

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to provide a deadline date by which existing cultivation centers and dispensaries must file their applications with ABCA for additional medical cannabis facility licenses, to not allow a cultivation center to also hold an internet retailer license, to provide that the 2 cultivation center registration applicants that tied for second and received the same total score after submitting a medical cannabis facility registration application to the Alcoholic Beverage Control Board between November 29, 2021 and March 28, 2022, be awarded a cultivation center registration, to provide that other cultivation center and dispensary registration applicants that scored 150 points or more after submitting a medical cannabis facility registration application to the Alcoholic Beverage Control Board during the same open application period shall be considered for a cultivation center or retailer registration, and to allow a cultivation center and dispensary registration applicant that scored 150 points or more to change the location of its facility without otherwise affecting the status of its application.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Cannabis Clarification Supplemental Emergency Amendment Act of 2023”.

Sec. 2. Section 7 of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.06), is amended as follows:

(a) Subsection (d) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase “retailer or online retailer license” and inserting the phrase “retailer license” in its place.

(2) A new paragraph (5) is added to read as follows:

“(5) Applications for additional licenses pursuant to paragraphs (1) through (3) of this subsection shall be filed with ABCA by the existing cultivation center or dispensary by May 1, 2024.”.

(b) Subsection (e)(1) is amended as follows

(1) Subparagraph (F) is amended by striking the phrase “retailer or internet retailer license” and inserting the phrase “retailer license” in its place.

(2) A new subparagraph (G) is added to read as follows:

“(G) No licensee holding a cultivation center license shall hold an internet retailer license.”.

(c) New subsections (w) and (x) are added to read as follows:

“(w)(1) The 2 cultivation center registration applicants that submitted a medical cannabis facility registration application to the ABC Board between November 29, 2021, and March 28, 2022, that tied for second, and received the same total score shall be awarded a cultivation center registration.

“(2) A cultivation center registration applicant not referenced in paragraph (1) of this subsection that scored 150 points or more during the same open application period shall be considered for a cultivation center registration after May 1, 2023; provided, that the applicant files a corrected application, including an application to change the facility location, with the ABC Board by May 1, 2024. An applicant that scored 150 points or higher shall be allowed to change the location of the cultivation center facility on its application by May 1, 2024, without negatively affecting the status of the application.

“(3) An applicant that filed more than one cultivation center registration application during the open application period with one or more of the same owners shall be considered for only one cultivation center registration under this subsection.

“(4) An initial application fee paid by a cultivation center registration applicant that scored 150 points or higher shall be credited by ABCA toward the entire cost of the applicant’s cultivation center application fee.

“(x)(1) A dispensary registration applicant that submitted a medical cannabis facility registration application to the ABC Board between November 29, 2021, and March 28, 2022, and received 150 points or more shall be considered for a retailer registration no earlier than 180 calendar days after March 22, 2023. An applicant shall be allowed to change the location of the retailer facility on its application by May 1, 2024, without negatively affecting the status of the application.

“(2) An applicant that filed more than one dispensary registration application during the open application period with one or more of the same owners shall be considered for only one retailer registration under this subsection.

“(3) An initial application fee paid by a dispensary registration applicant that scored 150 points or higher shall be credited by ABCA toward the entire cost of the applicant’s retailer application fee.

ENROLLED ORIGINAL

Sec. 3. Repealer.

The Medical Cannabis Clarification Temporary Amendment Act of 2023, enacted on March 24, 2023 (D.C. Act 25-63; 70 DCR 3838), is repealed.

Sec. 4. 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. 5. Effective date.

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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

Chairman
Council of the District of Columbia

Mayor
District of Columbia