall be accompanied by a full remittance for the whole amount of
14 the license fee as set forth in subsection D of this section. All
15 submissions of grower applications, renewal processor applications,
16 and renewal dispensary applications shall be accompanied by a
17 remittance of a fee of Two Thousand Five Hundred Dollars
18 (\$2,500.00). The Authority shall invoice license applicants, if
19 applicable, and notify applicants in the same method and manner the
20 application was submitted to the Authority for any additional
21 licensing fees owed pursuant to subsection D of this section prior
22 to approval of a license application. Applicants and licensees
23 shall remit all required license and application fees, including any
24 additional licensing fees, if applicable, in full within forty-five

1 (45) days of notification by the Authority. Failure to do so shall
2 result in the denial of the application. License fees are
3 nonrefundable;

4 7. All applicants shall be approved for licensing review that,
5 at a minimum, meet the following criteria:

- 6 a. twenty-five (25) years of age or older,
- 7 b. if applying as an individual, proof that the applicant
8 is a resident of this state pursuant to paragraph ~~11~~
9 12 of this subsection,
- 10 c. if applying as an entity, proof that seventy-five
11 percent (75%) of all members, managers, executive
12 officers, partners, board members or any other form of
13 business ownership are residents of this state
14 pursuant to paragraph ~~11~~ 12 of this subsection,
- 15 d. if applying as an individual or entity, proof that the
16 individual or entity is registered to conduct business
17 in this state,
- 18 e. disclosure of all ownership interests pursuant to the
19 Oklahoma Medical Marijuana and Patient Protection Act,
20 and
- 21 f. proof that the medical marijuana business, medical
22 marijuana research facility, medical marijuana
23 education facility and medical marijuana waste
24 disposal facility applicant or licensee has not been

1 convicted of a nonviolent felony in the last two (2)
2 years, or any other felony conviction within the last
3 five (5) years, is not a current inmate in the custody
4 of the Department of Corrections, or currently
5 incarcerated in a jail or corrections facility.

6 Upon reasonable suspicion that a medical marijuana business licensee
7 is illegally growing, processing, transferring, selling, disposing,
8 or diverting marijuana, the Authority, the Oklahoma State Bureau of
9 Narcotics and Dangerous Drugs Control, the Oklahoma State Bureau of
10 Investigation (OSBI), or the Attorney General may subpoena documents
11 necessary to establish the personal identifying information of all
12 owners and individuals with any ownership interest in the business;

13 8. There shall be no limit to the number of medical marijuana
14 business licenses or categories that an individual or entity can
15 apply for or receive, although each application and each category
16 shall require a separate application, application fee, or license
17 fee. A commercial grower, processor and dispensary, or any
18 combination thereof, are authorized to share the same address or
19 physical location, subject to the restrictions set forth in the
20 Oklahoma Medical Marijuana and Patient Protection Act;

21 9. No medical marijuana business premises is permitted to have
22 multiple licenses of the same type pursuant to the licensing
23 requirements of this section, excluding the following:
24

- a. a commercial grower with a combination of an indoor or outdoor growing facility on one parcel of land,
- b. a licensed medical marijuana processor used by multiple licensees, and
- c. a licensed medical marijuana business that has an approved application by the Authority while the new business seeks registration from the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control pursuant to Section ~~2~~ 427.14c of this ~~act~~ title;

10. All applicants for a medical marijuana business license, research facility license or education facility license authorized by the Oklahoma Medical Marijuana and Patient Protection Act, or for a renewal of such license, shall undergo a national fingerprint-based background check conducted by the Oklahoma State Bureau of Investigation within thirty (30) days prior to the application for the license, including:

- a. individual applicants applying on their own behalf,
- b. individuals applying on behalf of an entity,
- c. all principal officers of an entity, and
- d. all owners of an entity as defined by the Oklahoma Medical Marijuana and Patient Protection Act;

11. All applicable fees charged by the OSBI are the responsibility of the applicant and shall not be higher than fees charged to any other person or industry for such background checks;

1 12. In order to be considered a resident of this state for
2 purposes of a medical marijuana business application, all applicants
3 shall provide proof of state residency for at least two (2) years
4 immediately preceding the date of application or five (5) years of
5 continuous state residency during the preceding twenty-five (25)
6 years immediately preceding the date of application. Sufficient
7 documentation of proof of residency shall include a combination of
8 the following:

- 9 a. an unexpired state-issued driver license,
- 10 b. a state-issued identification card,
- 11 c. a utility bill preceding the date of application,
12 excluding cellular telephone and Internet bills,
- 13 d. a residential property deed to property in this state,
14 and
- 15 e. a rental agreement preceding the date of application
16 for residential property located in this state.

