

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2217

By: McDugle

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8 COMMITTEE SUBSTITUTE

9 An Act relating to public health and safety; amending
10 Section 4, Chapter 509, O.S.L. 2019 (63 O.S. Supp.
11 2020, Section 426.1), which relates to medical
12 marijuana; limiting locations in which certain
13 commercial marijuana businesses may operate; and
14 providing an effective date.

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

16 SECTION 1. AMENDATORY Section 4, Chapter 509, O.S.L.
17 2019 (63 O.S. Supp. 2020, Section 426.1), is amended to read as
18 follows:

19 Section 426.1 A. Except for revocation hearings concerning
20 licensed patients, as defined in Section ~~2 of Enrolled House Bill~~
21 ~~No. 2612 of the 1st Session of the 57th Oklahoma Legislature~~ 427.2
22 of this title, all licensure revocation hearings conducted pursuant
23 to marijuana licenses established in the Oklahoma Statutes shall be
24 recorded. A party may request a copy of the recording of the

1 proceedings. Copies shall be provided to local law enforcement if
2 the revocation was based on alleged criminal activity.

3 B. The State Department of Health shall assist any law
4 enforcement officer in the performance of his or her duties upon
5 such request by the law enforcement officer or the request of other
6 local officials having jurisdiction. Except for license information
7 concerning licensed patients, as defined in Section ~~2 of Enrolled~~
8 ~~House Bill No. 2612 of the 1st Session of the 57th Oklahoma~~
9 ~~Legislature~~ 427.2 of this title, the Department shall share
10 information with law enforcement agencies upon request without a
11 subpoena or search warrant.

12 C. The State Department of Health shall make available all
13 information displayed on medical marijuana licenses, as well as
14 whether or not the license is valid, to law enforcement
15 electronically through the Oklahoma Law Enforcement
16 Telecommunications System.

17 D. The Department shall make available to political
18 subdivisions a list of marijuana-licensed premises, medical
19 marijuana businesses or any other premises where marijuana or its
20 by-products are licensed to be cultivated, grown, processed, stored
21 or manufactured to aid county and municipal governments in
22 identifying locations within their jurisdiction and ensure
23 compliance with local regulations.

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1 E. All marijuana-licensed premises, medical marijuana
2 businesses or any other premises where marijuana or its by-products
3 are licensed to be cultivated, grown, processed, stored or
4 manufactured shall submit with their application, after notifying
5 the political subdivision of their intent, a certificate of
6 compliance from the political subdivision where the facility of the
7 applicant or use is to be located certifying compliance with zoning
8 classifications, applicable municipal ordinances and all applicable
9 safety, electrical, fire, plumbing, waste, construction and building
10 specification codes. A facility of the applicant located within an
11 unincorporated area and outside any corporate municipal limits shall
12 be zoned for agricultural use, provided that the county or political
13 subdivision regulates land use for the location and implements
14 zoning classifications for the location. Nothing in this subsection
15 shall be construed to supersede the provisions of the Oklahoma
16 Medical Marijuana and Patient Protection Act or limit the regulatory
17 authority of the Oklahoma Medical Marijuana Authority.

18 SECTION 2. This act shall become effective November 1, 2021.
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20 COMMITTEE REPORT BY: COMMITTEE ON ALCOHOL, TOBACCO AND CONTROLLED
21 SUBSTANCES, dated 02/11/2021 - DO PASS, As Amended.
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