

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2428

By: May

4
5
6 AS INTRODUCED

7 An Act relating to medical marijuana; amending 63
8 O.S. 2021, Sections 421, 422, and 423, as amended by
9 Sections 1, 2, and 3, Chapter 332, O.S.L. 2022, and
10 424 (63 O.S. Supp. 2022, Sections 421, 422, and 423),
11 which relate to licensing requirements for medical
12 marijuana dispensaries, commercial growers,
13 processors and transporters; updating language;
14 providing for temporary and annual licenses; amending
15 63 O.S. 2021, Sections 427.14, as amended by Section
16 4, Chapter 332, O.S.L. 2022 and 427.16, as amended by
17 Section 16, Chapter 251, O.S.L. 2022 (63 O.S. Supp.
18 2022, Sections 427.14 and 427.16), which relate to
19 the Oklahoma Medical Marijuana and Patient Protection
20 Act; creating temporary and annual licensing program
21 for certain medical marijuana businesses; stating
22 conditions for temporary licenses; requiring
23 adherence to certain rules and regulations;
24 clarifying obligations of the Oklahoma Medical
Marijuana Authority when issuing temporary licenses;
stating length of term of temporary licenses;
providing for extensions under certain circumstances;
establishing fees for temporary licenses and
extensions; requiring submission of certain
information to the Authority; prohibiting issuance of
license until certain inspections are completed;
authorizing rejection of applications; defining term;
clarifying circumstances that allow for the issuance
of annual medical marijuana business licenses;
requiring current licensees to submit certain
documentation prior to renewal; establishing
timelines and procedures; requiring person issued a
temporary and annual license to annually submit
certain documentation when seeking renewal of the
license; updating language; creating temporary

1 licensing program for medical marijuana transporters;
2 and providing an effective date.

3
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5 SECTION 1. AMENDATORY 63 O.S. 2021, Section 421, as
6 amended by Section 1, Chapter 332, O.S.L. 2022 (63 O.S. Supp. 2022,
7 Section 421), is amended to read as follows:

8 Section 421. A. The Oklahoma Medical Marijuana Authority shall
9 make available on its website in an easy-to-find location ~~an~~
10 ~~application~~ applications for a temporary medical marijuana
11 dispensary license and annual medical marijuana dispensary license.
12 The application ~~fee to~~ fees for the temporary or annual license
13 shall be paid by the applicant ~~shall be~~ in the amounts provided for
14 in Section 427.14 of this title. A method of payment for the
15 application ~~fee~~ fees shall be provided on the website of the
16 Authority. ~~Dispensary~~ Medical marijuana dispensary applicants must
17 all be residents of Oklahoma. Any entity applying for a temporary
18 or annual medical marijuana dispensary license must be owned by an
19 Oklahoma resident and must be registered to do business in Oklahoma.
20 The Authority shall have ninety (90) business days to review the
21 application for a temporary medical marijuana dispensary license;
22 approve, reject or deny the application; and mail the approval,
23 rejection or denial letter stating reasons for the rejection or
24 denial to the applicant.

1 B. ~~The~~ In addition to the requirements provided for in the
2 Oklahoma Medical Marijuana and Patient Protection Act, the Authority
3 shall approve all applications which meet the following criteria:

4 1. The applicant must be twenty-five (25) years of age or
5 older;

6 2. The applicant, if applying as an individual, must show
7 residency in the State of Oklahoma;

8 3. All applying entities must show that all members, managers,
9 and board members are Oklahoma residents;

10 4. An applying entity may show ownership of non-Oklahoma
11 residents, but that percentage ownership may not exceed twenty-five
12 percent (25%);

13 5. All applying individuals or entities must be registered to
14 conduct business in the State of Oklahoma; and

15 6. All applicants must disclose all ownership interests in the
16 dispensary.

17 Applicants with a nonviolent felony conviction in the last two
18 (2) years, any other felony conviction in the last five (5) years,
19 inmates in the custody of the Department of Corrections or any
20 person currently incarcerated shall not qualify for a temporary or
21 annual medical marijuana dispensary license.

22 C. Licensed medical marijuana dispensaries shall be required to
23 complete a monthly sales report to the Authority. This report shall
24 be due on the fifteenth of each month and provide reporting on the

1 previous month. This report shall detail the weight of marijuana
2 purchased at wholesale and the weight of marijuana sold to licensed
3 medical marijuana patients and licensed caregivers and account for
4 any waste. The report shall show total sales in dollars, tax
5 collected in dollars, and tax due in dollars. The Authority shall
6 have oversight and auditing responsibilities to ensure that all
7 marijuana being grown is accounted for.

8 D. Only a licensed medical marijuana dispensary may conduct
9 retail sales of marijuana or marijuana derivatives. Beginning on
10 the effective date of this act, licensed medical marijuana
11 dispensaries shall be authorized to package and sell pre-rolled
12 marijuana to licensed medical marijuana patients and licensed
13 caregivers. The products described in this subsection shall contain
14 only the ground parts of the marijuana plant and shall not include
15 marijuana concentrates or derivatives. The total net weight of each
16 pre-roll packaged and sold by a medical marijuana dispensary shall
17 not exceed one (1) gram. These products shall be tested, packaged
18 and labeled in accordance with Oklahoma law and rules promulgated by
19 the Authority.

20 E. No medical marijuana dispensary shall offer or allow a
21 medical marijuana patient licensee, caregiver licensee or other
22 member of the public to handle or otherwise have physical contact
23 with any medical marijuana not contained in a sealed or separate
24 package. Provided, such prohibition shall not preclude an employee

1 of the medical marijuana dispensary from handling loose or
2 nonpackaged medical marijuana to be placed in packaging consistent
3 with the Oklahoma Medical Marijuana and Patient Protection Act and
4 the rules promulgated by the Authority for the packaging of medical
5 marijuana for retail sale. Provided, further, such prohibition
6 shall not prevent a medical marijuana dispensary from displaying
7 samples of its medical marijuana in separate display cases, jars or
8 other containers and allowing medical marijuana patient licensees
9 and caregiver licensees the ability to handle or smell the various
10 samples as long as the sample medical marijuana is used for display
11 purposes only and is not offered for retail sale.

12 SECTION 2. AMENDATORY 63 O.S. 2021, Section 422, as
13 amended by Section 2, Chapter 332, O.S.L. 2022 (63 O.S. Supp. 2022,
14 Section 422), is amended to read as follows:

15 Section 422. A. The Oklahoma Medical Marijuana Authority shall
16 make available on its website in an easy-to-find location ~~an~~
17 ~~application~~ applications for a temporary medical marijuana
18 commercial grower license and annual medical marijuana commercial
19 grower license. The application ~~fee~~ fees for the temporary or
20 annual license shall be paid by the applicant in the amounts
21 provided for in Section 427.14 of this title. A method of payment
22 for the application ~~fee~~ fees shall be provided on the website of the
23 Authority. The Authority shall have ninety (90) days to review the
24 application for a temporary medical marijuana commercial grower

1 license; approve, reject or deny the application; and mail the
2 approval, rejection or denial letter stating the reasons for the
3 rejection or denial to the applicant.

