

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 177

By: Rogers

AS INTRODUCED

An Act relating to medical marijuana; amending 63 O.S. 2021, Section 427.13, as amended by Section 14, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2022, Section 427.13), which relates to seed-to-sale; requiring the Oklahoma Medical Marijuana Authority to have a certain amount of inventory tracking systems for licensees; allowing the Oklahoma Medical Marijuana Authority to competitively bid for additional inventory tracking systems; repealing 63 O.S. 2021, Section 427.13, as amended by Section 7, Chapter 584, O.S.L. 2021; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 427.13, as amended by Section 14, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2022, Section 427.13), is amended to read as follows:

Section 427.13. A. All medical marijuana and medical marijuana products shall be purchased solely from a state-licensed medical marijuana business, and shall not be purchased from any out-of-state providers.

B. 1. The Oklahoma Medical Marijuana Authority shall have oversight and auditing responsibilities to ensure that all marijuana

1 being grown in this state is accounted for and shall implement an
2 inventory tracking system. Pursuant to these duties, the Authority
3 shall require that each medical marijuana business, medical
4 marijuana research facility, medical marijuana education facility
5 and medical marijuana waste disposal facility keep records for every
6 transaction with another medical marijuana business, patient or
7 caregiver. Inventory shall be tracked and updated after each
8 individual sale and reported to the Authority.

9 2. The inventory tracking system licensees use shall allow for
10 integration of other seed-to-sale systems and, at a minimum, shall
11 include the following:

- 12 a. notification of when marijuana seeds and clones are
13 planted,
- 14 b. notification of when marijuana plants are harvested
15 and destroyed,
- 16 c. notification of when marijuana is transported, sold,
17 stolen, diverted or lost,
- 18 d. a complete inventory of all marijuana, seeds, plant
19 tissue, clones, plants, usable marijuana or trim,
20 leaves and other plant matter, batches of extract, and
21 marijuana concentrates,
- 22 e. all samples sent to a testing laboratory, an unused
23 portion of a sample returned to a licensee, all
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1 samples utilized by licensee for purposes of
2 negotiating a sale, and

3 f. all samples used for quality testing by a licensee.

4 3. Each medical marijuana business, medical marijuana research
5 facility, medical marijuana education facility and medical marijuana
6 waste disposal facility shall use a seed-to-sale tracking system or
7 integrate its own seed-to-sale tracking system with the seed-to-sale
8 tracking system established by the Authority.

9 4. These records shall include, but not be limited to, the
10 following:

11 a. the name and license number of the medical marijuana
12 business that cultivated, manufactured or sold the
13 medical marijuana or medical marijuana product,

14 b. the address and phone number of the medical marijuana
15 business that cultivated, manufactured or sold the
16 medical marijuana or medical marijuana product,

17 c. the type of product received during the transaction,

18 d. the batch number of the marijuana plant used,

19 e. the date of the transaction,

20 f. the total spent in dollars,

21 g. all point-of-sale records,

22 h. marijuana excise tax records, and
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1 i. any additional information as may be reasonably
2 required by the Executive Director of the Oklahoma
3 Medical Marijuana Authority.

4 5. All inventory tracking records retained by a medical
5 marijuana business, medical marijuana research facility, medical
6 marijuana education facility or medical marijuana waste disposal
7 facility containing medical marijuana patient or caregiver
8 information shall comply with all relevant state and federal laws
9 including, but not limited to, the Health Insurance Portability and
10 Accountability Act of 1996 (HIPAA).

11 C. After the effective date of this act, the Authority shall
12 provide no less than three (3) and no more than five (5) inventory
13 tracking system options for licensees. The Authority may select the
14 tracking systems through a complete bidding process pursuant to
15 Section 85.7 of Title 74 of the Oklahoma Statutes.

16 SECTION 2. REPEALER 63 O.S. 2021, Section 427.13, as
17 amended by Section 7, Chapter 584, O.S.L. 2021, is hereby repealed.

18 SECTION 3. This act shall become effective November 1, 2023.

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