

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB768 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Jon Echols \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 PROPOSED  
4 COMMITTEE SUBSTITUTE  
5 FOR ENGROSSED  
6 SENATE BILL NO. 768

By: McCortney of the Senate

and

Echols of the House

7  
8  
9  
10 PROPOSED COMMITTEE SUBSTITUTE

11 An Act relating to medical marijuana; amending  
12 Sections 1, 2, 3 and 4, State Question No. 788,  
13 Initiative Petition No. 412 (63 O.S. Supp. 2018,  
14 Sections 420, 421, 422 and 423), which relate to  
15 medical marijuana licensing procedures; extending  
16 application review periods; clarifying application  
17 procedures; amending Sections 3 and 23 of Enrolled  
18 House Bill No. 2612 of the 1st Session of the 57th  
19 Oklahoma Legislature, which relate to powers and  
20 duties of the State Department of Health and the  
21 promulgation of rules; clarifying duties related to  
22 the Oklahoma State Banking Department and State  
23 Treasurer; removing Banking Board from rules  
24 promulgation mandate; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, State Question No. 788,  
Initiative Petition No. 412 (63 O.S. Supp. 2018, Section 420), is  
amended to read as follows:

1 Section 420. A. A person in possession of a state issued  
2 medical marijuana license shall be able to:

3 1. Consume marijuana legally;

4 2. Legally possess up to three (3) ounces of marijuana on their  
5 person;

6 3. Legally possess six (6) mature marijuana plants;

7 4. Legally possess six (6) seedling plants;

8 5. Legally possess one (1) ounce of concentrated marijuana;

9 6. Legally possess seventy-two (72) ounces of edible marijuana;

10 and

11 7. Legally possess up to eight (8) ounces of marijuana in their  
12 residence.

13 B. Possession of up to one and one-half (1.5) ounces of  
14 marijuana by persons who can state a medical condition, but are not  
15 in possession of a state issued medical marijuana license, shall  
16 constitute a misdemeanor offense with a fine not to exceed Four  
17 Hundred Dollars (\$400.00).

18 C. A regulatory office shall be established under the ~~Oklahoma~~  
19 State Department of Health which ~~will~~ shall receive applications for  
20 medical license recipients, dispensaries, growers, and packagers  
21 within sixty (60) days of the passage of this initiative.

22 D. The ~~Oklahoma~~ State Department of Health shall, within thirty  
23 (30) days of passage of this initiative, make available, ~~on their~~  
24 the website of the Department, in an easy to find location, an

1 application for a medical marijuana license. The license ~~will be~~  
2 ~~good~~ shall be valid for two (2) years, and the application fee ~~will~~  
3 shall be One Hundred Dollars (\$100.00), or Twenty Dollars (\$20.00)  
4 for individuals on Medicaid, Medicare, or SoonerCare. The methods  
5 of payment ~~will~~ shall be provided on the website of the Department.

6 E. A temporary license application ~~will~~ shall also be made  
7 available on the ~~Oklahoma~~ State Department of Health website. A  
8 temporary medical marijuana license ~~will~~ shall be granted to any  
9 medical marijuana license holder from other states, provided that  
10 the state has a state regulated medical marijuana program, and the  
11 applicant can prove they are a member of such program. Temporary  
12 licenses ~~will~~ shall be issued for thirty (30) days. The cost for a  
13 temporary license shall be One Hundred Dollars (\$100.00). Renewal  
14 ~~will~~ shall be granted with resubmission of a new application. No  
15 additional criteria ~~will~~ shall be required.

16 F. Medical marijuana license applicants ~~will~~ shall submit their  
17 application to the ~~Oklahoma~~ State Department of Health for approval  
18 ~~and that the applicant must~~. The applicant shall be an Oklahoma  
19 state resident and shall prove residency by a valid ~~driver's~~ driver  
20 license, utility bills, or other accepted methods.

21 G. The ~~Oklahoma~~ State Department of Health shall review the  
22 medical marijuana application, ~~approve/reject~~ approve or reject the  
23 application, and mail the ~~applicant's~~ approval or rejection letter  
24 ~~(stating reasons for rejection)~~ to the applicant, stating any

1 reasons for rejection, within thirty (30) business days of receipt  
2 of the application. Beginning April 1, 2021, the Department shall  
3 mail the approval or rejection letter to the applicant within  
4 fourteen (14) calendar days of receipt of the application. Approved  
5 applicants ~~will~~ shall be issued a medical marijuana license which  
6 ~~will~~ shall act as proof of their approved status. Applications may  
7 only be rejected based on the applicant not meeting stated criteria  
8 or improper completion of the application.