4 B. ~~The~~ In addition to the requirements provided for in the
5 Oklahoma Medical Marijuana and Patient Protection Act, the Authority
6 shall approve all applications which meet the following criteria:

7 1. The applicant must be twenty-five (25) years of age or
8 older;

9 2. The applicant, if applying as an individual, must show
10 residency in the State of Oklahoma;

11 3. All applying entities must show that all members, managers,
12 and board members are Oklahoma residents;

13 4. An applying entity may show ownership of non-Oklahoma
14 residents, but that percentage ownership may not exceed twenty-five
15 percent (25%);

16 5. All applying individuals or entities must be registered to
17 conduct business in the State of Oklahoma; and

18 6. All applicants must disclose all ownership interests in the
19 commercial grower operation.

20 Applicants with a nonviolent felony conviction in the last two
21 (2) years, any other felony conviction in the last five (5) years,
22 inmates in the custody of the Department of Corrections or any
23 person currently incarcerated shall not qualify for a temporary or
24 annual medical marijuana commercial grower license.

1 C. A licensed medical marijuana commercial grower may sell
2 marijuana to a licensed medical marijuana dispensary or a licensed
3 medical marijuana processor. Further, sales by a licensed medical
4 marijuana commercial grower shall be considered wholesale sales and
5 shall not be subject to taxation. Under no circumstances may a
6 licensed medical marijuana commercial grower sell marijuana directly
7 to a licensed medical marijuana patient or licensed medical
8 marijuana caregiver. A licensed medical marijuana commercial grower
9 may only sell at the wholesale level to a licensed medical marijuana
10 dispensary, a licensed medical marijuana commercial grower or a
11 licensed medical marijuana processor. If the federal government
12 lifts restrictions on buying and selling marijuana between states,
13 then a licensed medical marijuana commercial grower would be allowed
14 to sell and buy marijuana wholesale from, or to, an out-of-state
15 wholesale provider. A licensed medical marijuana commercial grower
16 shall be required to complete a monthly yield and sales report to
17 the Authority. This report shall be due on the fifteenth of each
18 month and provide reporting on the previous month. This report
19 shall detail the amount of marijuana harvested in pounds, the amount
20 of drying or dried marijuana on hand, the amount of marijuana sold
21 to licensed processors in pounds, the amount of waste in pounds, and
22 the amount of marijuana sold to licensed medical marijuana
23 dispensaries in pounds. Additionally, this report shall show total
24 wholesale sales in dollars. The Authority shall have oversight and

1 auditing responsibilities to ensure that all marijuana being grown
2 by licensed medical marijuana commercial growers is accounted for.

3 D. There shall be no limits on how much marijuana a licensed
4 medical marijuana commercial grower can grow.

5 E. Beginning on the effective date of this act, licensed
6 medical marijuana commercial growers shall be authorized to package
7 and sell pre-rolled marijuana to licensed medical marijuana
8 dispensaries. The products described in this subsection shall
9 contain only the ground parts of the marijuana plant and shall not
10 include marijuana concentrates or derivatives. The total net weight
11 of each pre-roll packaged and sold by licensed medical marijuana
12 commercial growers shall not exceed one (1) gram. These products
13 must be tested, packaged and labeled in accordance with Oklahoma law
14 and rules promulgated by the Authority.

15 SECTION 3. AMENDATORY 63 O.S. 2021, Section 423, as
16 amended by Section 3, Chapter 332, O.S.L. 2022 (63 O.S. Supp. 2022,
17 Section 423), is amended to read as follows:

18 Section 423. A. The Oklahoma Medical Marijuana Authority shall
19 make available on its website in an easy-to-find location ~~an~~
20 ~~application~~ applications for a temporary medical marijuana processor
21 license and annual medical marijuana ~~processing~~ processor license.
22 The Authority shall be authorized to issue two types of annual
23 medical marijuana processor licenses based on the level of risk
24 posed by the type of processing conducted:

- 1 1. Nonhazardous medical marijuana processor license; and
- 2 2. Hazardous medical marijuana processor license.

3 The application ~~fee fees~~ for ~~a nonhazardous or hazardous medical~~
4 ~~marijuana processor~~ the temporary or annual license shall be paid by
5 the applicant in the amounts provided for in Section 427.14 of this
6 title. A method of payment shall be provided on the website of the
7 Authority. The Authority shall have ninety (90) days to review the
8 application for a temporary medical marijuana processor license;
9 approve, reject or deny the application; and mail the approval,
10 rejection or denial letter stating the reasons for the rejection or
11 denial to the applicant.

12 B. The Authority shall approve all applications which meet the
13 following criteria:

14 1. The applicant must be twenty-five (25) years of age or
15 older;

16 2. The applicant, if applying as an individual, must show
17 residency in the State of Oklahoma;

18 3. All applying entities must show that all members, managers,
19 and board members are Oklahoma residents;

20 4. An applying entity may show ownership of non-Oklahoma
21 residents, but that percentage ownership may not exceed twenty-five
22 percent (25%);

23 5. All applying individuals or entities must be registered to
24 conduct business in the State of Oklahoma; and

1 6. All applicants must disclose all ownership interests in the
2 processing operation.

3 Applicants with a nonviolent felony conviction in the last two
4 (2) years, any other felony conviction in the last five (5) years,
5 inmates in the custody of the Department of Corrections or any
6 person currently incarcerated shall not qualify for a temporary or
7 annual medical marijuana ~~processing~~ processor license.

8 C. 1. A licensed medical marijuana processor may take
9 marijuana plants and distill or process these plants into
10 concentrates, edibles, and other forms for consumption.

11 2. As required by subsection D of this section, the Authority
12 shall make available a set of standards which shall be used by
13 licensed medical marijuana processors in the preparation of edible
14 marijuana products. The standards should be in line with current
15 food preparation guidelines. No excessive or punitive rules may be
16 established by the Authority.

17 3. Up to two times a year, the Authority may inspect a
18 processing operation and determine its compliance with the
19 preparation standards. If deficiencies are found, a written report
20 of the deficiency shall be issued to the licensed medical marijuana
21 processor. The licensed medical marijuana processor shall have one
22 (1) month to correct the deficiency or be subject to a fine of Five
23 Hundred Dollars (\$500.00) for each deficiency.

