

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3355

By: Williams

AS INTRODUCED

An Act relating to medical marijuana; amending 63 O.S. 2021, Section 427.3, as last amended by Section 137, Chapter 452, O.S.L. 2024 (63 O.S. Supp. 2025, Section 427.3), which relates to the Oklahoma Medical Marijuana and Patient Protection Act; updating language; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 427.3, as last amended by Section 137, Chapter 452, O.S.L. 2024 (63 O.S. Supp. 2025, Section 427.3), is amended to read as follows:

Section 427.3. A. There is hereby created the Oklahoma Medical Marijuana Authority which shall address issues related to the medical marijuana program in this state including, but not limited to, the issuance of patient licenses and medical marijuana business licenses, and the dispensing, cultivating, processing, testing, transporting, storage, research, and the use of and sale of medical marijuana pursuant to the Oklahoma Medical Marijuana and Patient Protection Act.

1 B. 1. Beginning on the effective date of this act, the
2 Authority shall cease to be part of or a division of the State
3 Department of Health and shall be deemed to be a separate and
4 distinct agency, to be known as the Oklahoma Medical Marijuana
5 Authority. The Authority and the Executive Director of the
6 Authority shall continue to exercise their statutory powers, duties,
7 and contractual responsibilities. All records, property, equipment,
8 assets, monies, financial interests, liabilities, matters pending,
9 and funds of the division shall be transferred to the Authority.

10 2. All licenses granted by the Department pertaining to medical
11 marijuana shall maintain rights and privileges under the authority
12 of the Authority; provided, however, that all licenses shall be
13 subject to revocation, suspension, or disciplinary action for
14 violation of any of the provisions of the Oklahoma Medical Marijuana
15 and Patient Protection Act and rules promulgated by the Executive
16 Director.

17 3. The Authority shall succeed to any contractual rights or
18 responsibilities incurred by the Department pertaining to medical
19 marijuana.

20 4. Rules promulgated by the State Commissioner of Health
21 pertaining to medical marijuana that are in effect on the effective
22 date of this act shall be immediately adopted and enforced by the
23 Executive Director. The Executive Director maintains the authority
24 to further promulgate and enforce rules.

1 5. The Department and the Authority may enter into an agreement
2 for the transfer of personnel from the Department to the Authority.
3 No employee shall be transferred to the Authority except on the
4 freely given written consent of the employee. All employees who are
5 transferred to the Authority shall not be required to accept a
6 lesser grade or salary than presently received. All employees shall
7 retain leave, sick, and annual time earned, and any retirement and
8 longevity benefits which have accrued during their tenure with the
9 Department. The transfer of personnel between the state agencies
10 shall be coordinated with the Office of Management and Enterprise
11 Services.

12 6. The expenses incurred by the Authority as a result of the
13 transfer required by this subsection shall be paid by the Authority.

14 7. The division within the Department known as the Oklahoma
15 Medical Marijuana Authority shall be abolished by the Department
16 after the transfer has been completed.

17 8. The Office of Management and Enterprise Services shall
18 coordinate the transfer of records, property, equipment, assets,
19 funds, allotments, purchase orders, liabilities, outstanding
20 financial obligations, or encumbrances provided for in this
21 subsection.

22 C. The Authority shall implement the provisions of the Oklahoma
23 Medical Marijuana and Patient Protection Act consistently with the
24 voter-approved State Question No. 788, Initiative Petition No. 412,

1 subject to the provisions of the Oklahoma Medical Marijuana and
2 Patient Protection Act.