9 H. The ~~Oklahoma~~ State Department of Health ~~will~~ shall only keep  
10 the following records for each approved medical license:

- 11 1. A digital photograph of the license holder;
- 12 2. The expiration date of the license;
- 13 3. The county where the card was issued; and
- 14 4. A unique ~~24-character~~ twenty-four-character identification  
15 number assigned to the license.

16 I. The State Department of Health ~~will~~ shall make available,  
17 both on ~~its~~ the website of the Department, and through a telephone  
18 verification system, an easy method to validate ~~a medical license~~  
19 ~~holders~~ the authenticity of the medical marijuana license by the  
20 unique ~~24-character identifier~~ twenty-four-character identification  
21 number.

22 J. The State Department of Health ~~will~~ shall ensure that all  
23 application records and information are sealed to protect the  
24 privacy of medical marijuana license applicants.

1 K. A caregiver license ~~will~~ shall be made available for  
2 qualified caregivers of a medical marijuana license holder who is  
3 homebound. The caregiver license ~~will~~ shall give the caregiver the  
4 same rights as the medical marijuana license holder. Applicants for  
5 a caregiver license ~~will~~ shall submit proof of the ~~medical marijuana~~  
6 ~~license holder's~~ license status and homebound status of the medical  
7 marijuana license holder, proof that the caregiver is the designee  
8 of the medical marijuana license holder, ~~must submit~~ proof that the  
9 caregiver is age eighteen (18) or older, and ~~must submit~~ proof the  
10 caregiver is an Oklahoma resident. This ~~will~~ shall be the only  
11 criteria for a caregiver license.

12 L. All applicants ~~must~~ shall be eighteen (18) years or older.  
13 A special exception ~~will~~ shall be granted to an applicant under the  
14 age of eighteen (18), however these applications ~~must~~ shall be  
15 signed by two ~~(2)~~ physicians and the ~~applicant's~~ parent or legal  
16 guardian of the applicant.

17 M. All applications for a medical marijuana license ~~must~~ shall  
18 be signed by an Oklahoma Board-certified physician. There are no  
19 qualifying conditions. A medical marijuana license ~~must~~ shall be  
20 recommended according to the accepted standards a reasonable and  
21 prudent physician would follow when recommending or approving any  
22 medication. No physician may be unduly stigmatized or harassed for  
23 signing a medical marijuana license application.

24

1 N. Counties and cities may enact medical marijuana guidelines  
2 allowing medical marijuana license holders or caregivers to exceed  
3 the state limits set forth in subsection A of this section.

4 SECTION 2. AMENDATORY Section 2, State Question No. 788,  
5 Initiative Petition No. 412 (63 O.S. Supp. 2018, Section 421), is  
6 amended to read as follows:

7 Section 421. A. The ~~Oklahoma~~ State Department of Health shall,  
8 within thirty (30) days of passage of this initiative, make  
9 available, ~~on their~~ the website, of the Department in an easy to  
10 find location, an application for a medical marijuana dispensary  
11 license. The application fee shall be Two Thousand Five Hundred  
12 Dollars (\$2,500.00) and a method of payment ~~will~~ shall be provided  
13 on the website of the Department. ~~Retail Dispensary~~ applicants ~~must~~  
14 shall all be Oklahoma state residents. Any entity applying for a  
15 ~~retail dispensary~~ license ~~must~~ shall be owned by an Oklahoma state  
16 resident and ~~must~~ shall be registered to do business in Oklahoma.  
17 The ~~Oklahoma State Department of Health~~ shall ~~have two (2) weeks to~~  
18 review the application, approve or reject the application, and mail  
19 the ~~approval/rejection~~ approval or rejection letter ~~(if rejected,~~  
20 ~~stating reasons for rejection),~~ stating any reasons for rejection,  
21 to the applicant within ninety (90) business days of receipt of the  
22 application. Beginning April 1, 2021, the Department shall mail the  
23 approval or rejection letter to the applicant within fourteen (14)  
24 calendar days of receipt of the application.