17 Applicants that were issued a medical marijuana business license
18 prior to August 30, 2019, are hereby exempt from the two-year or
19 five-year Oklahoma residence requirement mentioned above;

20 13. All license applicants shall be required to submit a
21 registration with the Oklahoma State Bureau of Narcotics and
22 Dangerous Drugs Control as provided in Sections ~~2-302 through 2-304~~
23 2-301 through 2-309 of this title;

1 14. All applicants shall establish their identity through
2 submission of a color copy or digital image of one of the following
3 unexpired documents:

- 4 a. front of a state-issued driver license,
- 5 b. front of a state-issued identification card,
- 6 c. a United States passport or other photo identification
7 issued by the United States government, or
- 8 d. a tribal identification card approved for
9 identification purposes by the Department of Public
10 Safety;

11 15. All applicants shall submit an applicant photograph; and

12 16. All applicants for a medical marijuana business license
13 seeking to operate a commercial growing operation shall file along
14 with their application a bond as prescribed in Section 427.26 of
15 this title.

16 F. The Authority shall review the medical marijuana business
17 application; approve, reject, or deny the application; and send the
18 approval, rejection, denial, or status-update letter to the
19 applicant in the same method the application was submitted to the
20 Authority within ninety (90) business days of receipt of the
21 application.

22 G. 1. The Authority shall review the medical marijuana
23 business applications, conduct all investigations, inspections, and
24

1 interviews, and collect all license and application fees before
2 approving the application.

3 2. Approved applicants shall be issued a medical marijuana
4 business license for the specific category applied under, which
5 shall act as proof of their approved status. Rejection and denial
6 letters shall provide a reason for the rejection or denial.

7 Applications may only be rejected or denied based on the applicant
8 not meeting the standards set forth in the provisions of the

9 Oklahoma Medical Marijuana and Patient Protection Act and Sections
10 420 through ~~426.1~~ 427.28 of this title, improper completion of the

11 application, unpaid license or application fees, or for a reason
12 provided for in the Oklahoma Medical Marijuana and Patient

13 Protection Act and Sections 420 through ~~426.1~~ 427.28 of this title.

14 If an application is rejected for failure to provide required

15 information, the applicant shall have thirty (30) days to submit the
16 required information for reconsideration. Unless the Authority

17 determines otherwise, an application that has been resubmitted but

18 is still incomplete or contains errors that are not clerical or

19 typographical in nature shall be denied. The Authority shall deny

20 any application that has been submitted more than once with any

21 errors or omissions that are not clerical or typographical in

22 nature. The lack of a certificate of occupancy shall not be the

23 sole cause for denial of an application.

1 3. Status-update letters shall provide a reason for delay in
2 either approval, rejection or denial should a situation arise in
3 which an application was submitted properly but a delay in
4 processing the application occurred.

5 4. Approval, rejection, denial or status-update letters shall
6 be sent to the applicant in the same method the application was
7 submitted to the Authority.

8 H. A license for a medical marijuana business, medical
9 marijuana research facility, medical marijuana education facility or
10 medical marijuana waste disposal facility shall not be issued to or
11 held by:

12 1. A person until all required fees have been paid;

13 2. A person who has been convicted of a nonviolent felony
14 within two (2) years of the date of application, or within five (5)
15 years for any other felony;

16 3. A corporation, if the criminal history of any of its
17 officers, directors or stockholders indicates that the officer,
18 director or stockholder has been convicted of a nonviolent felony
19 within two (2) years of the date of application, or within five (5)
20 years for any other felony;

21 4. A person under twenty-five (25) years of age;

22 5. A person licensed pursuant to this section who, during a
23 period of licensure, or who, at the time of application, has failed
24 to:

1 a. file taxes, interest or penalties due related to a
2 medical marijuana business, or

3 b. pay taxes, interest or penalties due related to a
4 medical marijuana business;

5 6. A sheriff, deputy sheriff, police officer or prosecuting
6 officer, or an officer or employee of the Authority or municipality;

7 7. A person whose authority to be a caregiver, as defined in
8 Section 427.2 of this title, has been revoked by the Authority; or

9 8. A person who was involved in the management or operations of
10 any medical marijuana business, medical marijuana research facility,
11 medical marijuana education facility or medical marijuana waste
12 disposal facility that, after the initiation of a disciplinary
13 action, has had a medical marijuana license revoked, not renewed, or
14 surrendered during the five (5) years preceding submission of the
15 application and for the following violations:

16 a. unlawful sales or purchases,

17 b. any fraudulent acts, falsification of records or
18 misrepresentation to the Authority, medical marijuana
19 patient licensees, caregiver licensees or medical
20 marijuana business licensees,

21 c. any grossly inaccurate or fraudulent reporting,

22 d. threatening or harming any medical marijuana patient,
23 caregiver, medical practitioner or employee of the
24 Authority,

- e. knowingly or intentionally refusing to permit the Authority access to premises or records,
- f. using a prohibited, hazardous substance for processing in a residential area,
- g. criminal acts relating to the operation of a medical marijuana business, or
- h. any violations that endanger public health and safety or product safety.