3 D. The Authority shall exercise its respective powers and
4 perform its respective duties and functions as specified in the
5 Oklahoma Medical Marijuana and Patient Protection Act and this title
6 including, but not limited to, the following:

7 1. Determine steps the state shall take, whether administrative
8 or legislative in nature, to ensure that research on marijuana and
9 marijuana products is being conducted for public purposes including
10 the advancement of:

- 11 a. public health policy and public safety policy,
- 12 b. agronomic and horticultural best practices, and
- 13 c. medical and pharmacopoeia best practices;

14 2. Contract with third-party vendors and other governmental
15 entities in order to carry out the respective duties and functions
16 as specified in the Oklahoma Medical Marijuana and Patient
17 Protection Act;

18 3. Upon complaint or upon its own motion and upon a completed
19 investigation, levy fines as prescribed in applicable laws, rules,
20 and regulations and suspend, revoke, or not renew licenses pursuant
21 to applicable laws, rules, and regulations;

22 4. Issue subpoenas for the appearance of persons or production
23 of ~~persons~~, records and things in connection with disciplinary or
24 contested cases considered by the Authority;

1 5. Apply for injunctive or declaratory relief to enforce the
2 provisions of applicable laws, rules, and regulations;

3 6. Inspect and examine all licensed premises of medical
4 marijuana businesses, research facilities, education facilities, and
5 waste disposal facilities in which medical marijuana is cultivated,
6 manufactured, sold, stored, transported, tested, distributed, or
7 disposed of;

8 7. Upon action by the federal government by which the
9 production, sale, and use of marijuana in this state does not
10 violate federal law, work with the Banking Department and the State
11 Treasurer to develop ~~good~~ best practices and standards for banking
12 and finance for medical marijuana businesses;

13 8. Establish internal control procedures for licenses including
14 accounting procedures, reporting procedures, and personnel policies;

15 9. Establish a fee schedule and collect fees for performing
16 background checks as the Executive Director deems appropriate. The
17 fees charged pursuant to this paragraph shall not exceed the actual
18 cost incurred for each background check;

19 10. Establish a fee schedule and collect fees for material
20 changes requested by the licensee;

21 11. Establish regulations, which require a medical marijuana
22 business to submit information to the Authority, deemed reasonably
23 necessary to assist the Authority in the prevention of diversion of
24 medical marijuana by a licensed medical marijuana business. Such

1 information required by the Authority may include, but shall not be
2 limited to:

- 3 a. the square footage of the licensed premises,
- 4 b. a diagram of the licensed premises,
- 5 c. the number and type of lights at the licensed medical
6 marijuana commercial grower business,
- 7 d. the number, type, and production capacity of equipment
8 located at the medical marijuana processing facility,
- 9 e. the names, addresses, and telephone numbers of
10 employees or agents of a medical marijuana business,
- 11 f. employment manuals and standard operating procedures
12 for the medical marijuana business, and
- 13 g. any other information as the Authority reasonably
14 deems necessary;

15 12. Declare and establish a moratorium on processing and
16 issuing new medical marijuana business licenses pursuant to Section
17 427.14 of this title for an amount of time the Authority deems
18 necessary;

19 13. Enter into and negotiate the terms of a Memorandum of
20 Understanding between the Authority and other state agencies
21 concerning the enforcement of laws regulating medical marijuana in
22 this state. The Oklahoma State Bureau of Narcotics and Dangerous
23 Drugs Control, the Oklahoma State Bureau of Investigation, and the
24 Oklahoma Attorney General shall have full authority to investigate

1 and enforce any violations of the laws regarding medical marijuana
2 including medical marijuana business licenses held by commercial
3 growers, processors, transporters, researchers, education
4 facilities, and waste disposal facilities;

5 14. Purchase and maintain motor vehicles for use by the
6 employees of the Authority; and

7 15. Enter into contracts and agreements for the payment of
8 food, lodging, and other authorized expenses as may be necessary to
9 host, conduct, sponsor, or participate in conferences, meetings, or
10 training sessions. The Authority may establish accounts as
11 necessary for the collection and distribution of funds, including
12 funds of sponsors and registration fees, related to such
13 conferences, meetings, and training sessions. Any expenses incurred
14 may be paid directly to the contracting agency or business
15 establishment.

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

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