1 4. A licensed medical marijuana processor may sell marijuana
2 products it creates to a licensed medical marijuana dispensary or
3 any other licensed medical marijuana processor. All sales by a
4 licensed medical marijuana processor shall be considered wholesale
5 sales and shall not be subject to taxation.

6 5. Under no circumstances may a licensed medical marijuana
7 processor sell marijuana or any marijuana product directly to a
8 licensed medical marijuana patient or licensed medical marijuana
9 caregiver. However, a licensed medical marijuana processor may
10 process cannabis into a concentrated form for a licensed medical
11 marijuana patient for a fee.

12 6. Licensed medical marijuana processors shall be required to
13 complete a monthly yield and sales report to the Authority. This
14 report shall be due on the fifteenth of each month and shall provide
15 reporting on the previous month. This report shall detail the
16 amount of marijuana and medical marijuana products purchased in
17 pounds, the amount of marijuana cooked or processed in pounds, and
18 the amount of waste in pounds. Additionally, this report shall show
19 total wholesale sales in dollars. The Authority shall have
20 oversight and auditing responsibilities to ensure that all marijuana
21 being processed is accounted for.

22 D. The Authority shall oversee the inspection and compliance of
23 licensed medical marijuana processors producing products with
24 marijuana as an additive. The Authority shall be compelled to

1 ~~within thirty (30) days of passage of this initiative,~~ appoint
2 twelve (12) Oklahoma residents to the Medical Marijuana Advisory
3 Council, who are marijuana industry experts, to create a list of
4 food safety standards for processing and handling medical marijuana
5 in Oklahoma. These standards shall be adopted by the Authority and
6 the Authority may enforce these standards for licensed medical
7 marijuana processors. The Authority shall develop a standards
8 review procedure and these standards can be altered by calling
9 another council of twelve (12) Oklahoma marijuana industry experts.
10 A signed letter of twenty operating, licensed medical marijuana
11 processors shall constitute a need for a new council and standards
12 review.

13 E. If it becomes permissible under federal law, marijuana may
14 be moved across state lines.

15 F. Any device used for the processing or consumption of medical
16 marijuana shall be considered legal to be sold, manufactured,
17 distributed and possessed. No merchant, wholesaler, manufacturer or
18 individual may be unduly harassed or prosecuted for selling,
19 manufacturing or possessing marijuana paraphernalia.

20 SECTION 4. AMENDATORY 63 O.S. 2021, Section 424, is
21 amended to read as follows:

22 Section 424. A. A temporary medical marijuana ~~transportation~~
23 transporter license ~~will~~ or an annual medical marijuana transporter
24 license shall be issued to qualifying applicants for a medical

1 marijuana ~~retail~~ dispensary, ~~growing~~ medical marijuana commercial
2 grower, or ~~processing~~ medical marijuana processor license. The
3 ~~transportation~~ temporary or annual medical marijuana transporter
4 license ~~will~~ shall be issued at the time of approval of a ~~retail,~~
5 ~~growing, or processing~~ the temporary or annual medical marijuana
6 dispensary, medical marijuana commercial grower, or medical
7 marijuana processor license. The fees for the temporary or annual
8 license shall be paid by the applicant in the amounts provided for
9 in Section 427.14 of this title.

10 B. A ~~transportation~~ medical marijuana transporter license ~~will~~
11 shall allow the holder to transport medical marijuana from an
12 Oklahoma-licensed medical marijuana ~~retailer~~ dispensary, ~~licensed~~
13 ~~growing~~ medical marijuana commercial grower facility, or ~~licensed~~
14 medical marijuana processor facility to an Oklahoma-licensed medical
15 marijuana ~~retailer~~ dispensary, ~~licensed~~ ~~growing~~ medical marijuana
16 commercial grower facility, or ~~licensed~~ medical marijuana processing
17 facility.

18 C. All medical marijuana or medical marijuana products shall be
19 transported in a locked container and clearly labeled "Medical
20 Marijuana or Derivative".

21 SECTION 5. AMENDATORY 63 O.S. 2021, Section 427.14, as
22 amended by Section 4, Chapter 332, O.S.L. 2022 (63 O.S. Supp. 2022,
23 Section 427.14), is amended to read as follows:

24

1 Section 427.14 A. There is hereby created the medical
2 marijuana business license, which shall include the following
3 categories:

- 4 1. Medical marijuana commercial grower;
- 5 2. Medical marijuana processor;
- 6 3. Medical marijuana dispensary;
- 7 4. Medical marijuana transporter; and
- 8 5. Medical marijuana testing laboratory.

9 B. The Oklahoma Medical Marijuana Authority, with the aid of
10 the Office of Management and Enterprise Services, shall develop a
11 website for medical marijuana business license applications.

12 C. The Authority shall make available on its website in an
13 easy-to-find location, applications for a temporary medical
14 marijuana business license and annual medical marijuana business
15 license.

16 D. Beginning November 1, 2023, the Authority shall require all
17 persons or entities seeking licensure as a medical marijuana
18 commercial grower, medical marijuana processor, medical marijuana
19 dispensary, or medical marijuana transporter to first apply for a
20 temporary medical marijuana business license.

21 1. A temporary medical marijuana business license is a
22 conditional license and does not authorize the licensee to conduct
23 any sales of medical marijuana or marijuana products, the growing or
24 processing of marijuana, or the transportation of any medical

1 marijuana or marijuana products by the licensee. A temporary
2 medical marijuana business licensee shall follow all applicable
3 rules and regulations promulgated by the Authority.

4 2. A temporary medical marijuana business license does not
5 obligate the Authority to issue an annual medical marijuana business
6 license nor does the temporary medical marijuana business license
7 create a vested right in the holder to either an extension of the
8 temporary medical marijuana business license or to the granting of a
9 subsequent annual medical marijuana business license.

10 3. A temporary medical marijuana business license issued under
11 the provisions of this subsection shall be valid for one hundred
12 eighty (180) days from its effective date.

13 4. A temporary medical marijuana business license may be
14 extended by the Authority for additional ninety-day periods not to
15 exceed eighteen (18) months if:

16 a. an application for an annual license has been
17 submitted to the Authority prior to the initial
18 expiration date of the temporary medical marijuana
19 business license, and

20 b. the Authority determines that the application and
21 required documentation submitted by the applicant for
22 an annual medical marijuana business license is
23 deficient in some manner.

24

1 5. In addition to the initial fee for a medical marijuana
2 business license provided for in subsection E of this section, a
3 nonrefundable application fee for a temporary medical marijuana
4 business license shall be assessed in the amount of One Thousand
5 Dollars (\$1,000.00). A nonrefundable fee of One Thousand Dollars
6 (\$1,000.00) shall be assessed for every ninety-day extension
7 requested by the holder of a temporary medical marijuana business
8 license and subsequently granted by the Authority.