1 B. The ~~Oklahoma~~ State Department of Health ~~must~~ shall approve  
2 all applications which meet the following criteria:

3 1. ~~Applicant must~~ Applicants shall be ~~age~~ twenty-five (25)  
4 years old or older;

5 2. Any applicant~~,~~ applying as an individual~~,~~ ~~must~~ shall show  
6 residency in the State of Oklahoma;

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

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

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

14 6. All applicants ~~must~~ shall disclose all ownership;

15 7. ~~Applicant(s) with only nonviolent~~ Applicants shall not have  
16 a violent felony conviction(s) conviction in the ~~last~~ two (2) years~~,~~  
17 prior to applying or any other felony conviction in five 5 (years),  
18 the five (5) years prior to applying and shall not be inmates, or  
19 ~~any person currently incarcerated may not qualify for a medical~~  
20 ~~marijuana dispensary license.~~

21 C. ~~Retailers will be required to~~ Dispensaries shall complete a  
22 monthly sales report to the ~~Oklahoma~~ State Department of Health.  
23 ~~This~~ The report ~~will~~ shall be due on the 15th of each month and  
24 shall provide reporting on the previous month. ~~This~~ The report ~~will~~



1 shall detail the weight of marijuana purchased at wholesale and the  
2 weight of marijuana sold to card holders, and account for any waste.  
3 The report ~~will~~ shall show total sales in dollars, tax collected in  
4 dollars, and tax due in dollars. The ~~Oklahoma State Department of~~  
5 ~~Health~~ ~~will~~ shall have oversight and auditing responsibilities to  
6 ensure that all marijuana being grown is accounted for. A ~~retailer~~  
7 ~~will~~ dispensary shall only be subject to a penalty if a gross  
8 discrepancy exists and cannot be explained. Penalties for  
9 fraudulent reporting occurring within any ~~2~~ two-year time period  
10 ~~will~~ shall be an initial fine of Five Thousand Dollars (\$5,000.00)  
11 ~~(first)~~ for the first offense and revocation of ~~licensing~~ ~~(second)~~  
12 licensure for the second offense.

13 D. Only a licensed medical marijuana ~~retailer~~ dispensary may  
14 conduct retail sales of marijuana, or marijuana derivatives in the  
15 form provided by licensed processors, and ~~these~~ such products ~~can~~  
16 shall only be sold to a medical marijuana license holder or ~~their~~  
17 the caregiver of the license holder. Penalties for fraudulent sales  
18 occurring within any ~~2-year~~ two-year time period ~~will~~ shall be an  
19 initial fine of Five Thousand Dollars (\$5,000.00) ~~(first)~~ for the  
20 first offense and revocation of ~~licensing~~ ~~(second)~~ licensure for the  
21 second offense.

22 SECTION 3. AMENDATORY Section 3, State Question No. 788,  
23 Initiative Petition No. 412 (63 O.S. Supp. 2018, Section 422), is  
24 amended to read as follows:

1 Section 422. A. The ~~Oklahoma~~ State Department of Health ~~will~~  
2 shall, within thirty (30) days of passage of this initiative, make  
3 available, ~~on their~~ the website of the Department, in an easy to  
4 find location, an application for a commercial grower license. The  
5 application fee will be Two Thousand Five Hundred Dollars  
6 (\$2,500.00) and methods of payment will be provided on the website.  
7 The ~~Oklahoma~~ State Department of Health ~~has two (2) weeks to~~ shall  
8 review the application, approve or reject the application, and mail  
9 the ~~approval/rejection~~ approval or rejection letter ~~(if rejected,~~  
10 ~~stating reasons for rejection)~~, stating any reasons for rejection,  
11 to the applicant within ninety (90) business days of receipt of the  
12 application. Beginning April 1, 2021, the Department shall mail the  
13 approval or rejection letter to the applicant within fourteen (14)  
14 calendar days of receipt of the application.

