

# An Act

ENROLLED HOUSE  
BILL NO. 1734

By: Townley and Roe of the  
House

and

Garvin of the Senate

An Act relating to medical marijuana; authorizing the Oklahoma Medical Marijuana Authority to require fingerprints from owners and employees of commercial medical marijuana facilities; specifying when fingerprints shall be submitted; providing for the manner of submission; requiring the Oklahoma State Bureau of Investigation to provide the Authority certain notice; permitting the Authority access to the findings of background checks; defining terms; providing for codification; and declaring an emergency.

SUBJECT: Medical marijuana

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 427.27 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Medical Marijuana Authority shall require owners of medical marijuana facilities to submit their fingerprints to the Oklahoma State Bureau of Investigation (OSBI) for the purpose of conducting a state and federal fingerprint-based criminal background check.

B. The Authority may require that such fingerprint submissions be made as part of a medical marijuana facility application, a medical marijuana facility renewal application, or an individual

application for a license or permit authorizing that individual to be an owner of a medical marijuana facility.

C. Fingerprint cards and any required fees shall be sent to the OSBI central repository. The fingerprint records shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal record search as provided in Section 150.9 of Title 74 of the Oklahoma Statutes. The OSBI shall notify the Authority of any criminal history record information or lack of criminal history record information discovered on the submitting individual. Notwithstanding the provisions of Section 150.9b of Title 74 of the Oklahoma Statutes, all records related to any criminal history information discovered shall be accessible and available to the Authority.

D. As used in this section:

1. "Medical marijuana facility" means an entity licensed or certified by the Authority to acquire, cultivate, process, manufacture, test, store, sell, transport, or deliver medical marijuana; and

2. "Owner" means a direct beneficial owner including, but not limited to, all persons or entities, as follows:

- a. all shareholders owning an interest of a corporate entity and all officers of a corporate entity,
- b. all partners of a general partnership,
- c. all general partners and all limited partners that own an interest in a limited partnership,
- d. all members that own an interest in a limited liability company,
- e. all beneficiaries that hold a beneficial interest in a trust and all trustees of a trust,
- f. all persons or entities that own interest in a joint venture,
- g. all persons or entities that own an interest in an association,

- h. the owners of any other type of legal entity, and
- i. any other person holding an interest or convertible note in any entity, which owns, operates, or manages a licensed medical marijuana facility.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 427.28 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Medical Marijuana Authority shall require all employees of medical marijuana facilities to submit their fingerprints to the Oklahoma State Bureau of Investigation (OSBI) for the purpose of conducting a state and federal fingerprint-based criminal background check.

B. The Authority may require that such fingerprint submissions be made as part of an individual's application for a license, permit, identification card, or credential authorizing that individual to be an employee of a medical marijuana facility.

C. Fingerprint cards and any required fees shall be sent to the OSBI central repository. The fingerprint records shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal record search as provided in Section 150.9 of Title 74 of the Oklahoma Statutes. The OSBI shall notify the Authority of any criminal history record information or lack of criminal history record information discovered on the submitting individual. Notwithstanding the provisions of Section 150.9b of Title 74 of the Oklahoma Statutes, all records related to any criminal history information discovered shall be accessible and available to the Authority.

D. As used in this section:

1. "Employee" means any natural person who:

- a. grows, harvests, dries, cures, purchases, sells, transfers, transports, processes, produces, manufactures, creates, or packages medical marijuana, medical marijuana products, or medical marijuana waste on behalf of or for a licensed medical marijuana commercial grower, processor, or dispensary,

- b. samples, trains, or educates on behalf of or for a licensed medical marijuana education or research facility,
- c. disposes of or transports medical marijuana, medical marijuana products, and medical marijuana waste on behalf of or for a licensed medical marijuana waste disposal facility,
- d. tests and conducts research on medical marijuana and medical marijuana products on behalf of or for a medical marijuana licensed testing laboratory,
- e. transports, stores, distributes, but does not take ownership of, medical marijuana and medical marijuana products on behalf of or for a licensed medical marijuana commercial transporter,
- f. tracks, traces, reports, and inputs any information into the state inventory tracking system on behalf of or for a licensed medical marijuana commercial license holder, or
- g. conducts any other additional business for the benefit of a medical marijuana commercial license holder as authorized by rules promulgated by the Executive Director of the Authority, with the exception of professional services not involved in the handling of medical marijuana, medical marijuana products, or medical marijuana concentrates; and

2. "Medical marijuana facility" means an entity licensed or certified by the Authority to acquire, cultivate, process, manufacture, test, store, sell, transport, or deliver medical marijuana.

SECTION 3. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 30th day of May, 2024.

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Presiding Officer of the House  
of Representatives

Passed the Senate the 25th day of April, 2024.

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Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_