9 6. In addition to the general requirements provided for in
10 subsection F of this section, persons or entities applying for a
11 temporary medical marijuana business license or applying to renew a
12 medical marijuana business license shall submit the following to the
13 Authority:

- 14 a. business-formation documents, which may include, but
15 not be limited to, articles of incorporation,
16 operating agreements, partnership agreements, and
17 fictitious business name statements. The applicant
18 shall also provide all documents filed with the
19 Oklahoma Secretary of State,
- 20 b. financial information pertaining to the operations of
21 the medical marijuana business, which shall include
22 the following:
- 23 (1) a list of funds belonging to the applicant held
24 in savings, checking, or other accounts

1 maintained by a financial institution. The
2 applicant shall provide for each account the name
3 of the financial institution, the address of the
4 financial institution, account type, account
5 number, and the amount of money in the account,

6 (2) a list of loans made to the applicant. For each
7 loan, the applicant shall provide the amount of
8 the loan, the date of the loan, term of the loan,
9 security provided for the loan, and the name,
10 address, and phone number of the lender,

11 (3) a list of investments made into the medical
12 marijuana business. For each investment, the
13 applicant shall provide the amount of the
14 investment, the date of the investment, term of
15 the investment, and the name, address, and phone
16 number of the investor, and

17 (4) a list of all monetary gifts, equipment, and
18 property of any kind given to the applicant for
19 the purpose of or in exchange for applying for or
20 operating a medical marijuana business. For each
21 gift, the applicant shall provide the value or a
22 description of the gift and the name, address,
23 and phone number of the provider of the gift,
24

1 c. a complete list of every individual who has a
2 financial interest in the medical marijuana business
3 who is not an owner of the medical marijuana business,

4 d. whether the applicant has an ownership or a financial
5 interest in any other medical marijuana business
6 licensed under the provisions of the Oklahoma Medical
7 Marijuana and Patient Protection Act,

8 e. a complete and detailed diagram of the proposed
9 premises. If changes to the proposed premises occur
10 during the application period, a revised set of plans
11 shall be submitted to the Authority for final
12 inspection. The diagram shall be to scale and shall
13 show the following:

14 (1) boundaries of the property and the proposed
15 premises to be licensed, showing all boundaries,
16 dimensions, entrances and exits, interior
17 partitions, walls, rooms, windows, doorways, and
18 common or shared entryways, and shall include a
19 brief statement or description of the principal
20 activity to be conducted therein,

21 (2) the location of medical marijuana business
22 activities that will take place in each area of
23 the premises, and limited-access areas,

1 (3) where all cameras are located with a number
2 assigned to each camera for identification
3 purposes, and

4 (4) if the proposed premises consists of only a
5 portion of the property, labels indicating which
6 part of the property is the proposed premises and
7 what the remaining property is used for,

8 f. if the applicant is not the landowner of the real
9 property upon which the premises is located, a
10 document from the landowner or the agent of the
11 landowner that states that the applicant has the right
12 to occupy the property and acknowledging the applicant
13 may use the property for the medical marijuana
14 business activity for which the applicant is applying
15 for licensure. An applicant shall also provide a copy
16 of the rental agreement, as applicable,

17 g. if the applicant is the landowner of the real property
18 upon which the premises is located, a copy of the
19 title or deed to the property,

20 h. if the applicant is applying for a medical marijuana
21 commercial grower license, the applicant shall also
22 submit the following:

23 (1) for indoor and mixed-light cultivation,
24 identification of all power sources for

1 cultivation activities including, but not limited
2 to, illumination, heating, cooling, and
3 ventilation,

4 (2) if the applicant is proposing to use a diversion
5 from a waterbody, groundwater well, or rain
6 catchment system as a water source for
7 cultivation, the applicant shall include the
8 following locations on the property diagram with
9 locations also provided as coordinates in either
10 latitude and longitude or the Oklahoma Coordinate
11 System:

12 (a) sources of water used, including the
13 location of waterbody diversion, pump
14 location, and distribution system, and

15 (b) location, type, and capacity of each storage
16 unit to be used for cultivation, and

17 (3) a proposed cultivation plan, which shall include
18 identification of all water sources used for
19 cultivation activities, and

20 i. evidence of insurance including, but not limited to:

21 (1) general liability insurance,

22 (2) workers' compensation insurance or a copy of an
23 Affidavit of Exempt Status filed with the

24 Workers' Compensation Commission if compensation

1 coverage is not required pursuant to the
2 Administrative Workers' Compensation Act, and
3 (3) product liability insurance.

4 7. The Authority may request additional information from the
5 applicant.

6 8. The Authority may reject an application for an annual
7 medical marijuana business license if the requirements for a
8 temporary medical marijuana business license or any provision of the
9 Oklahoma Medical Marijuana and Patient Protection Act are not
10 satisfied.

11 9. For purposes of this subsection, "financial interest"
12 concerning a medical marijuana business shall include any
13 contractual agreements for profit sharing, subcontracting, or
14 similar financial arrangements; provided, that such disclosures
15 alone shall not automatically indicate ownership of the license or
16 require disclosure as an owner of the license.

17 E. 1. The In addition to the fee for a temporary medical
18 marijuana transporter license, the annual, nonrefundable fee for a
19 medical marijuana transporter license shall be Two Thousand Five
20 Hundred Dollars (\$2,500.00).

21 2. The In addition to the nonrefundable application fee for a
22 temporary medical marijuana business license, the initial fee for a
23 medical marijuana commercial grower license shall be calculated
24 based upon the total amount of square feet of canopy or acres the

1 grower estimates will be harvested for the year. The annual,
2 nonrefundable license fee shall be based upon the total amount of
3 square feet of canopy harvested by the grower during the previous
4 twelve (12) months. The amount of the fees shall be determined as
5 follows:

6 a. For an indoor, greenhouse, or light deprivation
7 medical marijuana grow facility:

8 (1) Tier 1: Up to ten thousand (10,000) square feet
9 of canopy, the fee shall be Two Thousand Five
10 Hundred Dollars (\$2,500.00),

11 (2) Tier 2: Ten thousand one (10,001) square feet of
12 canopy to twenty thousand (20,000) square feet of
13 canopy, the fee shall be Five Thousand Dollars
14 (\$5,000.00),

15 (3) Tier 3: Twenty thousand one (20,001) square feet
16 of canopy to forty thousand (40,000) square feet
17 of canopy, the fee shall be Ten Thousand Dollars
18 (\$10,000.00),

19 (4) Tier 4: Forty thousand one (40,001) square feet
20 of canopy to sixty thousand (60,000) square feet
21 of canopy, the fee shall be Twenty Thousand
22 Dollars (\$20,000.00),

23 (5) Tier 5: Sixty thousand one (60,001) square feet
24 of canopy to eighty thousand (80,000) square feet

1 of canopy, the fee shall be Thirty Thousand
2 Dollars (\$30,000.00),

3 (6) Tier 6: Eighty thousand one (80,001) square feet
4 of canopy to ninety-nine thousand nine hundred
5 ninety-nine (99,999) square feet of canopy, the
6 fee shall be Forty Thousand Dollars (\$40,000.00),
7 and

8 (7) Tier 7: One hundred thousand (100,000) square
9 feet of canopy and beyond, the fee shall be Fifty
10 Thousand Dollars (\$50,000.00), plus an additional
11 twenty-five cents (\$0.25) per square foot of
12 canopy over one hundred thousand (100,000) square
13 feet.

14 b. For an outdoor medical marijuana grow facility:

15 (1) Tier 1: Up to two and one-half (2 1/2) acres,
16 the fee shall be Two Thousand Five Hundred
17 Dollars (\$2,500.00),

18 (2) Tier 2: Two and one-half (2 1/2) acres up to
19 five (5) acres, the fee shall be Five Thousand
20 Dollars (\$5,000.00),

21 (3) Tier 3: Five (5) acres up to ten (10) acres, the
22 fee shall be Ten Thousand Dollars (\$10,000.00),
23
24

1 (4) Tier 4: Ten (10) acres up to twenty (20) acres,
2 the fee shall be Twenty Thousand Dollars
3 (\$20,000.00),

4 (5) Tier 5: Twenty (20) acres up to thirty (30)
5 acres, the fee shall be Thirty Thousand Dollars
6 (\$30,000.00),

7 (6) Tier 6: Thirty (30) acres up to forty (40)
8 acres, the fee shall be Forty Thousand Dollars
9 (\$40,000.00),

10 (7) Tier 7: Forty (40) acres up to fifty (50) acres,
11 the fee shall be Fifty Thousand Dollars
12 (\$50,000.00), and

13 (8) Tier 8: If the amount of acreage exceeds fifty
14 (50) acres, the fee shall be Fifty Thousand
15 Dollars (\$50,000.00) plus an additional Two
16 Hundred Fifty Dollars (\$250.00) per acre.

17 c. For a medical marijuana commercial grower that has a
18 combination of both indoor and outdoor growing
19 facilities at one location, the medical marijuana
20 commercial grower shall be required to obtain a
21 separate license from the Authority for each type of
22 grow operation and shall be subject to the licensing
23 fees provided for in subparagraphs a and b of this
24 paragraph.

1 d. As used in this paragraph:

2 (1) "canopy" means the total surface area within a
3 cultivation area that is dedicated to the
4 cultivation of flowering marijuana plants. The
5 surface area of the plant canopy must be
6 calculated in square feet and measured and must
7 include all of the area within the boundaries
8 where the cultivation of the flowering marijuana
9 plants occurs. If the surface of the plant
10 canopy consists of noncontiguous areas, each
11 component area must be separated by identifiable
12 boundaries. If a tiered or shelving system is
13 used in the cultivation area, the surface area of
14 each tier or shelf must be included in
15 calculating the area of the plant canopy.
16 Calculation of the area of the plant canopy may
17 not include the areas within the cultivation area
18 that are used to cultivate immature marijuana
19 plants and seedlings, prior to flowering, and
20 that are not used at any time to cultivate mature
21 marijuana plants. If the flowering plants are
22 vertically grown in cylinders, the square footage
23 of the canopy shall be measured by the
24

1 circumference of the cylinder multiplied by the
2 total length of the cylinder,

3 (2) "greenhouse" means a structure located outdoors
4 that is completely covered by a material that
5 allows a controlled level of light transmission,
6 and

7 (3) "light deprivation" means a structure that has
8 concrete floors and the ability to manipulate
9 natural light.

10 3. ~~The~~ In addition to the nonrefundable application fee for a
11 temporary medical marijuana business license, the annual,
12 nonrefundable license fee for a medical marijuana processor license
13 shall be determined as follows:

14 a. Tier 1: Zero (0) to ten thousand (10,000) pounds of
15 biomass or production or use of up to one hundred
16 (100) liters of cannabis concentrate, the annual fee
17 shall be Two Thousand Five Hundred Dollars
18 (\$2,500.00),

19 b. Tier 2: Ten thousand one (10,001) pounds to fifty
20 thousand (50,000) pounds of biomass or production or
21 use from one hundred one (101) to three hundred fifty
22 (350) liters of cannabis concentrate, the annual fee
23 shall be Five Thousand Dollars (\$5,000.00),
24

1 c. Tier 3: Fifty thousand one (50,001) pounds to one
2 hundred fifty thousand (150,000) pounds of biomass or
3 production or use from three hundred fifty-one (351)
4 to six hundred fifty (650) liters of cannabis
5 concentrate, the annual fee shall be Ten Thousand
6 Dollars (\$10,000.00),

7 d. Tier 4: One hundred fifty thousand one (150,001)
8 pounds to three hundred thousand (300,000) pounds of
9 biomass or production or use from six hundred fifty-
10 one (651) to one thousand (1,000) liters of cannabis
11 concentrate, the annual fee shall be Fifteen Thousand
12 Dollars (\$15,000.00), and

13 e. Tier 5: More than three hundred thousand one
14 (300,001) pounds of biomass or production or use in
15 excess of one thousand one (1,001) liters of cannabis
16 concentrate, the annual fee shall be Twenty Thousand
17 Dollars (\$20,000.00).

18 For purposes of this paragraph only, if the cannabis concentrate
19 is in nonliquid form, every one thousand (1,000) grams of
20 concentrated marijuana shall be calculated as one (1) liter of
21 cannabis concentrate.

22 4. ~~The~~ In addition to the nonrefundable application fee for a
23 temporary medical marijuana business license, the initial fee for a
24 medical marijuana dispensary license shall be Two Thousand Five

1 Hundred Dollars (\$2,500.00). The annual, nonrefundable license fee
2 for a medical marijuana dispensary license shall be calculated at
3 ten percent (10%) of the sum of twelve (12) calendar months of the
4 combined annual state sales tax and state excise tax of the
5 dispensary. The minimum fee shall be not less than Two Thousand
6 Five Hundred Dollars (\$2,500.00) and the maximum fee shall not
7 exceed Ten Thousand Dollars (\$10,000.00).

8 5. ~~The~~ In addition to the nonrefundable application fee for a
9 temporary medical marijuana business license, the annual,
10 nonrefundable license fee for a medical marijuana testing laboratory
11 shall be Twenty Thousand Dollars (\$20,000.00).

12 ~~E.~~ F. All applicants seeking licensure or licensure renewal as
13 a medical marijuana business shall comply with the following general
14 requirements:

15 1. All applications for licenses and registrations authorized
16 pursuant to this section shall be made upon forms prescribed by the
17 Authority;

18 2. Each application shall identify the city or county in which
19 the applicant seeks to obtain licensure as a medical marijuana
20 business;

21 3. Applicants shall submit a complete application to the
22 Authority before the application may be accepted or considered;

23 4. All applications shall be complete and accurate in every
24 detail;

1 5. All applications shall include all attachments or
2 supplemental information required by the forms supplied by the
3 Authority;

4 6. All applications shall be accompanied by a full remittance
5 for the whole amount of the application fees. Application fees are
6 nonrefundable;

7 7. All applicants shall be approved for licensing review that,
8 at a minimum, meets the following criteria:

9 a. twenty-five (25) years of age or older,

10 b. if applying as an individual, proof that the applicant
11 is an Oklahoma resident pursuant to paragraph 11 of
12 this subsection,

13 c. if applying as an entity, proof that seventy-five
14 percent (75%) of all members, managers, executive
15 officers, partners, board members or any other form of
16 business ownership are Oklahoma residents pursuant to
17 paragraph 11 of this subsection,

18 d. if applying as an individual or entity, proof that the
19 individual or entity is registered to conduct business
20 in the State of Oklahoma,

21 e. disclosure of all ownership interests pursuant to the
22 Oklahoma Medical Marijuana and Patient Protection Act,
23 and
24

1 f. proof that the medical marijuana business, medical
2 marijuana research facility, medical marijuana
3 education facility and medical marijuana waste
4 disposal facility applicant or licensee has not been
5 convicted of a nonviolent felony in the last two (2)
6 years, or any other felony conviction within the last
7 five (5) years, is not a current inmate in the custody
8 of the Department of Corrections, or currently
9 incarcerated in a jail or corrections facility;

10 8. There shall be no limit to the number of medical marijuana
11 business licenses or categories that an individual or entity can
12 apply for or receive, although each application and each category
13 shall require a separate application and application fee. A
14 commercial grower, processor and dispensary, or any combination
15 thereof, are authorized to share the same address or physical
16 location, subject to the restrictions set forth in the Oklahoma
17 Medical Marijuana and Patient Protection Act;

18 9. All applicants for a medical marijuana business license,
19 research facility license or education facility license authorized
20 by the Oklahoma Medical Marijuana and Patient Protection Act, or for
21 a renewal of such license, shall undergo an Oklahoma criminal
22 history background check conducted by the Oklahoma State Bureau of
23 Investigation (OSBI) within thirty (30) days prior to the
24 application for the license, including:

- 1 a. individual applicants applying on their own behalf,
- 2 b. individuals applying on behalf of an entity,
- 3 c. all principal officers of an entity, and
- 4 d. all owners of an entity as defined by the Oklahoma
- 5 Medical Marijuana and Patient Protection Act;

6 10. All applicable fees charged by the OSBI are the
7 responsibility of the applicant and shall not be higher than fees
8 charged to any other person or industry for such background checks;

9 11. In order to be considered an Oklahoma resident for purposes
10 of a medical marijuana business application, all applicants shall
11 provide proof of Oklahoma residency for at least two (2) years
12 immediately preceding the date of application or five (5) years of
13 continuous Oklahoma residency during the preceding twenty-five (25)
14 years immediately preceding the date of application. Sufficient
15 documentation of proof of residency shall include a combination of
16 the following:

- 17 a. an unexpired Oklahoma-issued driver license,
- 18 b. an Oklahoma identification card,
- 19 c. a utility bill preceding the date of application,
- 20 excluding cellular telephone and Internet bills,
- 21 d. a residential property deed to property in the State
- 22 of Oklahoma, and

1 e. a rental agreement preceding the date of application
2 for residential property located in the State of
3 Oklahoma.

4 Applicants that were issued a medical marijuana business license
5 prior to August 30, 2019, are hereby exempt from the two-year or
6 five-year Oklahoma residence requirement mentioned above;

7 12. All license applicants shall be required to submit a
8 registration with the Oklahoma State Bureau of Narcotics and
9 Dangerous Drugs Control as provided in Sections 2-302 through 2-304
10 of this title;

11 13. All applicants shall establish their identity through
12 submission of a color copy or digital image of one of the following
13 unexpired documents:

- 14 a. front of an Oklahoma driver license,
- 15 b. front of an Oklahoma identification card,
- 16 c. a United States passport or other photo identification
17 issued by the United States government, or
- 18 d. a tribal identification card approved for
19 identification purposes by the Oklahoma Department of
20 Public Safety; and

21 14. All applicants shall submit an applicant photograph.

22 ~~F.~~ G. The Authority shall review the temporary medical
23 marijuana business license application; approve, reject or deny the
24 application; and mail the approval, rejection, denial or status-

1 update letter to the applicant within ninety (90) business days of
2 receipt of the application.

3 ~~G.~~ H. 1. The Authority shall review the temporary medical
4 marijuana business applications and conduct all investigations,
5 inspections and interviews before approving the application for an
6 annual medical marijuana business license for the specific category
7 applied under. The annual medical marijuana business license shall
8 not be issued until the Authority determines that all necessary
9 inspections and reviews including, but not limited to, plan reviews,
10 safety inspections or compliance inspections, have been completed.

11 2. Approved applicants shall be issued ~~a~~ an annual medical
12 marijuana business license for the specific category applied under,
13 which shall act as proof of their approved status. Rejection and
14 denial letters shall provide a reason for the rejection or denial.
15 Applications for an annual medical marijuana business license may
16 only be rejected or denied based on the applicant not meeting the
17 standards set forth in the provisions of subsection D of this
18 section for a temporary medical marijuana business license, the
19 provisions of the Oklahoma Medical Marijuana and Patient Protection
20 Act and Sections 420 through 426.1 of this title, improper
21 completion of the application, or for a reason provided for in the
22 Oklahoma Medical Marijuana and Patient Protection Act and Sections
23 420 through 426.1 of this title. If an application for an annual
24 medical marijuana business license is rejected for failure to

1 provide required information, the applicant shall ~~have thirty (30)~~
2 ~~days~~ be granted an extension of time as provided for in paragraph 4
3 of subsection D of this section to submit the required information
4 for reconsideration. ~~No additional application fee and shall be~~
5 ~~charged for such reconsideration~~ assessed a nonrefundable fee of One
6 Thousand Dollars (\$1,000.00) for every ninety-day extension
7 requested by the applicant and subsequently granted by the
8 Authority. Unless the Authority determines otherwise, an
9 application that has been resubmitted but is still incomplete or
10 contains errors that are not clerical or typographical in nature
11 shall be denied.

