

BILL SUMMARY

1st Session of the 57th Legislature

Bill No.:	HB 2612
Version:	PCS
Request Number:	8101
Author:	Rep. Echols
Date:	2/21/2019
Impact:	\$4.2M ongoing costs; \$5.6M one-time
	Total year 1: 9,797,660
	All dollars from incoming/ existing OMMA funds

Research Analysis

HB 2612 is known as the Unity Bill. A section by section summary is below.

- Section 1: Short Title – Oklahoma Medical Marijuana and Patient Protection Act.
- Section 2: Definitions.
- Section 3: Creates OK Medical Marijuana Authority within State Department of Health; will address issues related to medical marijuana (MM) program; provides list of duties and functions related to the MM program.
- Section 4: Directs OMMA to employ Executive Director; provides restrictions on who may work at OMMA; provides list of powers and duties of OMMA, Executive Director, director of enforcement and investigators.
- Section 5: Creation of Oklahoma Medical Marijuana Authority Revolving Fund.
- Section 6: State Department of Health directed to address monitoring and disciplinary actions for MM program; guidelines for on-site assessments and inspections; provides list of disciplinary actions that may be imposed on business licensees; monetary penalties; hearings are to comply with the Administrative Procedures Act.
- Section 7: Creation of MM use registry of patients & caregivers; medical records of licensees deemed confidential.
- Section 8: Declaration of right to possess MM products if duly licensed; prohibits cities/counties from restricting or interfering with such rights; provides residential or commercial property owners right to prohibit use of smokeable products; general rights of patient licensees re: firearms, public assistance, arrests; guidelines for employers who employ licensees; declaration that licensees are subject to the same restriction of “Smoking in Public Places and Indoor Workspaces Act”.
- Section 9: Authorizes Department to contact recommending physician; allows disabled vets reduced license fee; establishes 2-year time limitation for patient license.
- Section 10: Guidelines and restrictions for physicians who provide MM recommendations.
- Section 11: Guidelines and restrictions for caregiver licensees.
- Section 12: Guidelines and restrictions for patient and care-givers who grow their own marijuana.
- Section 13: Requires purchase of MM & MM products solely from Oklahoma-licensed MM businesses; requires MM business to keep records and use inventory tracking system “seed-to-sale”; provides guidelines and restrictions for inventory tracking system.
- Section 14: Provides list of MM business licenses available in OK; directs creation of website; establishes license fee and business applicant requirements; provides

- guidelines and procedures for issuing/rejecting business licenses; allows issuance of conditional business license; prohibits issuance of business license to certain persons/entities; guidelines on investigations of business license applicants.
- Section 15: Directs State Department of Health to develop policies and procedures for disclosure of financial interests and ownership.
- Section 16: Creation of MM transporter license; guidelines for issuing MM transporter license; sets forth guidelines and restrictions for transporting MM; provides for issuance of registry identification card; allows for revocation of license; transport vehicle and inventory manifest requirements.
- Section 17: Creation of MM testing lab license; authority to Department of Health to monitor/inspect/audit labs; allows for OMMA to contract with private lab to conduct compliance testing of MM testing labs; sets forth guidelines & restrictions for MM testing labs; requirements for testing samples; stating standards & accreditation requirements.
- Section 18: Packaging and labeling guidelines and restrictions.
- Section 19: Creation of MM research license; establishes fee for license; states manner in which research license may be used; provides application requirements; states guidelines and restrictions for MM research licensees.
- Section 20: Creation of MM education facility license; provides guideline and restrictions on who may be granted an education facility license; establishes fee for license; restricts use of license for certain education and research purposes; provides procedures for submitting application.
- Section 21: Prohibits MM businesses from engaging in deceptive, false or misleading advertising; prohibits ads that target children under 18.
- Section 22: General confidentiality & exemption from OK Open Records Act for patient & caregiver applications, dispensary records with patient information and financial information of MM business applicants.
- Section 23: Directs promulgation of rules to implement MM program to certain agencies.
- Section 24: Modifies the Standards for Workplace Drug and Alcohol Testing Act to require a urine, saliva or blood specimen to be used for a confirmation test for drugs.

Prepared By: Brad Wolgamott

Fiscal Analysis

The State Department of Health estimates the first year cost of HB 2612 to be \$9,797,660; \$5.6M of which is one-time; \$4,197,660 ongoing costs. No other detail has been provided thus far. These monies are to come from incoming/ existing OMMA funds.

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Other Considerations

None.