15 B. The Oklahoma State Department of Health ~~must~~ shall approve  
16 all applications which meet the following criteria:

17 1. ~~Applicant must~~ Applicants shall be age twenty-five (25)  
18 years old or older;

19 2. Any applicant, ~~applying as an individual,~~ ~~must~~ shall show  
20 residency in the State of Oklahoma;

21 3. All applying entities ~~must~~ shall show that all members,  
22 managers, and board members are Oklahoma residents;

23  
24

1 4. An applying entity may show ownership of non-Oklahoma  
2 residents, but that percentage ownership ~~may~~ shall not exceed  
3 twenty-five percent (25%);

4 5. All applying individuals or entities ~~must~~ shall be  
5 registered to conduct business in the State of Oklahoma;

6 6. All applicants ~~must~~ shall disclose all ownership;

7 7. ~~Applicant(s) with only nonviolent~~ Applicants shall not have  
8 a violent felony conviction(s) conviction in the ~~last~~ two (2) years,  
9 prior to applying or any other felony conviction in 5 (years), the  
10 five (5) years prior to applying and shall not be inmates, or any  
11 person currently incarcerated may not qualify for a commercial  
12 grower license.

13 C. A licensed commercial grower may sell marijuana to a  
14 licensed ~~retailer,~~ dispensary or a licensed ~~packager~~ processor.  
15 Further, these sales ~~will~~ shall be considered wholesale sales and  
16 shall not be subject to taxation. Under no circumstances may a  
17 licensed commercial grower sell marijuana directly to a medical  
18 marijuana license holder. A licensed commercial grower may only  
19 sell at the wholesale level to a licensed ~~retailer~~ dispensary or a  
20 licensed processor. If the federal government lifts restrictions on  
21 buying and selling marijuana between states, then a licensed  
22 commercial grower ~~would~~ shall be allowed to sell and buy marijuana  
23 wholesale from, or to, an out of state wholesale provider. A  
24 licensed commercial grower ~~will be required to~~ shall complete a

1 monthly yield and sales report to the ~~Oklahoma~~ State Department of  
2 Health. ~~This~~ The report ~~will~~ shall be due on the 15th of each month  
3 and shall provide reporting on the previous month. ~~This~~ The report  
4 ~~will~~ shall detail the amount of marijuana harvested in pounds, the  
5 amount of drying or dried marijuana on hand, the amount of marijuana  
6 sold to processors in pounds, the amount of waste in pounds, ~~and~~ the  
7 amount of marijuana sold to retailers in ~~lbs.~~ ~~Additionally, this~~  
8 ~~report will show~~ pounds, and total wholesale sales in dollars. The  
9 ~~Oklahoma State Department of Health will~~ shall have oversight and  
10 auditing responsibilities to ensure that all marijuana being grown  
11 is accounted for. A licensed grower ~~will~~ shall only be subject to a  
12 penalty if a gross discrepancy exists and cannot be explained.  
13 Penalties for fraudulent reporting or sales occurring within any ~~2~~  
14 ~~year~~ two-year time period ~~will~~ shall be an initial fine of Five  
15 Thousand Dollars (\$5,000.00) ~~(first)~~ for the first offense and  
16 revocation of ~~licensing~~ ~~(second)~~ licensure for the second offense.

17 D. There shall be no limits on how much marijuana a licensed  
18 commercial grower ~~can~~ may grow.

19 SECTION 4. AMENDATORY Section 4, State Question No. 788,  
20 Initiative Petition No. 412 (63 O.S. Supp. 2018, Section 423), is  
21 amended to read as follows:

22 Section 423. A. The ~~Oklahoma~~ State Department of Health shall,  
23 within thirty (30) days of passage of this initiative, make  
24 available, ~~on their~~ the website, of the Department in an easy to

1 find location, an application for a medical marijuana ~~processing~~  
2 processor license. The application fee shall be Two Thousand Five  
3 Hundred Dollars (\$2,500.00) and methods of payment ~~will~~ shall be  
4 provided on the website of the Department. The ~~Oklahoma State~~  
5 Department ~~of Health~~ shall ~~have two (2) weeks to~~ review the  
6 application, approve or reject the application, and mail the  
7 ~~approval/rejection~~ approval or rejection letter (~~if rejected,~~  
8 ~~stating reasons for rejection~~), stating any reason for rejection, to  
9 the applicant within ninety (90) business days of receipt of the  
10 application. Beginning April 1, 2021, the Department shall mail the  
11 approval or rejection letter to the applicant within fourteen (14)  
12 calendar days of receipt of the application.

