

# An Act

ENROLLED SENATE  
BILL NO. 1995

By: Howard of the Senate

and

Pfeiffer of the House

An Act relating to multiple versions of medical marijuana statutes; amending, merging, consolidating, and repealing multiple versions of statutes; amending 63 O.S. 2021, Section 420, as last amended by Section 1, Chapter 584, O.S.L. 2021 (63 O.S. Supp. 2023, Section 420); repealing 63 O.S. 2021, Section 420, as last amended by Section 2, Chapter 312, O.S.L. 2019 (63 O.S. Supp. 2023, Section 420); repealing 63 O.S. 2021, Section 420, as last amended by Section 1, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 420); amending 63 O.S. 2021, Section 421, as last amended by Section 1, Chapter 322, O.S.L. 2023 (63 O.S. Supp. 2023, Section 421); repealing 63 O.S. 2021, Section 421, as amended by Section 2, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 421); amending 63 O.S. 2021, Section 422, as last amended by Section 2, Chapter 322, O.S.L. 2023 (63 O.S. Supp. 2023, Section 422); repealing 63 O.S. 2021, Section 422, as last amended by Section 1, Chapter 329, O.S.L. 2022 (63 O.S. Supp. 2023, Section 422); amending 63 O.S. 2021, Section 423, as last amended by Section 3, Chapter 322, O.S.L. 2023 (63 O.S. Supp. 2023, Section 423); repealing 63 O.S. 2021, Section 423, as amended by Section 4, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 423); amending 63 O.S. 2021, Section 425, as last amended by Section 2, Chapter 584, O.S.L. 2021 (63 O.S. Supp. 2023, Section 425); repealing 63 O.S. 2021, Section 425, as last amended by Section 1, Chapter 10, O.S.L. 2022 (63 O.S. Supp. 2023, Section 425); repealing 63 O.S. 2021, Section 425, as last amended by Section 5, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section

425); repealing 63 O.S. 2021, Section 425, as last amended by Section 2, Chapter 317, O.S.L. 2022 (63 O.S. Supp. 2023, Section 425); amending 63 O.S. 2021, Section 426.1, as last amended by Section 6, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 426.1); repealing 63 O.S. 2021, Section 426.1, as amended by Section 3, Chapter 584, O.S.L. 2021 (63 O.S. Supp. 2023, Section 426.1); amending 63 O.S. 2021, Section 427.2, as last amended by Section 7, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.2); repealing 63 O.S. 2021, Section 427.2, as last amended by Section 1, Chapter 141, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.2); repealing 63 O.S. 2021, Section 427.2, as last amended by Section 1, Chapter 317, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.2); amending 63 O.S. 2021, Section 427.3, as amended by Section 8, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.3); repealing 63 O.S. 2021, Section 427.3, as amended by Section 30 Chapter 228, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.3); repealing 63 O.S. 2021, Section 427.3, as last amended by Section 4, Chapter 322, O.S.L. 2023 (63 O.S. Supp. 2023, Section 427.3); amending 63 O.S. 2021, Section 427.6, as last amended by Section 4, Chapter 168, O.S.L. 2023 (63 O.S. Supp. 2023, Section 427.6); repealing 63 O.S. 2021, Section 427.6, as amended by Section 2, Chapter 482, O.S.L. 2021 (63 O.S. Supp. 2023, Section 427.6); repealing 63 O.S. 2021, Section 427.6, as last amended by Section 10, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.6); amending 63 O.S. 2021, Section 427.13, as last amended by Section 14, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.13); repealing 63 O.S. 2021, Section 427.13, as amended by Section 7, Chapter 584, O.S.L. 2021 (63 O.S. Supp. 2023, Section 427.13); amending 63 O.S. 2021, Section 427.14, as last amended by Section 7, Chapter 322, O.S.L. 2023 (63 O.S. Supp. 2023, Section 427.14); repealing 63 O.S. 2021, Section 427.14, as amended by Section 8, Chapter 584, O.S.L. 2021 (63 O.S. Supp. 2023, Section 427.14); repealing 63 O.S. 2021, Section 427.14, as last amended by Section 2, Chapter 328, O.S.L. 2022

(63 O.S. Supp. 2023, Section 427.14); repealing 63 O.S. 2021, Section 427.14, as last amended by Section 1, Chapter 41, O.S.L. 2023 (63 O.S. Supp. 2023, Section 427.14); amending 63 O.S. 2021, Section 430, as last amended by Section 11, Chapter 168, O.S.L. 2023 (63 O.S. Supp. 2023, Section 430); repealing 63 O.S. 2021, Section 430, as amended by Section 12, Chapter 584, O.S.L. 2021 (63 O.S. Supp. 2023, Section 430); repealing 63 O.S. 2021, Section 430, as last amended by Section 24, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 430); and declaring an emergency.

SUBJECT: Amending, merging, consolidating, and repealing multiple versions of medical marijuana statutes

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 420, as last amended by Section 1, Chapter 584, O.S.L. 2021 (63 O.S. Supp. 2023, Section 420), is amended to read as follows:

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

1. Consume marijuana legally;
2. Legally possess up to three (3) ounces or eighty-four and nine-tenths (84.9) grams of marijuana on their person;
3. Legally possess six mature marijuana plants and the harvested marijuana therefrom;
4. Legally possess six seedling plants;
5. Legally possess one (1) ounce or twenty-eight and three tenths (28.3) grams of concentrated marijuana;

6. Legally possess seventy-two (72) ounces or two thousand thirty-seven and six-tenths (2037.6) grams of edible marijuana; and

7. Legally possess up to eight (8) ounces or two hundred twenty-six and four-tenths (226.4) grams of marijuana in their residence; and

8. Legally possess seventy-two (72) ounces of topical marijuana.

B. Possession of up to one and one-half (1.5) ounces or forty-two and forty-five one-hundredths (42.45) grams of marijuana by persons who can state a medical condition, but are not in possession of a state-issued medical marijuana patient license, shall constitute a misdemeanor offense punishable by a fine not to exceed Four Hundred Dollars (\$400.00) and shall not be subject to imprisonment for the offense. Any law enforcement officer who comes in contact with a person in violation of this subsection and who is satisfied as to the identity of the person, as well as any other pertinent information the law enforcement officer deems necessary, shall issue to the person a written citation containing a notice to answer the charge against the person in the appropriate court. Upon receiving the written promise of the alleged violator to answer as specified in the citation, the law enforcement officer shall release the person upon personal recognizance unless there has been a violation of another provision of law.

C. ~~A regulatory office~~ The Oklahoma Medical Marijuana Authority shall be established ~~under the State Department of Health~~ which shall receive applications for medical marijuana patient and caregiver license recipients, dispensaries, growers, and ~~packagers~~ processors within sixty (60) days of the passage of this initiative.

D. The ~~State Department of Health~~ Authority shall, within thirty (30) days of passage of this initiative, make available on its website, in an easy-to-find location, an application for a medical marijuana patient license. The license shall be ~~good~~ valid for two (2) years. The biannual application fee shall be One Hundred Dollars (\$100.00), or Twenty Dollars (\$20.00) for individuals on Medicaid, Medicare or SoonerCare. The methods of payment shall be provided on the website of the ~~Department~~

Authority. Reprints of the medical marijuana patient license shall be Twenty Dollars (\$20.00).

E. A short-term medical marijuana patient license application shall also be made available on the website of the ~~State Department of Health~~ Authority. A short-term medical marijuana patient license shall be granted to any applicant who can meet the requirements for a two-year medical marijuana patient license, but whose physician recommendation for medical marijuana is only valid for sixty (60) days. Short-term medical marijuana patient licenses shall be issued for sixty (60) days. The fee for a short-term medical marijuana patient license, reprints of the short-term medical marijuana patient license, and the procedure for extending or renewing the license shall be determined by the ~~Department~~ Executive Director of the Authority.

F. A temporary medical marijuana patient license application shall also be made available on the website of the ~~Department Authority~~ for residents of other states. ~~A temporary Temporary~~ medical marijuana license patient licenses shall be granted to any medical marijuana license holder holders from other states, provided that ~~the state has a~~ such states have state-regulated medical marijuana program programs, and ~~the applicant applicants~~ can prove he or she is a member they are members of such program programs. Temporary medical marijuana patient licenses shall be issued for thirty (30) days. The cost for a temporary license shall be One Hundred Dollars (\$100.00). Renewal shall be granted with resubmission of a new application. No additional criteria shall be required. Reprints of the temporary medical marijuana patient license shall be Twenty Dollars (\$20.00).

G. Medical marijuana patient license applicants shall submit ~~his or her~~ their applications to the ~~State Department of Health Authority~~ for approval. The applicant shall be ~~an Oklahoma state a~~ resident of this state and shall prove residency by a valid driver license, utility bills, or other accepted methods.

H. The ~~State Department of Health Authority~~ shall review the medical marijuana patient license application; approve, or reject, or deny the application; and mail the approval, ~~or rejection,~~ or denial letter stating any reasons for rejection, to the applicant within fourteen (14) business days of receipt of the application.

Approved applicants shall be issued a medical marijuana patient license which shall act as proof of his or her approved status. Applications may only be rejected or denied based on the applicant not meeting stated criteria or improper completion of the application.

~~I. The State Department of Health shall only keep the following records for each approved medical marijuana license:~~

~~1. A digital photograph of the license holder;~~

~~2. The expiration date of the license;~~

~~3. The county where the card was issued; and~~

~~4. A unique 24-character identification number assigned to the license.~~

~~J. The State Department of Health Authority shall make available, both on its website and through a telephone verification system, an easy method to validate the authenticity of the medical marijuana patient license by the unique 24-character twenty-four-character identification number.~~

~~K. J. The State Department of Health Authority shall ensure that all application medical marijuana patient and caregiver records and information are sealed to protect the privacy of medical marijuana patient license applicants.~~

~~L. K. A caregiver license shall be made available for qualified caregivers of a medical marijuana patient license holder who is homebound. As provided in Section 427.11 of this title, the caregiver license shall provide the caregiver the same rights as the medical marijuana patient licensee including the ability to possess marijuana, marijuana products and mature and immature plants or cultivated medical marijuana pursuant to the Oklahoma Medical Marijuana and Patient Protection Act, but excluding the ability to use marijuana or marijuana products unless the caregiver has a medical marijuana patient license. ~~An applicant~~ Applicants for a caregiver license shall submit proof of the license status and homebound status of the medical marijuana patient and proof that the applicant is the designee of the medical marijuana patient. The~~

applicant shall also submit proof that he or she is eighteen (18) years of age or older and proof of his or her ~~Oklahoma~~ state residency. This shall be the only criteria for a caregiver license. A licensed caregiver shall not cultivate medical marijuana for more than five medical marijuana patient licensees and shall not charge a medical marijuana patient licensee for cultivating medical marijuana in excess of the actual costs incurred in cultivating the medical marijuana.