12 3. Status-update letters shall provide a reason for delay in
13 either approval, rejection or denial should a situation arise in
14 which an application was submitted properly but a delay in
15 processing the application occurred.

16 4. Approval, rejection, denial or status-update letters shall
17 be sent to the applicant in the same method the application was
18 submitted to the Authority.

19 5. Medical marijuana businesses issued a medical marijuana
20 business license prior to the effective date of this act shall be
21 required to submit business-formation documents, financial and
22 property information, and insurance information pertaining to the
23 operations of the medical marijuana business, as prescribed in
24 subparagraphs a, b, c, d, e, f, and i of paragraph 6 of subsection D

1 of this section, to the Authority prior to renewal of the medical
2 marijuana business license. The medical marijuana business licensee
3 shall submit the required documentation not less than sixty (60)
4 days prior to the date of renewal of the medical marijuana business
5 license. The Authority shall have thirty (30) days to review the
6 submitted documentation and an additional thirty (30) days
7 immediately thereafter for purposes of resolving any
8 inconsistencies, discrepancies, or disputed issues found within the
9 submitted documentation. If the medical marijuana business licensee
10 fails to submit the required documentation sixty (60) days prior to
11 the date of renewal, the license of the medical marijuana business
12 shall be suspended until such time as the documentation is submitted
13 to the Authority.

14 6. Medical marijuana businesses that have been issued a
15 temporary and annual medical marijuana business license pursuant to
16 the provisions of subsection D of this section shall be required to
17 annually submit updated business-formation documents, financial and
18 property information, and insurance information pertaining to the
19 operations of the medical marijuana business, as prescribed in
20 subparagraphs a, b, c, d, e, f, and i of paragraph 6 of subsection D
21 of this section, to the Authority when seeking renewal of the
22 medical marijuana business license.

23 H. I. A license for a medical marijuana business, medical
24 marijuana research facility, medical marijuana education facility or

1 medical marijuana waste disposal facility shall not be issued to or
2 held by:

3 1. A person until all required fees have been paid;

4 2. A person who has been convicted of a nonviolent felony
5 within two (2) years of the date of application, or within five (5)
6 years for any other felony;

7 3. A corporation, if the criminal history of any of its
8 officers, directors or stockholders indicates that the officer,
9 director or stockholder has been convicted of a nonviolent felony
10 within two (2) years of the date of application, or within five (5)
11 years for any other felony;

12 4. A person under twenty-five (25) years of age;

13 5. A person licensed pursuant to this section who, during a
14 period of licensure, or who, at the time of application, has failed
15 to:

16 a. file taxes, interest or penalties due related to a
17 medical marijuana business, or

18 b. pay taxes, interest or penalties due related to a
19 medical marijuana business;

20 6. A sheriff, deputy sheriff, police officer or prosecuting
21 officer, or an officer or employee of the Authority or municipality;

22 7. A person whose authority to be a caregiver, as defined in
23 Section 427.2 of this title, has been revoked by the Authority; or
24

1 8. A person who was involved in the management or operations of
2 any medical marijuana business, medical marijuana research facility,
3 medical marijuana education facility or medical marijuana waste
4 disposal facility that, after the initiation of a disciplinary
5 action, has had a medical marijuana license revoked, not renewed, or
6 surrendered during the five (5) years preceding submission of the
7 application and for the following violations:

- 8 a. unlawful sales or purchases,
- 9 b. any fraudulent acts, falsification of records or
10 misrepresentation to the Authority, medical marijuana
11 patient licensees, caregiver licensees or medical
12 marijuana business licensees,
- 13 c. any grossly inaccurate or fraudulent reporting,
- 14 d. threatening or harming any medical marijuana patient,
15 caregiver, medical practitioner or employee of the
16 Authority,
- 17 e. knowingly or intentionally refusing to permit the
18 Authority access to premises or records,
- 19 f. using a prohibited, hazardous substance for processing
20 in a residential area,
- 21 g. criminal acts relating to the operation of a medical
22 marijuana business, or
- 23 h. any violations that endanger public health and safety
24 or product safety.

1 ~~F.~~ J. In investigating the qualifications of an applicant or a
2 licensee, the Authority and municipalities may have access to
3 criminal history record information furnished by a criminal justice
4 agency subject to any restrictions imposed by such an agency.

5 ~~J.~~ K. The failure of an applicant or licensee to provide the
6 requested information by the Authority deadline may be grounds for
7 denial of the application.

8 ~~K.~~ L. All applicants and licensees shall submit information to
9 the Authority in a full, faithful, truthful and fair manner. The
10 Authority may recommend denial of an application where the applicant
11 or licensee made misstatements, omissions, misrepresentations or
12 untruths in the application or in connection with the background
13 investigation of the applicant. This type of conduct may be grounds
14 for administrative action against the applicant or licensee. Typos
15 and scrivener errors shall not be grounds for denial.

16 ~~L.~~ M. A licensed medical marijuana business premises shall be
17 subject to and responsible for compliance with applicable provisions
18 consistent with the zoning where such business is located as
19 described in the most recent versions of the Oklahoma Uniform
20 Building Code, the International Building Code and the International
21 Fire Code, unless granted an exemption by a municipality or
22 appropriate code enforcement entity.

23 ~~M.~~ N. All medical marijuana business, medical marijuana
24 research facility, medical marijuana education facility and medical

1 marijuana waste disposal facility licensees shall pay the relevant
2 licensure fees prior to receiving licensure to operate.

3 ~~N.~~ O. A medical marijuana business, medical marijuana research
4 facility, medical marijuana education facility or medical marijuana
5 waste disposal facility that attempts to renew its license after the
6 expiration date of the license shall pay a late renewal fee in an
7 amount to be determined by the Authority to reinstate the license.
8 Late renewal fees are nonrefundable. A license that has been
9 expired for more than ninety (90) days shall not be renewed.

10 ~~O.~~ P. No medical marijuana business, medical marijuana research
11 facility, medical marijuana education facility or medical marijuana
12 waste disposal facility shall possess, sell or transfer medical
13 marijuana or medical marijuana products without a valid, unexpired
14 license issued by the Authority.

15 SECTION 6. AMENDATORY 63 O.S. 2021, Section 427.16, as
16 amended by Section 16, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2022,
17 Section 427.16), is amended to read as follows:

18 Section 427.16 A. There is hereby created a medical marijuana
19 transporter license as a category of the medical marijuana business
20 license.

21 B. Pursuant to Section 424 of this title, the Oklahoma Medical
22 Marijuana Authority shall issue a temporary and an annual medical
23 marijuana transporter license to licensed medical marijuana
24 commercial growers, licensed medical marijuana processors, and

1 licensed medical marijuana dispensaries upon issuance of such
2 licenses and upon each renewal. Medical marijuana transporter
3 licenses shall also be issued to licensed medical marijuana research
4 facilities, licensed medical marijuana education facilities and
5 licensed medical marijuana testing laboratories upon issuance of
6 such licenses and upon each renewal.