13 B. The ~~Oklahoma~~ State Department of Health ~~must~~ shall approve  
14 all applications which meet the following criteria:

15 1. ~~Applicant must~~ Applicants shall be ~~age~~ twenty-five (25)  
16 years old or older;

17 2. Any applicant, ~~applying as an individual,~~ ~~must~~ shall show  
18 residency in the State of Oklahoma;

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

21 4. An applying entity may show ownership of non-Oklahoma  
22 residents, but that percentage ownership ~~may~~ shall not exceed  
23 twenty-five percent (25%);  
24

1 5. All applying individuals or entities ~~must~~ shall be  
2 registered to conduct business in the State of Oklahoma;

3 6. All applicants ~~must~~ shall disclose all ownership;

4 7. ~~Applicant(s) with only nonviolent~~ Applicants shall not have  
5 a violent felony conviction(s) conviction in the ~~last~~ two (2) years,  
6 prior to applying or any other felony conviction in five 5 (years),  
7 the five (5) years prior to applying and shall not be inmates, or  
8 ~~any person currently incarcerated may not qualify for a medical~~  
9 ~~marijuana processing license.~~

10 C. A licensed processor may take marijuana plants and distill  
11 or process ~~these~~ the plants into concentrates, edibles, and other  
12 forms for consumption. As required by subsection D of this section,  
13 the ~~Oklahoma~~ State Department of Health ~~will~~ shall, within sixty  
14 (60) days of passage of this initiative, make available a set of  
15 standards which ~~will~~ shall be used by licensed processors in the  
16 preparation of edible marijuana products. ~~This should~~ Such  
17 standards shall be in line with current food preparation guidelines  
18 and no excessive or punitive rules may be established by the  
19 ~~Oklahoma State Department of Health~~. Once a year, the ~~Oklahoma~~  
20 ~~State Department of Health~~ may inspect a processing operation and  
21 determine its compliance with the preparation standards. If  
22 deficiencies are found, a written report of deficiency ~~will~~ shall be  
23 issued to the processor. The processor ~~will~~ shall have one (1)  
24 month to correct the deficiency or be subject to a fine of Five

1 Hundred Dollars (\$500.00) for each deficiency. A licensed processor  
2 may sell marijuana products it creates to a licensed ~~retailer,~~  
3 dispensary or any other licensed processor. Further, these sales  
4 ~~will~~ shall be considered wholesale sales and shall not be subject to  
5 taxation. Under no circumstances may a licensed processor sell  
6 marijuana~~,~~ or any marijuana product~~,~~ directly to a medical marijuana  
7 license holder. However, a licensed processor may process ~~cannabis~~  
8 marijuana into a concentrated form~~,~~ for a medical marijuana license  
9 holder~~,~~ for a fee. Processors ~~will~~ shall be required to complete a  
10 monthly yield and sales report to the ~~Oklahoma State Department of~~  
11 ~~Health.~~ The report ~~will~~ shall be due on the 15th of each month  
12 and provide reporting on the previous month. ~~This~~ The report ~~will~~  
13 shall detail the amount of marijuana purchased in pounds, the amount  
14 of marijuana cooked or processed in pounds, ~~and~~ the amount of waste  
15 in pounds. ~~Additionally, this report will show, and~~ total wholesale  
16 sales in dollars. The ~~Oklahoma State Department of Health will~~  
17 shall have oversight and auditing responsibilities to ensure that  
18 all marijuana being grown is accounted for. A licensed processor  
19 ~~will~~ shall only be subject to a penalty if a gross discrepancy  
20 exists and cannot be explained. Penalties for fraudulent reporting  
21 occurring within any ~~2-year~~ two-year time period ~~will~~ shall be an  
22 initial fine of Five Thousand Dollars (\$5,000.00) ~~(first)~~ for the  
23 first offense and revocation of ~~licensing~~ ~~(second)~~ licensure for the  
24 second offense.

1 D. The ~~inspection and compliance of processors producing~~  
2 ~~products with marijuana as an additive.~~ The Oklahoma State  
3 Department ~~of Health will~~ shall be compelled to, within thirty (30)  
4 days of passage of this initiative, appoint a board of twelve (12)  
5 Oklahoma residents, who are marijuana industry experts, to create a  
6 list of food safety standards for processing and handling medical  
7 marijuana in Oklahoma. ~~These~~ The standards ~~will~~ shall be adopted by  
8 the agency and the agency ~~can~~ may enforce these standards for  
9 processors. The agency ~~will~~ may develop a standards review  
10 procedure and ~~these~~ the standards ~~can~~ may be altered by calling  
11 another board of twelve (12) Oklahoma marijuana industry experts. A  
12 signed letter of twenty (20) operating processors ~~would~~ shall  
13 constitute a need for a new board and ~~standard~~ standards review.