I. In investigating the qualifications of an applicant or a licensee, the Authority and municipalities may have access to criminal history record information furnished by a criminal justice agency subject to any restrictions imposed by such an agency.

J. The failure of an applicant or licensee to provide the requested information by the Authority deadline may be grounds for denial of the application.

K. All applicants and licensees shall submit information to the Authority in a full, faithful, truthful and fair manner. The Authority may recommend denial of an application where the applicant or licensee made misstatements, omissions, misrepresentations or untruths in the application or in connection with the background investigation of the applicant. This type of conduct may be grounds for administrative action against the applicant or licensee. Typos and scrivener errors shall not be grounds for denial.

1 L. A licensed medical marijuana business premises shall be
2 subject to and responsible for compliance with applicable provisions
3 consistent with the zoning where such business is located as
4 described in the most recent versions of the Oklahoma Uniform
5 Building Code, the International Building Code and the International
6 Fire Code, unless granted an exemption by a municipality or
7 appropriate code enforcement entity.

8 M. All medical marijuana business, medical marijuana research
9 facility, medical marijuana education facility and medical marijuana
10 waste disposal facility licensees shall pay the relevant licensure
11 fees prior to receiving licensure to operate. Applicants and
12 licensees shall remit all required license and application fees,
13 including any additional licensing fees, if applicable, in full
14 within forty-five (45) days of notification by the Authority.
15 Failure to do so shall result in the denial of the application.

16 N. A medical marijuana business, medical marijuana research
17 facility, medical marijuana education facility or medical marijuana
18 waste disposal facility that attempts to renew its license after the
19 expiration date of the license shall pay a late renewal fee of Five
20 Hundred Dollars (\$500.00) per week that the license is expired.
21 Late renewal fees are nonrefundable. A license that has been
22 expired for more than sixty (60) calendar days shall not be renewed.
23 Only license renewal applications submitted at least sixty (60)
24 calendar days prior to the expiration date shall be considered

1 timely submitted and subject to the provisions of subsection F of
2 this section. A medical marijuana business license shall remain
3 unexpired during the pendency of the application for renewal
4 provided that such application was timely submitted. The Authority
5 shall allow renewal applications to be submitted at least one
6 hundred twenty (120) calendar days prior to the expiration date of a
7 medical marijuana business license.

8 O. Except as provided by this section, immediately upon
9 expiration of a license, any medical marijuana business, medical
10 marijuana research facility, medical marijuana education facility,
11 or medical marijuana waste disposal facility shall cease all
12 possession, transfer, or sale of medical marijuana or medical
13 marijuana products. Any continued possession, sale, or transfer
14 shall subject the business owners and operators to felony
15 prosecution pursuant to the Uniform Controlled Dangerous Substances
16 Act.

17 P. A medical marijuana business license holder shall require
18 all individuals employed under his or her license to be issued a
19 credential pursuant to the provisions of Section 427.14b of this
20 title prior to employment.

21 Q. An original medical marijuana business license issued on or
22 after June 26, 2018, by the Authority, for a medical marijuana
23 commercial grower, a medical marijuana processor or a medical
24 marijuana dispensary shall be deemed to have been grandfathered into

1 the location on the date the original license was first issued for
2 purposes of determining the authority of the business to conduct and
3 continue the same type of business at that location under a license
4 issued by the Authority, except as may be provided in Sections 425
5 and 426.1 of this title. Any change in ownership after the original
6 medical marijuana business license has been issued by the Authority
7 shall be construed by the Authority to be a continuation of the same
8 type of business originally licensed at that location. Nothing
9 shall authorize the Authority to deny issuance or renewal of a
10 license or transfer of license due to a change in ownership for the
11 same business location previously licensed, except when a revocation
12 is otherwise authorized by law or a protest is made under the
13 municipal compliance provisions of Section 426.1 of this title.

14 R. A medical marijuana business license holder shall require
15 all individuals employed under their license to be issued a
16 credential pursuant to the provisions of Section 427.14b of this
17 title prior to employment.

18 S. The Executive Director of the Authority may promulgate rules
19 to implement the provisions of this section including, but not
20 limited to, required application materials to be submitted by the
21 applicant and utilized by the Authority to determine medical
22 marijuana business licensing fees pursuant to this section.

SECTION 3. This act shall become effective November 1, 2025.

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