7 C. A temporary or annual medical marijuana transporter license
8 may also be issued to qualifying applicants who are registered with
9 the Secretary of State and otherwise meet the requirements for a
10 medical marijuana business license set forth in Section 427.14 of
11 this title, the Oklahoma Medical Marijuana and Patient Protection
12 Act and the requirements set forth in this section to provide
13 logistics, distribution and storage of medical marijuana, medical
14 marijuana concentrate and medical marijuana products.

15 D. A medical marijuana transporter license shall be valid for
16 one (1) year and shall not be transferred with a change of
17 ownership. A licensed medical marijuana transporter shall be
18 responsible for all medical marijuana, medical marijuana concentrate
19 and medical marijuana products once the transporter takes control of
20 the product.

21 E. A transporter license shall be required for any person or
22 entity to transport or transfer medical marijuana, medical marijuana
23 concentrate or medical marijuana products from a licensed medical
24 marijuana business to another medical marijuana business, or from a

1 medical marijuana business to a medical marijuana research facility
2 or medical marijuana education facility.

3 F. A medical marijuana transporter licensee may contract with
4 multiple licensed medical marijuana businesses.

5 G. A medical marijuana transporter may maintain a licensed
6 premises to temporarily store medical marijuana, medical marijuana
7 concentrate and medical marijuana products and to use as a
8 centralized distribution point. A medical marijuana transporter may
9 store and distribute medical marijuana, medical marijuana
10 concentrate and medical marijuana products from the licensed
11 premises. The licensed premises shall meet all security
12 requirements applicable to a medical marijuana business.

13 H. A medical marijuana transporter licensee shall use the seed-
14 to-sale tracking system developed pursuant to the Oklahoma Medical
15 Marijuana and Patient Protection Act to create shipping manifests
16 documenting the transport of medical marijuana, medical marijuana
17 concentrate and medical marijuana products throughout the state.

18 I. A licensed medical marijuana transporter may maintain and
19 operate one or more warehouses in the state to handle medical
20 marijuana, medical marijuana concentrate and medical marijuana
21 products. Each location shall be registered and inspected by the
22 Authority prior to its use.

23 J. With the exception of a lawful transfer between medical
24 marijuana businesses who are licensed to operate at the same

1 physical address, all medical marijuana, medical marijuana
2 concentrate and medical marijuana products shall be transported:

3 1. In vehicles equipped with Global Positioning System (GPS)
4 trackers;

5 2. In a locked container and clearly labeled "Medical Marijuana
6 or Derivative"; and

7 3. In a secured area of the vehicle that is not accessible by
8 the driver during transit.

9 K. A transporter agent may possess marijuana at any location
10 while the transporter agent is transferring marijuana to or from a
11 licensed medical marijuana business, licensed medical marijuana
12 research facility or licensed medical marijuana education facility.
13 The Authority shall administer and enforce the provisions of this
14 section concerning transportation.

15 L. The Authority shall issue a transporter agent license to
16 individual agents, employees, officers or owners of a transporter
17 license in order for the individual to qualify to transport medical
18 marijuana, medical marijuana concentrate or medical marijuana
19 products.

20 M. The annual fee for a transporter agent license shall be
21 Twenty-five Dollars (\$25.00) and shall be paid by the transporter
22 license holder or the individual applicant. Transporter license
23 reprints shall be Twenty Dollars (\$20.00).

24

1 N. The Authority shall issue each transporter agent a registry
2 identification card within thirty (30) days of receipt of:

3 1. The name, address and date of birth of the person;

4 2. Proof of current state residency;

5 3. Proof of identity as required for a medical marijuana
6 business license;

7 4. Possession of a valid state-issued driver license;

8 5. Verification of employment with a licensed transporter;

9 6. The application and affiliated fee; and

10 7. A copy of the criminal background check conducted by the
11 Oklahoma State Bureau of Investigation, paid for by the applicant.

12 O. If the transporter agent application is denied, the
13 Authority shall notify the transporter in writing of the reason for
14 denying the registry identification card.

15 P. A registry identification card for a transporter shall
16 expire one (1) year after the date of issuance or upon notification
17 from the holder of the transporter license that the transporter
18 agent ceases to work as a transporter.

19 Q. The Authority may revoke the registry identification card of
20 a transporter agent who knowingly violates any provision of this
21 section, and the transporter is subject to any other penalties
22 established by law for the violation.

23 R. The Authority may revoke or suspend the transporter license
24 of a transporter that the Authority determines knowingly aided or

1 facilitated a violation of any provision of this section, and the
2 license holder is subject to any other penalties established in law
3 for the violation.

4 S. Vehicles used in the transport of medical marijuana or
5 medical marijuana product shall be:

- 6 1. Insured at or above the legal requirements in this state;
- 7 2. Capable of securing medical marijuana during transport; and
- 8 3. In possession of a shipping container as defined in Section
9 427.2 of this title capable of securing all transported products.

10 T. Prior to the transport of any medical marijuana, medical
11 marijuana concentrate or medical marijuana products, an inventory
12 manifest shall be prepared at the origination point of the medical
13 marijuana. The inventory manifest shall include the following
14 information:

- 15 1. For the origination point of the medical marijuana:
 - 16 a. the licensee number for the commercial grower,
17 processor or dispensary,
 - 18 b. address of origination of transport, and
 - 19 c. name and contact information for the originating
20 licensee;

21 2. For the end recipient license holder of the medical
22 marijuana:

23
24

- a. the license number for the dispensary, commercial grower, processor, research facility or education facility destination,
- b. address of the destination, and
- c. name and contact information for the destination licensee;

3. Quantities by weight or unit of each type of medical marijuana product contained in transport;

4. The date of the transport and the approximate time of departure;

5. The arrival date and estimated time of arrival;

6. Printed names and signatures of the personnel accompanying the transport; and

7. Notation of the transporting licensee.

U. 1. A separate inventory manifest shall be prepared for each licensee receiving the medical marijuana.

2. The transporter agent shall provide the other medical marijuana business with a copy of the inventory manifest at the time the product changes hands and after the other licensee prints his or her name and signs the inventory manifest.

3. A receiving licensee shall refuse to accept any medical marijuana, medical marijuana concentrate or medical marijuana products that are not accompanied by an inventory manifest.

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4. Originating and receiving licensees shall maintain copies of inventory manifests and logs of quantities of medical marijuana received for seven (7) years from date of receipt.

SECTION 7. This act shall become effective November 1, 2023.

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