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

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

21 SECTION 5. AMENDATORY Section 3 of Enrolled House Bill  
22 No. 2612 of the 1st Session of the 57th Oklahoma Legislature, is  
23 amended to read as follows:

24



1 Section 3. A. There is hereby created the Oklahoma Medical  
2 Marijuana Authority within the State Department of Health which  
3 shall address issues related to the medical marijuana program in  
4 Oklahoma including, but not limited to, the issuance of patient  
5 licenses and medical marijuana business licenses, and the  
6 dispensing, cultivating, processing, testing, transporting, storage,  
7 research, and the use of and sale of medical marijuana pursuant to  
8 this act.

9 B. The Department shall provide support staff to perform  
10 designated duties of the Authority. The Department shall also  
11 provide office space for meetings of the Authority.

12 C. The Department shall implement the provisions of this act  
13 consistently with the voter-approved State Question No. 788,  
14 Initiative Petition No. 412, subject to the provisions of this act.

15 D. The Department shall exercise its respective powers and  
16 perform its respective duties and functions as specified in this act  
17 and Title 63 of the Oklahoma Statutes including, but not limited to,  
18 the following:

19 1. Determine steps the state shall take, whether administrative  
20 or legislative in nature, to ensure that research on marijuana and  
21 marijuana products is being conducted for public purposes, including  
22 the advancement of:

- 23 a. public health policy and public safety policy,  
24 b. agronomic and horticultural best practices, and

1 c. medical and pharmacopoeia best practices;

2 2. Contract with third-party vendors and other governmental  
3 entities in order to carry out the respective duties and functions  
4 as specified in this act. The Department shall not contract with  
5 any vendor providing commercial services to medical marijuana  
6 businesses either directly, through affiliates, or any joint venture  
7 or subsidiary;

8 3. Upon complaint or upon its own motion and upon a completed  
9 investigation, levy fines as prescribed in this act and suspend or  
10 revoke licenses pursuant to this act;

11 4. Issue subpoenas for the appearance or production of persons,  
12 records and things in connection with disciplinary or contested  
13 cases considered by the Department;

14 5. Apply for injunctive or declaratory relief to enforce the  
15 provisions of this section and any rules promulgated pursuant to  
16 this section;

17 6. Inspect and examine, with notice provided in accordance with  
18 this act, all licensed premises of medical marijuana businesses,  
19 research facilities and education facilities in which medical  
20 marijuana is cultivated, manufactured, sold, stored, transported,  
21 tested or distributed;

22 7. ~~Work~~ Upon action by the federal government by which the  
23 production, sale and use of marijuana in Oklahoma does not violate  
24 federal law, work with the Oklahoma State Banking Department and the

1 State Treasurer to develop good practices and standards for banking  
2 and finance for medical marijuana businesses;

3 8. Establish internal control procedures for licenses including  
4 accounting procedures, reporting procedures and personnel policies;

5 9. Establish a fee schedule and collect fees for performing  
6 background checks as the Commissioner deems appropriate. The fees  
7 charged pursuant to this paragraph shall not exceed the actual cost  
8 incurred for each background check; and

9 10. Require verification for sources of finance for medical  
10 marijuana businesses.

11 SECTION 6. AMENDATORY Section 23 of Enrolled House Bill  
12 No. 2612 of the 1st Session of the 57th Oklahoma Legislature, is  
13 amended to read as follows:

14 Section 23. A. The State Commissioner of Health, the Oklahoma  
15 Tax Commission, ~~the Banking Board,~~ the State Treasurer, the  
16 Secretary of State and the Director of the Office of Management and  
17 Enterprise Services shall promulgate rules to implement the  
18 provisions of this act.

19 B. The Food Safety Standards Board, in addition to the powers  
20 and duties granted in Section 423 of Title 63 of the Oklahoma  
21 Statutes, may recommend to the State Commissioner of Health rules  
22 relating to all aspects of the cultivation and manufacture of  
23 medical marijuana products.

24

1       SECTION 7. It being immediately necessary for the preservation  
2 of the public peace, health or safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

5

6           57-1-8520           GRS           03/26/19

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