~~M.~~ L. All applicants for a medical marijuana patient license shall be eighteen (18) years of age or older. A special exception shall be granted to an applicant under the age of eighteen (18); however, these applications shall be signed by two physicians and the parent or legal guardian of the applicant.

~~N.~~ M. All applications for a medical marijuana patient license shall be signed by an Oklahoma physician licensed by and in good standing with the State Board of Medical Licensure and Supervision, the State Board of Osteopathic Examiners, or the Board of Podiatric Medical Examiners. There are no qualifying conditions. A medical marijuana patient license ~~must~~ shall be recommended according to the accepted standards a reasonable and prudent physician would follow when recommending or approving any medication. No physician may be unduly stigmatized, penalized, subjected to discipline, sanctioned, reprimanded or harassed for signing a medical marijuana patient license application; provided, the physician acted in accordance with the provisions of this subsection and all other rules governing the medical license of the physician in this state.

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

SECTION 2. REPEALER 63 O.S. 2021, Section 420, as last amended by Section 2, Chapter 312, O.S.L. 2019 (63 O.S. Supp. 2023, Section 420), is hereby repealed.

SECTION 3. REPEALER 63 O.S. 2021, Section 420, as last amended by Section 1, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 420), is hereby repealed.

SECTION 4. AMENDATORY 63 O.S. 2021, Section 421, as last amended by Section 1, Chapter 322, O.S.L. 2023 (63 O.S. Supp. 2023, Section 421), is amended to read as follows:

Section 421. A. The Oklahoma Medical Marijuana Authority shall make available on its website in an easy-to-find location an application for a medical marijuana dispensary license. The application fee to be paid by the applicant shall be in the amounts provided for in Section 427.14 of this title. A method of payment for the application fee shall be provided on the website of the Authority. Dispensary applicants must all be residents of Oklahoma. Any entity applying for a dispensary license must be owned by ~~an Oklahoma resident~~ a resident of this state and must be registered to do business in ~~Oklahoma~~ this state. The Authority shall have ninety (90) business days to review the application; approve, reject, or deny the application; and send the approval, rejection, or denial letter stating reasons for the rejection or denial to the applicant in the same method the application was submitted to the Authority.

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

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

2. The applicant, if applying as an individual, must show residency in this state;

3. All applying entities must show that all members, managers, and board members are ~~Oklahoma~~ residents of this state;

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

5. All applying individuals or entities must be registered to conduct business in this state; and

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



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

C. Licensed medical marijuana dispensaries shall be required to complete a monthly sales report to the Authority. This report shall be due on the fifteenth of each month and provide reporting on the previous month. This report shall detail the weight of marijuana purchased at wholesale and the weight of marijuana sold to licensed medical marijuana patients and licensed caregivers and account for any waste. The report shall show total sales in dollars, tax collected in dollars, and tax due in dollars. The Authority shall have oversight and auditing responsibilities to ensure that all marijuana being grown is accounted for.

D. Only a licensed medical marijuana dispensary may conduct retail sales of marijuana or marijuana derivatives. Beginning on November 1, 2021, licensed medical marijuana dispensaries shall be authorized to package and sell pre-rolled marijuana to licensed medical marijuana patients and licensed caregivers. The products described in this subsection shall contain only the ground parts of the marijuana plant and shall not include marijuana concentrates or derivatives. The total net weight of each pre-roll packaged and sold by a medical marijuana dispensary shall not exceed one (1) gram. These products shall be tested, packaged and labeled in accordance with Oklahoma state law and rules promulgated by the Executive Director of the Oklahoma Medical Marijuana Authority.

E. No medical marijuana dispensary shall offer or allow a medical marijuana patient licensee, caregiver licensee or other member of the public to handle or otherwise have physical contact with any medical marijuana not contained in a sealed or separate package. Provided, such prohibition shall not preclude an employee of the medical marijuana dispensary from handling loose or nonpackaged medical marijuana to be placed in packaging consistent with the Oklahoma Medical Marijuana and Patient Protection Act and the rules promulgated by the Authority Executive Director for the packaging of medical marijuana for retail sale. Provided, further, such prohibition shall not prevent a medical marijuana dispensary from displaying samples of its medical marijuana in separate display

cases, jars or other containers and allowing medical marijuana patient licensees and caregiver licensees the ability to handle or smell the various samples as long as the sample medical marijuana is used for display purposes only and is not offered for retail sale.

SECTION 5. REPEALER 63 O.S. 2021, Section 421, as amended by Section 2, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 421), is hereby repealed.

SECTION 6. AMENDATORY 63 O.S. 2021, Section 422, as last amended by Section 2, Chapter 322, O.S.L. 2023 (63 O.S. Supp. 2023, Section 422), is amended to read as follows:

Section 422. A. The Oklahoma Medical Marijuana Authority shall make available on its website in an easy-to-find location an application for a medical marijuana commercial grower license. The application fee shall be paid by the applicant in the amounts provided for in Section 427.14 of this title. A method of payment for the application fee shall be provided on the website of the Authority. The Authority shall have ninety (90) business days to review the application; approve, reject, or deny the application; and send the approval, rejection, or denial letter stating the reasons for the rejection or denial to the applicant in the same method the application was submitted to the Authority.

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

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

2. The applicant, if applying as an individual, must show residency in this state;

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

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

5. All applying individuals or entities must be registered to conduct business in this state; and

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

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

C. A licensed medical marijuana commercial grower may sell marijuana to a licensed medical marijuana dispensary or a licensed medical marijuana processor. Further, sales by a licensed medical marijuana commercial grower shall be considered wholesale sales and shall not be subject to taxation. Under no circumstances may a licensed medical marijuana commercial grower sell marijuana directly to a licensed medical marijuana patient or licensed medical marijuana caregiver. A licensed medical marijuana commercial grower may only sell at the wholesale level to a licensed medical marijuana dispensary, a licensed medical marijuana commercial grower or a licensed medical marijuana processor. If the federal government lifts restrictions on buying and selling marijuana between states, then a licensed medical marijuana commercial grower would be allowed to sell and buy marijuana wholesale from, or to, an out-of-state wholesale provider. A licensed medical marijuana commercial grower shall be required to complete a monthly yield and sales report to the Authority. This report shall be due on the fifteenth of each month and provide reporting on the previous month. This report shall detail the amount of marijuana harvested in pounds, the amount of drying or dried marijuana on hand, the amount of marijuana sold to licensed processors in pounds, the amount of waste in pounds, and the amount of marijuana sold to licensed medical marijuana dispensaries in pounds. Additionally, this report shall show total wholesale sales in dollars. The Authority shall have oversight and auditing responsibilities to ensure that all marijuana being grown by licensed medical marijuana commercial growers is accounted for.

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

E. Beginning on November 1, 2021, licensed medical marijuana commercial growers shall be authorized to package and sell pre-rolled marijuana to licensed medical marijuana dispensaries. The products described in this subsection shall contain only the ground parts of the marijuana plant and shall not include marijuana concentrates or derivatives. The total net weight of each pre-roll packaged and sold by licensed medical marijuana commercial growers shall not exceed one (1) gram. These products must be tested, packaged and labeled in accordance with Oklahoma law and rules promulgated by the Authority.

F. Beginning November 1, 2022, all medical marijuana commercial grower licensees who operate an outdoor medical marijuana production facility shall be required to register with the Oklahoma Department of Agriculture, Food, and Forestry as an environmentally sensitive crop owner. Registration shall provide notice to commercial and private pesticide applicators of the locations of medical marijuana crops and help minimize the potential for damaging pesticide drift. Medical marijuana commercial grower licensees shall provide their business name, address, Global Positioning System (GPS) coordinates for all outdoor medical marijuana production facilities, and any other information required by the Department when registering with the Environmentally Sensitive Area Registry.

SECTION 7. REPEALER 63 O.S. 2021, Section 422, as last amended by Section 1, Chapter 329, O.S.L. 2022 (63 O.S. Supp. 2023, Section 422), is hereby repealed.

SECTION 8. AMENDATORY 63 O.S. 2021, Section 423, as last amended by Section 3, Chapter 322, O.S.L. 2023 (63 O.S. Supp. 2023, Section 423), is amended to read as follows:

Section 423. A. The Oklahoma Medical Marijuana Authority shall make available on its website in an easy-to-find location an application for a medical marijuana processing license. The Authority shall be authorized to issue two types of medical marijuana processor licenses based on the level of risk posed by the type of processing conducted:

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

The application fee for a nonhazardous or hazardous medical marijuana processor license shall be paid by the applicant in the amounts provided for in Section 427.14 of this title. A method of payment shall be provided on the website of the Authority. The Authority shall have ninety (90) business days to review the application; approve, reject, or deny the application; and send the approval, rejection, or denial letter stating the reasons for the rejection or denial to the applicant in the same method the application was submitted to the Authority.

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

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

2. The applicant, if applying as an individual, must show residency in this state;

3. All applying entities must show that all members, managers, and board members are Oklahoma residents of this state;

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

5. All applying individuals or entities must be registered to conduct business in this state; and

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

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

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

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

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

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

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

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

D. The Authority shall oversee the inspection and compliance of licensed processors producing products with marijuana as an additive. ~~The Authority shall be compelled to, within thirty (30)~~

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

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

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

SECTION 9. REPEALER 63 O.S. 2021, Section 423, as amended by Section 4, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 423), is hereby repealed.

SECTION 10. AMENDATORY 63 O.S. 2021, Section 425, as last amended by Section 2, Chapter 584, O.S.L. 2021 (63 O.S. Supp. 2023, Section 425), is amended to read as follows:

Section 425. A. No school or landlord may refuse to enroll or lease to and may not otherwise penalize a person solely for his or her status as a licensed medical marijuana patient, unless failing to do so would cause the school or landlord the potential to lose a monetary or licensing-related benefit under federal law or regulations.

B. 1. Unless a failure to do so would cause an employer the potential to lose a monetary or licensing-related benefit under federal law or regulations, an employer may not discriminate against a person in hiring, termination or imposing any term or condition of employment or otherwise penalize a person based upon the status of the person as a licensed medical marijuana patient.

2. Employers may take action against a licensed medical marijuana patient if the licensed medical marijuana patient uses or possesses marijuana while in his or her place of employment or during the hours of employment. Employers may not take action against the licensed medical marijuana patient solely based upon the status of an employee as a licensed medical marijuana patient or the results of a drug test showing positive for marijuana or its components.

C. For the purposes of medical care, including organ transplants, the authorized use of marijuana by a licensed medical marijuana patient shall be considered the equivalent of the use of any other medication under the direction of a physician and does not constitute the use of an illicit substance or otherwise disqualify a registered qualifying patient from medical care.

D. No licensed medical marijuana patient may be denied custody of or visitation or parenting time with a minor child, and there is no presumption of neglect or child endangerment for conduct allowed under this law, unless the behavior of the person creates an unreasonable danger to the safety of the minor child.

E. No licensed medical marijuana patient may unduly be withheld from holding a state-issued license by virtue of their being a licensed medical marijuana patient including, but not limited to, a concealed carry permit.

F. 1. No city or local municipality may unduly change or restrict zoning laws to prevent the opening of a medical marijuana dispensary.

2. For purposes of this subsection, an undue change or restriction of municipal zoning laws means an act which entirely prevents medical marijuana dispensaries from operating within municipal boundaries as a matter of law. Municipalities may follow their standard planning and zoning procedures to determine if certain zones or districts would be appropriate for locating marijuana-licensed premises, medical marijuana businesses or any other premises where marijuana or its by-products are cultivated, grown, processed, stored or manufactured.



3. For purposes of this section, a medical marijuana dispensary does not include those other entities licensed by the ~~Department~~ Oklahoma Medical Marijuana Authority as marijuana-licensed premises, medical marijuana businesses or other facilities or locations where marijuana or any product containing marijuana or its by-products are cultivated, grown, processed, stored or manufactured.

G. 1. Except as otherwise provided in this subsection, the location of any ~~retail~~ medical marijuana dispensary is specifically prohibited within one thousand (1,000) feet of any school entrance. On and after the effective date of this act, for purposes of calculating the 1,000-foot setback distance, the measurement shall be determined by calculating the distance in a straight line from the school door nearest the front door of the retail marijuana dispensary to the front door of the retail marijuana dispensary.

~~1.~~ 2. On and after June 26, 2018, if any school is established within one thousand (1,000) feet of any retail marijuana dispensary after a license has been issued by the Authority for that location, the setback distance between properties shall not apply as long as the licensed property is used for its original licensed purpose. The licensed location shall be grandfathered in as to the setback distance as long as the property is used in accordance with the original licensed purpose.

~~2.~~ 3. On and after June 26, 2018, the Authority, due to an error in measurement of the setback distance or failure to measure the setback distance by the Authority prior to issuance of an original license at a location, shall not:

- a. deny any issuance or renewal of a license at that location,
- b. deny any transfer of license pursuant to a change in ownership at that location, or
- c. revoke any license due to an error in measurement or failure to measure the setback distance, except as otherwise provided by law.

The retail marijuana dispensary shall be grandfathered in as to the setback distance, subject only to the municipal compliance provisions of Section 426.1 of this title.

~~3.~~ 4. For purposes of this subsection and subsection H of this section:

- a. "school" means the same as defined in Section 427.2 of this title, and
- b. "error in measurement" means a mistake made by the Authority or a municipality in the setback measurement process where either the distance between a retail marijuana dispensary and a school is miscalculated due to mathematical error or the method used to measure the setback distance is inconsistent with this section. The setback measurement process is allowed an error in measurement up to and including five hundred (500) feet when remeasured after an original license has been issued.

H. The location of any medical marijuana commercial grower shall not be within one thousand (1,000) feet of any school as measured from the nearest property line of such school to the nearest property line of the licensed premises of such medical marijuana commercial grower. Additionally, the location of the medical marijuana commercial grower shall not adjoin to any school or be located at the same physical address as the school. If a medical marijuana commercial grower met the requirements of this subsection at the time of its initial licensure, the medical marijuana commercial grower licensee shall be permitted to continue operating at the licensed premises in the same manner and not be subject to nonrenewal or revocation due to subsequent events or changes in regulations occurring after licensure that would render the medical marijuana commercial grower in violation of this subsection. If any school is established within one thousand (1,000) feet of any medical marijuana commercial grower after such medical marijuana commercial grower has been licensed, or if any school is established adjoining to or at the same physical address as any medical marijuana commercial grower after such medical marijuana commercial grower has been licensed, the provisions of this subsection shall not be a deterrent to the renewal of such

license or warrant revocation of the license. For purposes of this subsection, a property owned, used, or operated by a school that is not used for classroom instruction on core curriculum, such as an administrative building, athletic facility, ballpark, field, or stadium, shall not constitute a school unless such property is located on the same campus as a building used for classroom instruction on core curriculum.

SECTION 11. REPEALER 63 O.S. 2021, Section 425, as last amended by Section 1, Chapter 10, O.S.L. 2022 (63 O.S. Supp. 2023, Section 425), is hereby repealed.

SECTION 12. REPEALER 63 O.S. 2021, Section 425, as last amended by Section 5, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 425), is hereby repealed.

SECTION 13. REPEALER 63 O.S. 2021, Section 425, as last amended by Section 2, Chapter 317, O.S.L. 2022 (63 O.S. Supp. 2023, Section 425), is hereby repealed.

SECTION 14. AMENDATORY 63 O.S. 2021, Section 426.1, as last amended by Section 6, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 426.1), is amended to read as follows:

Section 426.1. A. All licensure revocation hearings conducted pursuant to marijuana licenses established in the Oklahoma Statutes shall be recorded. A party may request a copy of the recording of the proceedings. Copies shall be provided to local law enforcement if the revocation was based on alleged criminal activity.

B. The Oklahoma Medical Marijuana Authority shall assist any law enforcement officer in the performance of his or her duties upon such request by the law enforcement officer or the request of other local officials having jurisdiction. Except for license information concerning licensed patients, as defined in Section 427.2 of this title, the Authority shall share information with law enforcement agencies upon request without a subpoena or search warrant.

C. The Authority shall make available all information on whether ~~or not~~ a medical marijuana patient or caregiver license is valid to law enforcement electronically through an online verification system.

D. The Authority shall make available to state agencies and political subdivisions a list of marijuana-licensed premises, medical marijuana businesses or any other premises where marijuana or its by-products are licensed to be cultivated, grown, processed, stored or manufactured to aid state agencies and county and municipal governments in identifying locations within their jurisdiction and ensuring compliance with applicable laws, rules and regulations.

E. 1. Any marijuana-licensed premises, medical marijuana business or any other premises where marijuana or its by-products are licensed to be cultivated, grown, processed, stored or manufactured shall submit with its application or request to change location, after notifying the political subdivision of its intent, a certificate of compliance from the political subdivision where the facility of the applicant or licensee is to be located certifying compliance with zoning classifications, applicable municipal ordinances and all applicable safety, electrical, fire, plumbing, waste, construction and building specification codes.

2. Beginning on May 28, 2021, upon the initial request for renewal or transfer of a retail marijuana dispensary license, a municipal government may object to the continued licensure of the medical marijuana dispensary if the municipal government determines it is operating contrary to the required setback distance from a school including the error in measurement allowance authorized by Section 425 of this title.

3. To prevent the granting of the grandfather provisions of Section 425 of this title as a matter of law, the municipal government shall provide the following documentation prior to the initial renewal or transfer of a license:

- a. a municipal resolution finding that the marijuana dispensary is located within the prohibited setback distance from a school that was openly in existence in such a way that the public generally would have known of the school's existence and operation in that location prior to the original marijuana dispensary being licensed. For purposes of this subparagraph, "openly in existence" means any building, location or

structure on a school site that has visible outward markings indicating the building, location or structure was operating as a school which would serve as sufficient notice of the existence of the school or a reason for further inquiry on the part of the marijuana dispensary license applicant. Openly in existence shall not mean any school that operated secretly or discreetly without any signs or other markings on any building, location or structure on the school site, undeveloped land or a structure owned by a school that was not openly used and marked as a school site, or any school site that was established after the marijuana dispensary had been established and licensed by the Authority, and

- b. documentation of the measured distance from the school to the marijuana dispensary utilizing the method for determining the setback distance less any allowable error in measurement calculated and remeasured on and after the effective date of this act as authorized by Section 425 of this title.

4. Prior to initial renewal or transfer of a license and upon receipt of documentation required by paragraph 3 of this subsection, if the Authority determines that the medical marijuana dispensary is operating contrary to the required setback distance from a school including the error in measurement allowance authorized by Section 425 of this title, the Authority may deny the renewal or transfer of the medical marijuana dispensary license and shall cause the license to be revoked.

5. For purposes of this subsection, "school" means the same as defined in Section 427.2 of this title.

Once a certificate of compliance has been submitted to the Oklahoma Medical Marijuana Authority showing full compliance as outlined in this subsection, no additional certificate of compliance shall be required for license renewal unless a change of use or occupancy occurs, or there is any change concerning the facility or location that would, by law, require additional inspection, licensure or permitting by the state or municipality.

SECTION 15. REPEALER 63 O.S. 2021, Section 426.1, as amended by Section 3, Chapter 584, O.S.L. 2021 (63 O.S. Supp. 2023, Section 426.1), is hereby repealed.

SECTION 16. AMENDATORY 63 O.S. 2021, Section 427.2, as last amended by Section 7, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.2), is amended to read as follows:

Section 427.2. As used in the Oklahoma Medical Marijuana and Patient Protection Act:

1. "Advertising" means the act of providing consideration for the publication, dissemination, solicitation, or circulation, of visual, oral, or written communication to induce directly or indirectly any person to patronize a particular medical marijuana business, or to purchase particular medical marijuana or a medical marijuana product. Advertising includes marketing, but does not include packaging and labeling;

2. "Authority" means the Oklahoma Medical Marijuana Authority;

3. "Batch number" means a unique numeric or alphanumeric identifier assigned prior to testing to allow for inventory tracking and traceability;

4. "Cannabinoid" means any of the chemical compounds that are active principles of marijuana;

5. "Caregiver" means a family member or assistant who regularly looks after a medical marijuana patient license holder whom a physician attests needs assistance;

6. "Child-resistant" means special packaging that is:

- a. designed or constructed to be significantly difficult for children under five (5) years of age to open and not difficult for normal adults to use properly as defined by 16 C.F.R. 1700.15 (1995) and 16 C.F.R. 1700.20 (1995), and

- b. ~~opaque so that the outermost packaging does not allow the product to be seen without opening the packaging material, and~~
- e. resealable to maintain its child-resistant effectiveness for multiple openings for any product intended for more than a single use or containing multiple servings;

7. "Clone" means a nonflowering plant cut from a mother plant that is capable of developing into a new plant and has shown no signs of flowering;

8. "Complete application" means a document prepared in accordance with the provisions set forth in the Oklahoma Medical Marijuana and Patient Protection Act, rules promulgated pursuant thereto, and the forms and instructions provided by the Oklahoma Medical Marijuana Authority including any supporting documentation required and the applicable license application fee;

9. "Director" means the Executive Director of the Oklahoma Medical Marijuana Authority;

10. "Dispense" means the selling of medical marijuana or a medical marijuana product to a qualified patient or the designated caregiver of the patient that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a qualifying patient;

11. "Dispensary" means a medical marijuana dispensary, an entity that has been licensed by the Authority pursuant to the Oklahoma Medical Marijuana and Patient Protection Act to purchase medical marijuana or medical marijuana products from a licensed medical marijuana commercial grower or licensed medical marijuana processor, to prepare and package noninfused pre-rolled medical marijuana, and to sell medical marijuana or medical marijuana products to licensed patients and caregivers as defined in this section, or sell or transfer products to another licensed dispensary;

12. "Edible medical marijuana product" means any medical-marijuana-infused product for which the intended use is oral

consumption including, but not limited to, any type of food, drink or pill;

13. "Entity" means an individual, general partnership, limited partnership, limited liability company, trust, estate, association, corporation, cooperative or any other legal or commercial entity;

14. "Flower" means the reproductive organs of the marijuana or cannabis plant referred to as the bud or parts of the plant that are harvested and used for consumption in a variety of medical marijuana products;

15. "Flowering" means the reproductive state of the marijuana or cannabis plant in which there are physical signs of flower or budding out of the nodes of the stem;

16. "Exit package" means an opaque bag that is provided at the point of sale in which pre-packaged medical marijuana is placed;

17. "Food-based medical marijuana concentrate" means a medical marijuana concentrate that was produced by extracting cannabinoids from medical marijuana through the use of propylene glycol, glycerin, butter, olive oil, coconut oil or other typical food-safe cooking fats;

~~17.~~ 18. "Harvest batch" means a specifically identified quantity of medical marijuana that is uniform in strain, cultivated utilizing the same cultivation practices, harvested at the same time from the same location and cured under uniform conditions;

~~18.~~ 19. "Harvested marijuana" means postflowering medical marijuana not including trim, concentrate or waste;

~~19.~~ 20. "Heat- or pressure-based medical marijuana concentrate" means a medical marijuana concentrate that was produced by extracting cannabinoids from medical marijuana through the use of heat or pressure;

~~20.~~ 21. "Immature plant" means a nonflowering marijuana plant that has not demonstrated signs of flowering;



~~21.~~ 22. "Inventory tracking system" means the required tracking system that accounts for the entire life span of medical marijuana and medical marijuana products including any testing samples thereof and medical marijuana waste;

~~22.~~ 23. "Licensed patient" or "patient" means a person who has been issued a medical marijuana patient license by the Oklahoma Medical Marijuana Authority;

~~23.~~ 24. "Licensed premises" means the premises specified in an application for a medical marijuana business license, medical marijuana research facility license or medical marijuana education facility license pursuant to the Oklahoma Medical Marijuana and Patient Protection Act that are owned or in possession of the licensee and within which the licensee is authorized to cultivate, manufacture, distribute, sell, store, transport, test or research medical marijuana or medical marijuana products in accordance with the provisions of the Oklahoma Medical Marijuana and Patient Protection Act and rules promulgated pursuant thereto;

~~24.~~ 25. "Manufacture" means the production, propagation, compounding or processing of a medical marijuana product, excluding marijuana plants, either directly or indirectly by extraction from substances of natural or synthetic origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis;

~~25.~~ 26. "Marijuana" shall have the same meaning as such term is defined in Section 2-101 of this title and shall not include any plant or material containing delta-8 or delta 10 tetrahydrocannabinol which is grown, processed, or sold pursuant to the provisions of the Oklahoma Industrial Hemp Program;

~~26.~~ 27. "Material change" means any change that would affect the qualifications for licensure of an applicant or licensee;

~~27.~~ 28. "Mature plant" means a harvestable female marijuana plant that is flowering;

~~28.~~ 29. "Medical marijuana business (MMB)" means a licensed medical marijuana dispensary, medical marijuana processor, medical

marijuana commercial grower, medical marijuana laboratory, medical marijuana business operator or a medical marijuana transporter;

~~29.~~ 30. "Medical marijuana concentrate" or "concentrate" means a specific subset of medical marijuana that was produced by extracting cannabinoids from medical marijuana. Categories of medical marijuana concentrate include water-based medical marijuana concentrate, food-based medical marijuana concentrate, solvent-based medical marijuana concentrate, and heat- or pressure-based medical marijuana concentrate;

~~30.~~ 31. "Medical marijuana commercial grower" or "commercial grower" means an entity licensed to cultivate, prepare and package medical marijuana or package medical marijuana as pre-rolls, and transfer or contract for transfer medical marijuana and medical marijuana pre-rolls to a medical marijuana dispensary, medical marijuana processor, any other medical marijuana commercial grower, medical marijuana research facility or medical marijuana education facility. A commercial grower may sell seeds, flower or clones to commercial growers pursuant to the Oklahoma Medical Marijuana and Patient Protection Act;

~~31.~~ 32. "Medical marijuana education facility" or "education facility" means a person or entity approved pursuant to the Oklahoma Medical Marijuana and Patient Protection Act to operate a facility providing training and education to individuals involving the cultivation, growing, harvesting, curing, preparing, packaging or testing of medical marijuana, or the production, manufacture, extraction, processing, packaging or creation of medical-marijuana-infused products or medical marijuana products as described in the Oklahoma Medical Marijuana and Patient Protection Act;

~~32.~~ 33. "Medical-marijuana-infused product" means a product infused with medical marijuana including, but not limited to, edible products, ointments and tinctures;

~~33.~~ 34. "Medical marijuana product" or "product" means a product that contains cannabinoids that have been extracted from plant material or the resin therefrom by physical or chemical means and is intended for administration to a qualified patient including, but not limited to, oils, tinctures, edibles, pills, topical forms, gels, creams, vapors, patches, liquids, and forms administered by a

nebulizer, excluding live plant forms which are considered medical marijuana;

~~34.~~ 35. "Medical marijuana processor" means a person or entity licensed pursuant to the Oklahoma Medical Marijuana and Patient Protection Act to operate a business including the production, manufacture, extraction, processing, packaging or creation of concentrate, medical-marijuana-infused products or medical marijuana products as described in the Oklahoma Medical Marijuana and Patient Protection Act;

~~35.~~ 36. "Medical marijuana research facility" or "research facility" means a person or entity approved pursuant to the Oklahoma Medical Marijuana and Patient Protection Act to conduct medical marijuana research. A medical marijuana research facility is not a medical marijuana business;

~~36.~~ 37. "Medical marijuana testing laboratory" or "laboratory" means a public or private laboratory licensed pursuant to the Oklahoma Medical Marijuana and Patient Protection Act to conduct testing and research on medical marijuana and medical marijuana products;

~~37.~~ 38. "Medical marijuana transporter" or "transporter" means a person or entity that is licensed pursuant to the Oklahoma Medical Marijuana and Patient Protection Act. A medical marijuana transporter does not include a medical marijuana business that transports its own medical marijuana, medical marijuana concentrate or medical marijuana products to a property or facility adjacent to or connected to the licensed premises if the property is another licensed premises of the same medical marijuana business;

~~38.~~ 39. "Medical marijuana waste" or "waste" means unused, surplus, returned or out-of-date marijuana, plant debris of the plant of the genus Cannabis including dead plants and all unused plant parts ~~and roots~~, except the term shall not include roots, stems, stalks and fan leaves;

~~39.~~ 40. "Medical use" means the acquisition, possession, use, delivery, transfer or transportation of medical marijuana, medical marijuana products, medical marijuana devices or paraphernalia

relating to the administration of medical marijuana to treat a licensed patient;

~~40.~~ 41. "Mother plant" means a marijuana plant that is grown or maintained for the purpose of generating clones, and that will not be used to produce plant material for sale to a medical marijuana processor or medical marijuana dispensary;

~~41.~~ 42. "Oklahoma physician" or "physician" means a physician licensed by and in good standing with the State Board of Medical Licensure and Supervision, the State Board of Osteopathic Examiners or the Board of Podiatric Medical Examiners;

~~42.~~ 43. "Oklahoma resident" means an individual who can provide proof of residency as required by the Oklahoma Medical Marijuana and Patient Protection Act;

~~43.~~ 44. "Owner" means, except where the context otherwise requires, a direct beneficial owner including, but not limited to, all persons or entities as follows:

- a. all shareholders owning an interest of a corporate entity and all officers of a corporate entity,
- b. all partners of a general partnership,
- c. all general partners and all limited partners that own an interest in a limited partnership,
- d. all members that own an interest in a limited liability company,
- e. all beneficiaries that hold a beneficial interest in a trust and all trustees of a trust,
- f. all persons or entities that own interest in a joint venture,
- g. all persons or entities that own an interest in an association,
- h. the owners of any other type of legal entity, and

- i. any other person holding an interest or convertible note in any entity which owns, operates or manages a licensed facility;

~~44.~~ 45. "Package" or "packaging" means any container or wrapper that may be used by a medical marijuana business to enclose or contain medical marijuana;

~~45.~~ 46. "Person" means a natural person, partnership, association, business trust, company, corporation, estate, limited liability company, trust or any other legal entity or organization, or a manager, agent, owner, director, servant, officer or employee thereof, except that person does not include any governmental organization;

~~46.~~ 47. "Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pest or any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant, except that the term pesticide shall not include any article that is a "new animal drug" as designated by the United States Food and Drug Administration;

~~47.~~ 48. "Production batch" means:

- a. any amount of medical marijuana concentrate of the same category and produced using the same extraction methods, standard operating procedures and an identical group of harvest batch of medical marijuana, or
- b. any amount of medical marijuana product of the same exact type, produced using the same ingredients, standard operating procedures and the same production batch of medical marijuana concentrate;

~~48.~~ 49. "Public institution" means any entity established or controlled by the federal government, state government, or a local government or municipality including, but not limited to, institutions of higher education or related research institutions;

~~49.~~ 50. "Public money" means any funds or money obtained by the holder from any governmental entity including, but not limited to, research grants;

~~50.~~ 51. "Recommendation" means a document that is signed or electronically submitted by a physician on behalf of a patient for the use of medical marijuana pursuant to the Oklahoma Medical Marijuana and Patient Protection Act;

~~51.~~ 52. "Registered to conduct business" means a person that has provided proof that the business applicant or licensee is in good standing with the Secretary of State;

~~52.~~ 53. "Remediation" means the process by which a harvest batch or production batch that fails testing undergoes a procedure to remedy the harvest batch or production batch and is retested in accordance with state laws, rules and regulations;

~~53.~~ 54. "Research project" means a discrete scientific endeavor to answer a research question or a set of research questions related to medical marijuana and is required for a medical marijuana research license. A research project shall include a description of a defined protocol, clearly articulated goals, defined methods and outputs, and a defined start and end date. The description shall demonstrate that the research project will comply with all requirements in the Oklahoma Medical Marijuana and Patient Protection Act and rules promulgated pursuant thereto. All research and development conducted by a medical marijuana research facility shall be conducted in furtherance of an approved research project;

~~54.~~ 55. "Revocation" means the final decision by the Authority that any license issued pursuant to the Oklahoma Medical Marijuana and Patient Protection Act is rescinded because the individual or entity does not comply with the applicable requirements set forth in the Oklahoma Medical Marijuana and Patient Protection Act or rules promulgated pursuant thereto;

~~55.~~ 56. "School" means a public or private elementary, middle or high school, or technology center school which is primarily used for school classes and classroom instruction. A homeschool, daycare or child-care facility shall not be considered a school as used in the Oklahoma Medical Marijuana and Patient Protection Act;

~~56.~~ 57. "Shipping container" means a hard-sided container with a lid or other enclosure that can be secured in place. A shipping container is used solely for the transport of medical marijuana, medical marijuana concentrate, or medical marijuana products between medical marijuana businesses, a medical marijuana research facility, or a medical marijuana education facility;

~~57.~~ 58. "Solvent-based medical marijuana concentrate" means a medical marijuana concentrate that was produced by extracting cannabinoids from medical marijuana through the use of a solvent approved by the Executive Director;

~~58.~~ 59. "State Question" means Oklahoma State Question No. 788, Initiative Petition No. 412, approved by a majority vote of the citizens of Oklahoma on June 26, 2018;

~~59.~~ 60. "Strain" means the name given to a particular variety of medical marijuana that is based on a combination of factors which may include, but is not limited to, botanical lineage, appearance, chemical profile and accompanying effects. An example of a "strain" would be "OG Kush" or "Pineapple Express";

~~60.~~ 61. "THC" means tetrahydrocannabinol, which is the primary psychotropic cannabinoid in marijuana formed by decarboxylation of naturally tetrahydrocannabinolic acid, which generally occurs by exposure to heat;

~~61.~~ 62. "Transporter agent" means a person who transports medical marijuana or medical marijuana products as an employee of a licensed medical marijuana business and holds a transporter agent license specific to that business pursuant to the Oklahoma Medical Marijuana and Patient Protection Act;

~~62.~~ 63. "Universal symbol" means the image established by the Oklahoma Medical Marijuana Authority and made available to licensees through its website indicating that the medical marijuana or the medical marijuana product contains THC;

~~63.~~ 64. "Usable marijuana" means the dried leaves, flowers, oils, vapors, waxes and other portions of the marijuana plant and

any mixture or preparation thereof, excluding seeds, roots, stems, stalks and fan leaves; and

~~64.~~ 65. "Water-based medical marijuana concentrate" means a concentrate that was produced by extracting cannabinoids from medical marijuana through the use of only water, ice or dry ice.

SECTION 17. REPEALER 63 O.S. 2021, Section 427.2, as last amended by Section 1, Chapter 141, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.2), is hereby repealed.

SECTION 18. REPEALER 63 O.S. 2021, Section 427.2, as last amended by Section 1, Chapter 317, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.2), is hereby repealed.

SECTION 19. AMENDATORY 63 O.S. 2021, Section 427.3, as amended by Section 8, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.3), is amended to read as follows:

Section 427.3. A. There is hereby created the Oklahoma Medical Marijuana Authority which shall address issues related to the medical marijuana program in this state including, but not limited to, the issuance of patient licenses and medical marijuana business licenses, and the dispensing, cultivating, processing, testing, transporting, storage, research, and the use of and sale of medical marijuana pursuant to the Oklahoma Medical Marijuana and Patient Protection Act.

B. 1. Beginning on the effective date of this act, the Authority shall cease to be part of or a division of the State Department of Health and shall be deemed to be a separate and distinct agency, to be known as the Oklahoma Medical Marijuana Authority. The Authority and the Executive Director of the Authority shall continue to exercise their statutory powers, duties, and contractual responsibilities. All records, property, equipment, assets, monies, financial interests, liabilities, matters pending, and funds of the division shall be transferred to the Authority.

2. All licenses granted by the Department pertaining to medical marijuana shall maintain rights and privileges under the authority of the Authority; provided, however, that all licenses shall be subject to revocation, suspension, or disciplinary action for



violation of any of the provisions of the Oklahoma Medical Marijuana and Patient Protection Act and rules promulgated by the Executive Director.

3. The Authority shall succeed to any contractual rights or responsibilities incurred by the Department pertaining to medical marijuana.

4. Rules promulgated by the State Commissioner of Health pertaining to medical marijuana that are in effect on the effective date of this act shall be immediately adopted and enforced by the Executive Director. The Executive Director maintains the authority to further promulgate and enforce rules.

5. The Department and the Authority may enter into an agreement for the transfer of personnel from the Department to the Authority. No employee shall be transferred to the Authority except on the freely given written consent of the employee. All employees who are transferred to the Authority shall not be required to accept a lesser grade or salary than presently received. All employees shall retain leave, sick, and annual time earned, and any retirement and longevity benefits which have accrued during their tenure with the Department. The transfer of personnel between the state agencies shall be coordinated with the Office of Management and Enterprise Services.

6. The expenses incurred by the Authority as a result of the transfer required by this subsection shall be paid by the Authority.

7. The division within the Department known as the Oklahoma Medical Marijuana Authority shall be abolished by the Department after the transfer has been completed.

8. The Office of Management and Enterprise Services shall coordinate the transfer of records, property, equipment, assets, funds, allotments, purchase orders, liabilities, outstanding financial obligations, or encumbrances provided for in this subsection.

C. The Authority shall implement the provisions of the Oklahoma Medical Marijuana and Patient Protection Act consistently with the voter-approved State Question No. 788, Initiative Petition No. 412,

subject to the provisions of the Oklahoma Medical Marijuana and Patient Protection Act.

D. The Authority shall exercise its respective powers and perform its respective duties and functions as specified in the Oklahoma Medical Marijuana and Patient Protection Act and this title including, but not limited to, the following:

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

- a. public health policy and public safety policy,
- b. agronomic and horticultural best practices, and
- c. medical and pharmacopoeia best practices;

2. Contract with third-party vendors and other governmental entities in order to carry out the respective duties and functions as specified in the Oklahoma Medical Marijuana and Patient Protection Act;

3. Upon complaint or upon its own motion and upon a completed investigation, levy fines as prescribed in applicable laws, rules and regulations and suspend, revoke or not renew licenses pursuant to applicable laws, rules and regulations;

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

5. Apply for injunctive or declaratory relief to enforce the provisions of applicable laws, rules and regulations;

6. Inspect and examine all licensed premises of medical marijuana businesses, research facilities, education facilities and waste disposal facilities in which medical marijuana is cultivated, manufactured, sold, stored, transported, tested, distributed or disposed of;

7. Upon action by the federal government by which the production, sale, and use of marijuana in this state does not violate federal law, work with the Banking Department and the State Treasurer to develop good practices and standards for banking and finance for medical marijuana businesses;

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

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

10. Establish a fee schedule and collect fees for material changes requested by the licensee; ~~and~~

11. Establish regulations, which require a medical marijuana business to submit information to the ~~Oklahoma Medical Marijuana~~ Authority, deemed reasonably necessary to assist the Authority in the prevention of diversion of medical marijuana by a licensed medical marijuana business. Such information required by the Authority may include, but shall not be limited to:

- a. the square footage of the licensed premises,
- b. a diagram of the licensed premises,
- c. the number and type of lights at the licensed medical marijuana commercial grower business,
- d. the number, type, and production capacity of equipment located at the medical marijuana processing facility,
- e. the names, addresses, and telephone numbers of employees or agents of a medical marijuana business,
- f. employment manuals and standard operating procedures for the medical marijuana business, and
- g. any other information as the Authority reasonably deems necessary; and

12. Declare and establish a moratorium on processing and issuing new medical marijuana business licenses pursuant to Section 427.14 of this title for an amount of time the Authority deems necessary.

E. The Authority shall be authorized to enter into and negotiate the terms of a Memorandum of Understanding between the Authority and other state agencies concerning the enforcement of laws regulating medical marijuana in this state.

SECTION 20. REPEALER 63 O.S. 2021, Section 427.3, as amended by Section 30, Chapter 228, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.3), is hereby repealed.

SECTION 21. REPEALER 63 O.S. 2021, Section 427.3, as last amended by Section 4, Chapter 322, O.S.L. 2023 (63 O.S. Supp. 2023, Section 427.3), is hereby repealed.

SECTION 22. AMENDATORY 63 O.S. 2021, Section 427.6, as last amended by Section 4, Chapter 168, O.S.L. 2023 (63 O.S. Supp. 2023, Section 427.6), is amended to read as follows:

Section 427.6. A. The Oklahoma Medical Marijuana Authority shall address issues related to the medical marijuana program in this state including, but not limited to, monitoring and disciplinary actions as they relate to the medical marijuana program.

B. 1. The Authority, its designee, or the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma State Bureau of Investigation, and the Attorney General may perform on-site inspections or investigations of a licensee or applicant for any medical marijuana business license, research facility, education facility or waste disposal facility to determine compliance with applicable laws, rules and regulations or submissions made pursuant to this section. The Authority, its designee, or the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma State Bureau of Investigation, and the Attorney General may enter the licensed premises of a medical marijuana business, research facility, education facility or waste disposal facility licensee or

applicant to assess or monitor compliance or ensure qualifications for licensure.

2. ~~Post-licensure~~ Except as otherwise provided by law, post-licensure inspections shall be limited to twice per calendar year. However, investigations and additional inspections may occur when the Authority believes an investigation or additional inspection is necessary due to a possible violation or noncompliance of applicable laws, rules or regulations. The Executive Director of the Authority may adopt rules imposing penalties including, but not limited to, monetary fines and suspension or revocation of licensure for failure to allow the Authority reasonable access to the licensed premises for purposes of conducting an inspection.

3. The Authority, its designee, or the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma State Bureau of Investigation, and the Attorney General may review relevant records of a licensed medical marijuana business, licensed medical marijuana research facility, licensed medical marijuana education facility or licensed medical marijuana waste disposal facility, and may require and conduct interviews with such persons or entities and persons affiliated with such entities, for the purpose of determining compliance with ~~Authority~~ requirements of the Executive Director and applicable laws, rules and regulations.

4. The Authority may refer complaints alleging criminal activity that are made against a licensee to appropriate state or local law enforcement authorities including, but not limited to, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma State Bureau of Investigation, and the Attorney General.

C. Disciplinary action may be taken against an applicant or licensee for not adhering to applicable laws pursuant to the terms, conditions and guidelines set forth in the Oklahoma Medical Marijuana and Patient Protection Act.

D. Disciplinary actions may include revocation, suspension or denial of an application, license or final authorization and other action deemed appropriate by the Executive Director of the Authority.

E. Disciplinary actions may be imposed upon a medical marijuana business licensee for:

1. Failure to comply with or satisfy any provision of applicable laws, rules or regulations;
2. Falsification or misrepresentation of any material or information submitted to the Authority or other licensees;
3. Failing to allow or impeding entry by authorized representatives of the Authority;
4. Failure to adhere to any acknowledgement, verification or other representation made to the Authority;
5. Failure to submit or disclose information required by applicable laws, rules or regulations or otherwise requested by the Authority;
6. Failure to correct any violation of this section cited as a result of a review or audit of financial records or other materials;
7. Failure to comply with requested access by the Authority to the licensed premises or materials;
8. Failure to pay a required monetary penalty;
9. Diversion of medical marijuana or any medical marijuana product, as determined by the Authority;
10. Threatening or harming a medical marijuana patient licensee, caregiver licensee, a medical practitioner or an employee of the Authority; and
11. Any other basis indicating a violation of the applicable laws and regulations as identified by the Authority.

F. Disciplinary actions against a licensee may include the imposition of monetary penalties, which may be assessed by the Authority. The Authority may suspend or revoke a license for failure to pay any monetary penalty lawfully assessed by the Authority against a licensee.

G. 1. In addition to any other penalties prescribed by law, penalties for sales, purchases or transfers for value of medical marijuana by a medical marijuana business or employees or agents of the medical marijuana business to persons other than those allowed by law occurring within any one-year time period may include an initial fine of Five Thousand Dollars (\$5,000.00) for a first violation and a fine of Fifteen Thousand Dollars (\$15,000.00) for any subsequent violation.

2. Penalties for grossly inaccurate or fraudulent reporting occurring within any two-year time period may include an initial administrative fine of Five Thousand Dollars (\$5,000.00) for a first violation and an administrative fine of Ten Thousand Dollars (\$10,000.00) for any subsequent violation. The medical marijuana business shall be subject to a revocation of any license granted pursuant to the Oklahoma Medical Marijuana and Patient Protection Act upon a second incident of grossly inaccurate or fraudulent reporting in a ten-year period by the medical marijuana business or any employee or agent thereof.

3. After investigation by the Authority, the Authority may revoke the license of any person directly involved with the diversion of marijuana.

4. If the Authority, after investigation, is able to establish, by a preponderance of evidence, a pattern of diversion or negligence leading to diversion, the Authority may revoke any business licenses associated with the diversion and any entity with common ownership.

H. 1. In addition to any other penalties prescribed by law, a first offense for intentional and impermissible diversion of medical marijuana, medical marijuana concentrate, or medical marijuana products for value by a patient or caregiver to an unauthorized person shall be subject to an administrative fine of Four Hundred Dollars (\$400.00). The Authority shall have the authority to enforce the provisions of this subsection.

2. In addition to any other penalties prescribed by law, an additional incident resulting in a second offense for impermissible diversion of medical marijuana, medical marijuana concentrate, or medical marijuana products by a patient or caregiver to an

unauthorized person for value shall be subject to an administrative fine of One Thousand Dollars (\$1,000.00), and shall result in revocation of the license or licenses of the person.

3. Any person who shares less than three (3) grams of medical marijuana with an unauthorized person, without the transfer being for value or other consideration, shall not be subject to criminal prosecution but shall be subject to an administrative fine of Four Hundred Dollars (\$400.00).

I. The intentional diversion of medical marijuana, medical marijuana concentrate or medical marijuana products by a licensed medical marijuana patient or caregiver, medical marijuana business or employee of a medical marijuana business to an unauthorized minor person who the licensed medical marijuana patient or caregiver, medical marijuana business or employee of a medical marijuana business knew or reasonably should have known to be a minor person shall be subject to an administrative fine of Two Thousand Five Hundred Dollars (\$2,500.00). For an additional incident resulting in a second or subsequent offense, the licensed medical marijuana patient or caregiver, medical marijuana business or employee of a medical marijuana business shall be subject to a cite and release citation and, upon a finding of guilt or a plea of no contest, a fine of Five Thousand Dollars (\$5,000.00) and automatic revocation of the medical marijuana license.

J. In addition to any other penalties prescribed by law, it shall be unlawful for a licensed medical marijuana commercial grower to knowingly hire or employ undocumented immigrants to perform work inside a medical marijuana commercial grow facility or anywhere on the property of the medical marijuana commercial grow operation. A licensed medical marijuana commercial grower that violates the provisions of this subsection shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for a term not exceeding one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment. In addition, the license of the medical marijuana commercial grower shall be subject to revocation and the Authority may deny future license applications.

K. 1. Beginning September 1, 2021, the Oklahoma Medical Marijuana Authority shall schedule on-site meetings and compliance



inspections of the premises with the medical marijuana dispensary licensee at the location of the medical marijuana dispensary, the medical marijuana commercial grower at the location of the medical marijuana commercial grower site and the medical marijuana processor at the location of the medical marijuana processing site. The on-site meetings and compliance inspections shall occur within the first one hundred eighty (180) days after issuance of the medical marijuana dispensary license, commercial grower license or processor license and shall be conducted for purposes of verifying whether the medical marijuana business licensee is actively operating or is working towards operational status.

2. If, at the time of the on-site meeting and compliance inspection, the medical marijuana business licensee fails to provide proof to the Authority that the medical marijuana business is actively operating or working towards operational status, the Authority shall grant the medical marijuana business licensee a grace period of one hundred eighty (180) days to become operational. Upon expiration of this grace period, the Authority shall schedule a second on-site meeting and compliance inspection of the premises to verify whether the medical marijuana business licensee has begun operations at the licensed premises or is continuing to work towards operational status.

3. If, after the second on-site meeting and compliance inspection, the medical marijuana business licensee fails to provide proof to the Authority that the medical marijuana business licensee is actively operating or is continuing to work towards operational status, the Authority shall be authorized to grant the medical marijuana business licensee an additional grace period of one hundred eighty (180) days to become operational.

4. Upon expiration of the second grace period, the Authority shall terminate the medical marijuana business license if the medical marijuana business licensee has failed to provide proof to the Authority that the medical marijuana business is actively conducting business operations at the licensed premises.

L. In addition to any other remedies provided for by law, the Authority, pursuant to its rules and regulations promulgated by the Executive Director, may issue a written order to any licensee the Authority has reason to believe has violated Sections 420 through

426.1 of this title, the Oklahoma Medical Marijuana and Patient Protection Act, the Oklahoma Medical Marijuana Waste Management Act, or any rules promulgated by the ~~State Commissioner of Health~~ Executive Director and to whom the Authority has served, not less than thirty (30) days previously, a written notice of violation of such statutes or rules.

1. The written order shall state with specificity the nature of the violation. The Authority may impose any disciplinary action authorized under the provisions of this section including, but not limited to, the assessment of monetary penalties.

2. Any order issued pursuant to the provisions of this section shall become a final order unless, not more than thirty (30) days after the order is served to the licensee, the licensee requests an administrative hearing in accordance with the rules and regulations promulgated by the Executive Director of the Authority. Upon such request, the Authority shall promptly initiate administrative proceedings.

~~E.~~ M. Whenever the Executive Director of the Authority finds that an emergency exists requiring immediate action in order to protect the health or welfare of the public, the Executive Director of the Authority may issue an order, without providing notice or hearing, stating the existence of ~~said~~ an emergency and requiring that action be taken as the Executive Director of the Authority deems necessary to meet the emergency. Such action may include, but is not limited to, ordering the licensee to immediately cease and desist operations by the licensee. The order shall be effective immediately upon issuance. Any person to whom the order is directed shall comply immediately with the provisions of the order. The Authority may assess a penalty not to exceed Ten Thousand Dollars (\$10,000.00) per day of noncompliance with the order. In assessing such a penalty, the Authority shall consider the seriousness of the violation and any efforts to comply with applicable requirements. Upon application to the Authority, the licensee shall be offered a hearing within ten (10) days of the issuance of the order.

~~M.~~ N. All hearings held pursuant to this section shall be in accordance with the Oklahoma Administrative Procedures Act.

SECTION 23. REPEALER 63 O.S. 2021, Section 427.6, as amended by Section 2, Chapter 482, O.S.L. 2021 (63 O.S. Supp. 2023, Section 427.6), is hereby repealed.

SECTION 24. REPEALER 63 O.S. 2021, Section 427.6, as last amended by Section 10, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.6), is hereby repealed.

SECTION 25. AMENDATORY 63 O.S. 2021, Section 427.13, as last amended by Section 14, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, 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 being grown in this state is accounted for and shall implement an inventory tracking system. Pursuant to these duties, the Authority shall require that each medical marijuana business, medical marijuana research facility, medical marijuana education facility and medical marijuana waste disposal facility keep records for every transaction with another medical marijuana business, patient or caregiver. Inventory shall be tracked and updated after each individual sale and reported to the Authority.

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

- a. notification of when marijuana seeds and clones are planted,
- b. notification of when marijuana plants are harvested and destroyed,
- c. notification of when marijuana is transported, sold, stolen, diverted or lost,

- d. a complete inventory of all marijuana, seeds, plant tissue, clones, plants, usable marijuana or trim, leaves and other plant matter, batches of extract, and marijuana concentrates,
- e. all samples sent to a testing laboratory, an unused portion of a sample returned to a licensee, all samples utilized by licensee for purposes of negotiating a sale, and
- f. all samples used for quality testing by a licensee.

3. Each medical marijuana business, medical marijuana research facility, medical marijuana education facility and medical marijuana waste disposal facility shall develop written standard operating procedures outlining the manner in which it operates as prescribed by the Authority and shall use a seed-to-sale tracking system or integrate its own seed-to-sale tracking system with the seed-to-sale tracking system established by the Authority in accordance with the limitations set forth herein.

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

- a. the name and license number of the medical marijuana business that cultivated, manufactured or sold the medical marijuana or medical marijuana product,
- b. the address and phone number of the medical marijuana business that cultivated, manufactured or sold the medical marijuana or medical marijuana product,
- c. the type of product received during the transaction,
- d. the batch number of the marijuana plant used,
- e. the date of the transaction,
- f. the total spent in dollars,
- g. all point-of-sale records,

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

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

SECTION 26. REPEALER 63 O.S. 2021, Section 427.13, as amended by Section 7, Chapter 584, O.S.L. 2021 (63 O.S. Supp. 2023, Section 427.13), is hereby repealed.

SECTION 27. AMENDATORY 63 O.S. 2021, Section 427.14, as last amended by Section 7, Chapter 322, O.S.L. 2023 (63 O.S. Supp. 2023, Section 427.14), is amended to read as follows:

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

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

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

C. The Authority shall make available on its website in an easy-to-find location, applications for a medical marijuana business.

D. 1. The annual, nonrefundable fee for a medical marijuana transporter license shall be Two Thousand Five Hundred Dollars (\$2,500.00).

2. The initial, nonrefundable fee for a medical marijuana commercial grower license shall be calculated based upon the total amount of square feet of canopy or acres the grower estimates will be harvested, transferred, or sold for the year. The annual, nonrefundable license fee shall be based upon the total amount of square feet of canopy or acres harvested, transferred, or sold by the grower during the previous twelve (12) months. The amount of the fees shall be determined as follows:

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

- (1) Tier 1: Up to ten thousand (10,000) square feet of canopy, the fee shall be Two Thousand Five Hundred Dollars (\$2,500.00),
- (2) Tier 2: Ten thousand one (10,001) square feet of canopy to twenty thousand (20,000) square feet of canopy, the fee shall be Five Thousand Dollars (\$5,000.00),
- (3) Tier 3: Twenty thousand one (20,001) square feet of canopy to forty thousand (40,000) square feet of canopy, the fee shall be Ten Thousand Dollars (\$10,000.00),
- (4) Tier 4: Forty thousand one (40,001) square feet of canopy to sixty thousand (60,000) square feet of canopy, the fee shall be Twenty Thousand Dollars (\$20,000.00),
- (5) Tier 5: Sixty thousand one (60,001) square feet of canopy to eighty thousand (80,000) square feet

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

- (6) Tier 6: Eighty thousand one (80,001) square feet of canopy to ninety-nine thousand nine hundred ninety-nine (99,999) square feet of canopy, the fee shall be Forty Thousand Dollars (\$40,000.00), and
- (7) Tier 7: One hundred thousand (100,000) square feet of canopy and beyond, the fee shall be Fifty Thousand Dollars (\$50,000.00), plus an additional twenty-five cents (\$0.25) per square foot of canopy over one hundred thousand (100,000) square feet.

b. For an outdoor medical marijuana grow facility:

- (1) Tier 1: Less than two and one-half (2 1/2) acres, the fee shall be Two Thousand Five Hundred Dollars (\$2,500.00),
- (2) Tier 2: More than two and one-half (2 1/2) acres up to five (5) acres, the fee shall be Five Thousand Dollars (\$5,000.00),
- (3) Tier 3: More than five (5) acres up to ten (10) acres, the fee shall be Ten Thousand Dollars (\$10,000.00),
- (4) Tier 4: More than ten (10) acres up to twenty (20) acres, the fee shall be Twenty Thousand Dollars (\$20,000.00),
- (5) Tier 5: More than twenty (20) acres up to thirty (30) acres, the fee shall be Thirty Thousand Dollars (\$30,000.00),
- (6) Tier 6: More than thirty (30) acres up to forty (40) acres, the fee shall be Forty Thousand Dollars (\$40,000.00),

- (7) Tier 7: More than forty (40) acres up to fifty (50) acres, the fee shall be Fifty Thousand Dollars (\$50,000.00), and
  - (8) Tier 8: If the amount of acreage exceeds fifty (50) acres, the fee shall be Fifty Thousand Dollars (\$50,000.00) plus an additional Two Hundred Fifty Dollars (\$250.00) per acre.
- c. For a medical marijuana commercial grower that has a combination of both indoor and outdoor growing facilities at one location, the medical marijuana commercial grower shall be required to obtain a separate license from the Authority for each type of grow operation and shall be subject to the licensing fees provided for in subparagraphs a and b of this paragraph.
- d. As used in this paragraph:
- (1) "canopy" means the total surface area within a cultivation area that is dedicated to the cultivation of flowering marijuana plants. The surface area of the plant canopy must be calculated in square feet and measured and must include all of the area within the boundaries where the cultivation of the flowering marijuana plants occurs. If the surface of the plant canopy consists of noncontiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used in the cultivation area, the surface area of each tier or shelf must be included in calculating the area of the plant canopy. Calculation of the area of the plant canopy may not include the areas within the cultivation area that are used to cultivate immature marijuana plants and seedlings, prior to flowering, and that are not used at any time to cultivate mature marijuana plants. If the flowering plants are vertically grown in cylinders, the square footage of the canopy shall be measured by the



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

- (2) "greenhouse" means a structure located outdoors that is completely covered by a material that allows a controlled level of light transmission, and
- (3) "light deprivation" means a structure that has concrete floors and the ability to manipulate natural light.

3. The initial, nonrefundable fee for a medical marijuana processor license shall be Two Thousand Five Hundred Dollars (\$2,500.00). The annual, nonrefundable license fee for a medical marijuana processor license shall be determined based on the previous twelve (12) months as follows:

- a. Tier 1: The transfer or sale of zero (0) to ten thousand (10,000) pounds of biomass or the production, transfer, or sale of up to one hundred (100) liters of cannabis concentrate, whichever is greater, the annual fee shall be Two Thousand Five Hundred Dollars (\$2,500.00),
- b. Tier 2: The transfer or sale of ten thousand one (10,001) pounds to fifty thousand (50,000) pounds of biomass or the production, transfer, or sale of one hundred one (101) to three hundred fifty (350) liters of cannabis concentrate, whichever is greater, the annual fee shall be Five Thousand Dollars (\$5,000.00),
- c. Tier 3: The transfer or sale of fifty thousand one (50,001) pounds to one hundred fifty thousand (150,000) pounds of biomass or the production, transfer, or sale of three hundred fifty-one (351) to six hundred fifty (650) liters of cannabis concentrate, whichever is greater, the annual fee shall be Ten Thousand Dollars (\$10,000.00),
- d. Tier 4: The transfer or sale of one hundred fifty thousand one (150,001) pounds to three hundred

thousand (300,000) pounds of biomass or the production, transfer, or sale of six hundred fifty-one (651) to one thousand (1,000) liters of cannabis concentrate, whichever is greater, the annual fee shall be Fifteen Thousand Dollars (\$15,000.00), and

- e. Tier 5: The transfer or sale of more than three hundred thousand one (300,001) pounds of biomass or the production, transfer, or sale in excess of one thousand one (1,001) liters of cannabis concentrate, the annual fee shall be Twenty Thousand Dollars (\$20,000.00).

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

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

5. The annual, nonrefundable license fee for a medical marijuana testing laboratory shall be Twenty Thousand Dollars (\$20,000.00).

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

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

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

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

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

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

6. All applications for a transporter license, initial dispensary license, initial processor license, or laboratory license shall be accompanied by a full remittance for the whole amount of the license fee as set forth in subsection D of this section. All submissions of grower applications, renewal processor applications, and renewal dispensary applications shall be accompanied by a remittance of a fee of Two Thousand Five Hundred Dollars (\$2,500.00). The Authority shall invoice license applicants, if applicable, for any additional licensing fees owed pursuant to subsection D of this section prior to approval of a license application. License fees are nonrefundable;

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

- a. twenty-five (25) years of age or older,
- b. if applying as an individual, proof that the applicant is ~~an Oklahoma resident~~ a resident of this state pursuant to paragraph 11 of this subsection,
- c. if applying as an entity, proof that seventy-five percent (75%) of all members, managers, executive officers, partners, board members or any other form of business ownership are ~~Oklahoma~~ residents of this state pursuant to paragraph 11 of this subsection,

- d. if applying as an individual or entity, proof that the individual or entity is registered to conduct business in this state,
- e. disclosure of all ownership interests pursuant to the Oklahoma Medical Marijuana and Patient Protection Act, and
- f. proof that the medical marijuana business, medical marijuana research facility, medical marijuana education facility and medical marijuana waste disposal facility applicant or licensee has not been convicted of a nonviolent felony in the last two (2) years, or any other felony conviction within the last five (5) years, is not a current inmate in the custody of the Department of Corrections, or currently incarcerated in a jail or corrections facility.

Upon reasonable suspicion that a medical marijuana business licensee is illegally growing, processing, transferring, selling, disposing, or diverting marijuana, the Authority, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma State Bureau of Investigation, or the Attorney General may subpoena documents necessary to establish the personal identifying information of all owners and individuals with any ownership interest in the business;

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

9. All applicants for a medical marijuana business license, research facility license or education facility license authorized by the Oklahoma Medical Marijuana and Patient Protection Act, or for a renewal of such license, shall undergo a national fingerprint-based background check conducted by the Oklahoma State Bureau of Investigation (OSBI) within thirty (30) days prior to the application for the license, including:

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

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

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

- a. an unexpired ~~Oklahoma-issued~~ state-issued driver license,
- b. an ~~Oklahoma~~ state-issued identification card,
- c. a utility bill preceding the date of application, excluding cellular telephone and Internet bills,
- d. a residential property deed to property in this state, and
- e. a rental agreement preceding the date of application for residential property located in this state.

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

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

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

- a. front of ~~an Oklahoma~~ state-issued driver license,
- b. front of ~~an Oklahoma~~ state-issued identification card,
- c. a United States passport or other photo identification issued by the United States government, or
- d. a tribal identification card approved for identification purposes by the Department of Public Safety; ~~and~~

14. All applicants shall submit an applicant photograph; and

15. All applicants for a medical marijuana business license seeking to operate a commercial grow shall file along with their application a bond as prescribed in Section 427.26 of this title.

F. The Authority shall review the medical marijuana business application; approve, reject, or deny the application; and send the approval, rejection, denial, or status-update letter to the applicant in the same method the application was submitted to the Authority within ninety (90) business days of receipt of the application.

G. 1. The Authority shall review the medical marijuana business applications, conduct all investigations, inspections, and interviews, and collect all license and application fees before approving the application.

2. Approved applicants shall be issued a medical marijuana business license for the specific category applied under, which shall act as proof of their approved status. Rejection and denial letters shall provide a reason for the rejection or denial.

Applications may only be rejected or denied based on the applicant not meeting the standards set forth in the provisions of the Oklahoma Medical Marijuana and Patient Protection Act and Sections 420 through 426.1 of this title, improper completion of the application, unpaid license or application fees, or for a reason provided for in the Oklahoma Medical Marijuana and Patient Protection Act and Sections 420 through 426.1 of this title. If an application is rejected for failure to provide required information, the applicant shall have thirty (30) days to submit the required information for reconsideration. Unless the Authority determines otherwise, an application that has been resubmitted but is still incomplete or contains errors that are not clerical or typographical in nature shall be denied.

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

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

H. A license for a medical marijuana business, medical marijuana research facility, medical marijuana education facility or medical marijuana waste disposal facility shall not be issued to or held by:

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

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

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

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

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

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

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

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

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

- a. unlawful sales or purchases,
- b. any fraudulent acts, falsification of records or misrepresentation to the Authority, medical marijuana patient licensees, caregiver licensees or medical marijuana business licensees,
- c. any grossly inaccurate or fraudulent reporting,
- d. threatening or harming any medical marijuana patient, caregiver, medical practitioner or employee of the Authority,
- e. knowingly or intentionally refusing to permit the Authority access to premises or records,
- f. using a prohibited, hazardous substance for processing in a residential area,



g. criminal acts relating to the operation of a medical marijuana business, or

h. any violations that endanger public health and safety or product safety.

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

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

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

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

M. All medical marijuana business, medical marijuana research facility, medical marijuana education facility and medical marijuana waste disposal facility licensees shall pay the relevant licensure fees prior to receiving licensure to operate.

N. A medical marijuana business, medical marijuana research facility, medical marijuana education facility or medical marijuana waste disposal facility that attempts to renew its license after the expiration date of the license shall pay a late renewal fee in an

amount to be determined by the Executive Director of the Authority to reinstate the license. Late renewal fees are nonrefundable. A license that has been expired for more than ninety (90) days shall not be renewed.

O. No medical marijuana business, medical marijuana research facility, medical marijuana education facility or medical marijuana waste disposal facility shall possess, sell or transfer medical marijuana or medical marijuana products without a valid, unexpired license issued by the Authority.

P. No more than one medical marijuana commercial grower license shall be issued for any one property.

Q. An original medical marijuana business license issued on or after June 26, 2018, by the Authority, for a medical marijuana commercial grower, a medical marijuana processor or a medical marijuana dispensary shall be deemed to have been grandfathered into the location on the date the original license was first issued for purposes of determining the authority of the business to conduct and continue the same type of business at that location under a license issued by the Authority, except as may be provided in Sections 425 and 426.1 of this title. Any change in ownership after the original medical marijuana business license has been issued by the Authority shall be construed by the Authority to be a continuation of the same type of business originally licensed at that location. Nothing shall authorize the Authority to deny issuance or renewal of a license or transfer of license due to a change in ownership for the same business location previously licensed, except when a revocation is otherwise authorized by law or a protest is made under the municipal compliance provisions of Section 426.1 of this title.

R. A medical marijuana business license holder shall require all individuals employed under their license to be issued a credential pursuant to the provisions of Section 427.14b of this title prior to employment.

S. The Executive Director of the Authority may promulgate rules to implement the provisions of this section including, but not limited to, required application materials to be submitted by the applicant and utilized by the Authority to determine medical marijuana business licensing fees pursuant to this section.

SECTION 28. REPEALER 63 O.S. 2021, Section 427.14, as amended by Section 8, Chapter 584, O.S.L. 2021 (63 O.S. Supp. 2023, Section 427.14), is hereby repealed.

SECTION 29. REPEALER 63 O.S. 2021, Section 427.14, as last amended by Section 2, Chapter 328, O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.14), is hereby repealed.

SECTION 30. REPEALER 63 O.S. 2021, Section 427.14, as last amended by Section 1, Chapter 41, O.S.L. 2023 (63 O.S. Supp. 2023, Section 427.14), is hereby repealed.

SECTION 31. AMENDATORY 63 O.S. 2021, Section 430, as last amended by Section 11, Chapter 168, O.S.L. 2023 (63 O.S. Supp. 2023, Section 430), is amended to read as follows:

Section 430. A. There is hereby created and authorized a medical marijuana waste disposal license. A person or entity in possession of a medical marijuana waste disposal license shall be entitled to possess, transport and dispose of medical marijuana waste. No person or entity shall dispose of medical marijuana waste without a valid medical marijuana waste disposal license. The Oklahoma Medical Marijuana Authority shall issue licenses upon proper application by a licensee and determination by the Authority that the proposed site and facility are physically and technically suitable. Upon a finding that a proposed medical marijuana waste disposal facility is not physically or technically suitable, the Authority shall deny the license. The Authority may, upon determining that public health or safety requires emergency action, issue a temporary license for treatment or storage of medical marijuana waste for a period not to exceed ninety (90) days. The Authority shall not, ~~for the first year of the licensure program until November 1, 2021,~~ issue more than ten medical marijuana waste disposal licenses. ~~Upon the conclusion of the first year, the Authority shall assess the need for additional medical marijuana waste disposal licenses and shall, if demonstrated, increase~~ Beginning November 1, 2021, there shall be no limit to the number of medical marijuana waste disposal licenses as deemed necessary issued by the Authority.

B. Entities applying for a medical marijuana waste disposal license shall undergo the following screening process:

1. Complete an application form, as prescribed by the Authority, which shall include:

- a. an attestation that the applicant is authorized to make application on behalf of the entity,
- b. full name of the organization,
- c. trade name, if applicable,
- d. type of business organization,
- e. complete mailing address,
- f. an attestation that the commercial entity will not be located on tribal land,
- g. telephone number and email address of the entity, and
- h. name, residential address and date of birth of each owner and each member, manager and board member, if applicable;

2. The application for a medical marijuana waste disposal license made by an individual on his or her own behalf shall be on the form prescribed by the Authority and shall include, but not be limited to:

- a. the first, middle and last name of the applicant and suffix, if applicable,
- b. the residence address and mailing address of the applicant,
- c. the date of birth of the applicant,
- d. the preferred telephone number and email address of the applicant,

- e. an attestation that the information provided by the applicant is true and correct, and
- f. a statement signed by the applicant pledging not to divert marijuana to any individual or entity that is not lawfully entitled to possess marijuana; and

3. Each application shall be accompanied by the following documentation:

- a. a list of all persons or entities that have an ownership interest in the entity,
- b. a certificate of good standing from the Secretary of State, if applicable,
- c. an Affidavit of Lawful Presence for each owner,
- d. proof that the proposed location of the disposal facility is at least one thousand (1,000) feet from a school. The distance indicated in this subparagraph shall be measured from the nearest property line of such school to the nearest perimeter wall of the premises of such disposal facility. If any school is established within one thousand (1,000) feet of any disposal facility after such disposal facility has been licensed, the provisions of this subparagraph shall not be a deterrent to the renewal of such license or warrant revocation of the license. For the purposes of this section, "school" shall mean the same as provided in Section 427.2 of this title, and
- e. documents establishing the applicant, the members, managers and board members, if applicable, and seventy-five percent (75%) of the ownership interests are ~~Oklahoma~~ residents of this state as established in Section 420 et seq. of this title, as it relates to proof of state residency.

For purposes of this paragraph, "school" means the same as defined in Section 427.2 of this title.

C. No license shall be issued except upon proof of sufficient liability insurance and financial responsibility. Liability insurance shall be provided by the applicant and shall apply to sudden and nonsudden bodily injury or property damage on, below or above the surface, as required by the rules ~~of the Authority~~ promulgated by the Executive Director. Such insurance shall be maintained for the period of operation of the facility and shall provide coverage for damages resulting from operation of the facility during operation and after closing.

D. Submission of an application for a medical marijuana waste disposal license shall constitute permission for entry to and inspection of the facility of the licensee during hours of operation and other reasonable times. Refusal to permit such entry of inspection shall constitute grounds for the nonrenewal, suspension or revocation of a license. The Authority, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma State Bureau of Investigation, and the Attorney General may perform an annual unannounced, on-site inspection of the operations and any facility of the licensee. If the Authority receives a complaint concerning noncompliance by a licensee with the provisions of the Oklahoma Medical Marijuana Waste Management Act, the Authority, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma State Bureau of Investigation, and the Attorney General may conduct additional unannounced, on-site inspections beyond the inspections provided for in Section 427.6 of this title. The Authority may refer all complaints alleging criminal activity that are made against a licensed facility to appropriate state or local law enforcement authorities.

E. The Authority shall issue an annual permit for each medical marijuana waste disposal facility operated by a licensee. A permit shall be issued only upon proper application by a licensee and determination by the Authority that the proposed site and facility are physically and technically suitable. Upon a finding that a proposed medical marijuana waste disposal facility is not physically or technically suitable, the Authority shall deny the permit. The Authority shall have the authority to revoke a permit upon a finding that the site and facility are not physically and technically suitable for processing. The Authority may, upon determining that public health or safety requires emergency action, issue a temporary

permit for treatment or storage of medical marijuana waste for a period not to exceed ninety (90) days.

F. The cost of a medical marijuana waste disposal license shall be Five Thousand Dollars (\$5,000.00) for the initial license. The cost of a medical marijuana waste disposal facility permit shall be Five Hundred Dollars (\$500.00). A medical marijuana waste disposal facility permit that has been revoked shall be reinstated upon remittance of a reinstatement fee of Five Hundred Dollars (\$500.00) to restore the facility permit. All license and permit fees shall be deposited into the Oklahoma Medical Marijuana Authority Revolving Fund as provided in Section 427.5 of this title.

G. The holder of a medical marijuana waste disposal license shall not be required to obtain a medical marijuana transporter license provided for in the Oklahoma Medical Marijuana and Patient Protection Act for purposes of transporting medical marijuana waste.

H. All commercial licensees, as defined in Section 428.1 of this title, shall utilize a licensed medical marijuana waste disposal service to process all medical marijuana waste generated by the licensee.

I. ~~The State Commissioner of Health~~ Executive Director of the Authority shall promulgate rules for the implementation of the Oklahoma Medical Marijuana Waste Management Act. Promulgated rules shall address disposal process standards, site security and any other subject matter deemed necessary by the ~~Authority~~ Executive Director.

SECTION 32. REPEALER 63 O.S. 2021, Section 430, as amended by Section 12, Chapter 584, O.S.L. 2021 (63 O.S. Supp. 2023, Section 430), is hereby repealed.

SECTION 33. REPEALER 63 O.S. 2021, Section 430, as last amended by Section 24, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section 430), is hereby repealed.

SECTION 34. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 14th day of March, 2024.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 23rd day of April, 2024.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

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: \_\_\_\_\_