

An Act

ENROLLED HOUSE
BILL NO. 1349

By: Fetgatter of the House

and

Garvin of the Senate

An Act relating to medical marijuana; creating the Oklahoma Medical Marijuana Authority Executive Advisory Council; providing for appointments to the Council; authorizing Executive Director of the Oklahoma Medical Marijuana Authority to chair the Advisory Council; requiring the Executive Director to provide staff and support; prescribing terms of office; imposing quorum requirements for taking official actions; providing exemption from certain prohibition; stating powers and duties of the Advisory Council; requiring Advisory Council to produce certain report; providing for reimbursement of expenses pursuant to the State Travel Reimbursement Act; authorizing meetings; prescribing minimum number of meetings; stating manner by which vacancies on the Board shall be filled; providing for applicability of Oklahoma Open Meeting Act, Oklahoma Open Records Act, and Administrative Procedures Act; providing for codification; and providing an effective date.

SUBJECT: Medical marijuana

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

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

A. There is hereby created the Oklahoma Medical Marijuana Authority Executive Advisory Council.

B. The Oklahoma Medical Marijuana Authority Executive Advisory Council shall consist of the following members, and all appointees shall serve their terms at the pleasure of the appointing authority and may be removed or replaced without cause:

1. One member appointed by the Governor to represent all citizens of this state;

2. One member appointed by the Speaker of the Oklahoma House of Representatives, who shall be a citizen from a county with a population under twenty-five thousand (25,000) persons, as determined by the latest Federal Decennial Census;

3. One member appointed by the President Pro Tempore of the Oklahoma State Senate, who shall be a citizen from a municipality with a population in excess of seventy-five thousand (75,000) persons, as determined by the latest Federal Decennial Census;

4. One member appointed by the Speaker of the Oklahoma House of Representatives, who is a current medical marijuana business license holder;

5. One member appointed by the President Pro Tempore of the Oklahoma State Senate, who is a current medical marijuana business license holder; and

6. One member appointed by the Governor, who holds a medical marijuana patient license.

C. The Executive Director of the Oklahoma Medical Marijuana Authority shall chair the Advisory Council and provide staff and administrative support to the Advisory Council.

D. The Advisory Council shall select a co-chair from the membership of the Advisory Council.

E. Each member of the Advisory Council shall serve a term of four (4) years from the date of appointment. Members of the Advisory Council shall not serve more than two consecutive terms.

F. A majority of the members of the Advisory Council shall constitute a quorum for the transaction of business and for taking any official actions. Official actions by the Advisory Council shall have a favorable vote by a majority of the members present.

G. Appointed members who serve on the Advisory Council shall be exempt from dual-office-holding prohibitions pursuant to Section 6 of Title 51 of the Oklahoma Statutes.

H. The Advisory Council may advise the Authority of recommended changes to state policy, rules, or statutes.

I. The Advisory Council shall prepare and issue a report of its findings and recommendations electronically to the Governor, President Pro Tempore of the Senate, and Speaker of the House by November 1, 2025, and no later than November 1 of each year thereafter.

J. Members appointed pursuant to subsection B of this section shall serve without compensation but shall be reimbursed for expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act.

K. The Oklahoma Medical Marijuana Authority Executive Advisory Council shall meet as often as necessary to conduct business but shall meet not less than four times a year, with an organizational meeting to be held prior to January 1, 2025.

L. Any vacancy occurring on the Oklahoma Medical Marijuana Authority Executive Advisory Council shall be filled for the unexpired term of office in the same manner as provided for in subsection B of this section.

M. The Advisory Council shall act in accordance with the provisions of the Oklahoma Open Meeting Act, the Oklahoma Open Records Act, and the Administrative Procedures Act.

SECTION 2. This act shall become effective November 1, 2024.

Passed the House of Representatives the 14th day of May, 2024.

Presiding Officer of the House
of Representatives

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

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____