

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend, on a temporary basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to define the term non-resident cardholder and amend the definition for qualifying patient, to establish a sunset date for qualifying patients and caregivers whose registration cards expired on or after March 1, 2020, to continue to purchase medicinal marijuana, to increase the amount of dried cannabis a qualifying patient may possess at any one time from 4 ounces to 8 ounces, to create a temporary non-resident qualifying patient registration process, to allow for the issuance of 2-year qualifying patient and caregiver registration cards, to provide the Board with the authority to issue patient and caregiver registration cards at no cost, and to amend Title 22-C of the District of Columbia Municipal Regulations to allow qualifying patients to establish residency in the District with one document, including a telephone bill or bank statement containing a District address.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Marijuana Patient Access Extension Second Temporary Amendment Act of 2022”.

Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 7-1671.01) is amended as follows:

(1) A new paragraph (13B) is added to read as follows:

“(13B) “Non-resident cardholder” means a person who is not a resident of the District of Columbia who is not currently enrolled in another jurisdiction’s medical marijuana program, and who has submitted documentation required by ABRA for a temporary 30-day registration card and has received confirmation of registration.”.

(2) Paragraph (19) is amended by striking the phrase “resident of the District” and inserting the phrase “resident of the District or another jurisdiction that is registered with ABRA” in its place.

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(b) Section 3 (D.C. Official Code § 7-1671.02) is amended by adding a new subsection (c-1) to read as follows:

“(c-1) When a qualifying patient’s or caregiver’s registration identification card has expired or will expire at any time between March 1, 2020, and March 31, 2023, and the qualifying patient or caregiver has not submitted an application for a new registration identification card, the qualifying patient or caregiver may continue to purchase, possess, and administer medical marijuana in accordance with this act and the rules issued pursuant to section 14 until March 31, 2023. On or after April 1, 2023, the qualifying patient or caregiver must possess a valid registration identification card to continue to purchase, possess, and administer medical marijuana.”.

(c) Section 4(a) (D.C. Official Code § 7-1671.03(a)) is amended by striking the phrase “is 2 ounces of dried medical marijuana; provided, that the Mayor, through rulemaking, may increase the quantity of dried medical marijuana that may be possessed up to 4 ounces; and” and inserting the phrase “is 8 ounces of dried medical marijuana. The Mayor” in its place.

(d) Section 6 (D.C. Official Code § 7-1671.05) is amended as follows:

(1) Paragraph (1) is amended by adding a new subparagraph (C) to read as follows:

“(C) As part of the registration process, permit a non-resident qualifying patient visiting the District of Columbia to apply to ABRA to receive a temporary non-resident registration identification card. A temporary non-resident registration identification card issued to a non-resident cardholder shall be valid for 30 days. After the expiration of the temporary non-resident registration identification card, a non-resident qualifying patient may apply to ABRA to be issued another thirty (30) day temporary non-resident identification card.”.

(2) Paragraph (3) is amended to read as follows:

“(3) Issue nontransferable registration identification cards that expire annually to registered persons and entities, which may be presented to and used by law enforcement to confirm whether a person or entity is authorized to administer, cultivate, dispense, distribute, test, or possess medical marijuana, or to manufacture, possess, or distribute paraphernalia; provided that, qualifying patients and caregivers who register after November 5, 2021, and prior to March 31, 2023, shall be issued nontransferable registration identification cards that expire biennially.”.

(3) Paragraph (9) is amended to read as follows:

“(9) Establish registration and annual renewal fees for all persons and entities required to register pursuant to this act; provided, that the ABC Board, by rule, may make qualifying patient and caregiver registrations available at no cost to attract and retain qualifying patients; however, the registration and annual renewal fees for dispensaries, cultivation centers, and testing laboratories and for the directors, officers, members, incorporators, agents, and

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employees of dispensaries, cultivation centers, and testing laboratories shall be sufficient to offset the costs of administering this act.”.

(e) Section 8(b) (D.C. Official Code § 7-1671.07(b)) is repealed.

Sec. 3. Section 501.2(b) of Title 22-C of the District of Columbia Municipal Regulations (22-C DCMR § 501.2(b)), is amended as follows:

(a) The lead-in language is amended by striking the phrase “two (2)” and inserting the phrase “one (1)” in its place.

(b) Subparagraph (9) is amended to read as follows:

“(9) Utility bills from a period within the two (2) months immediately preceding the application date in the name of the applicant on a District of Columbia residential address;”.

(c) Subparagraph (10) is redesignated as subparagraph (11).

(d) A new subparagraph (10) is added to read as follows:

“(10) A bank statement addressed to the applicant from a period within the two (2) months immediately preceding the application date in the name of the applicant on a District of Columbia residential address; or”.

Sec. 4. Applicability.

This act shall apply as of September 30, 2022.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia