

BILL SUMMARY
1st Session of the 57th Legislature

Bill No.:	SB1030
Version:	CCRB
Request Number:	2336
Author:	Bush
Date:	5/21/2019
Impact:	Please see previous summary of this measure

Research Analysis

CCR B for SB1030 clarifies that the caregiver license shall provide the same rights as the marijuana patient license.

CCR B also deletes language mandating that no personally identifiable information, as defined under HIPAA, shall be stored at the State Department of Health.

The CCR establishes a 6% excise tax on medical marijuana, a 1% state sales tax on medical marijuana, and clarifies that retail medical marijuana shall be subject to the levy of sales tax imposed by a county or a municipality in the same manner as other tangible personal property.

The measure also clarifies the procedure a law enforcement officer should follow if they come in contact with a person who can state a medical condition but is not in possession of a state-issued medical marijuana license.

The CCR allows a landlord or school to refuse to lease to, or enroll, a person based on the person's status as a medical marijuana license holder if enrolling or leasing to the license holder has the potential to cause the landlord to lose a monetary or licensing related benefit under federal law or regulations.

The CCR deletes language allowing the Medical Marijuana Authority to grant a conditional business license in the event an applicant has fulfilled all obligations but not received the necessary permits from a municipality.

The measure clarifies that no city or local municipality may unduly change their zoning laws to prevent marijuana establishments from operating within municipal boundaries as a matter of law. However, municipalities may follow their standard planning and zoning procedures to determine if certain zones or districts would be appropriate for locating marijuana-licensed businesses.

The measure requires medical marijuana license revocation hearings to be recorded. A party may request a copy of the recording of the proceedings and copies of the proceedings shall be forwarded to law enforcement if the revocation was based on criminal activity.

The State Department of Health is directed to forward all information displayed on medical marijuana licenses to law enforcement via the Oklahoma Law Enforcement Telecommunications System. The Department must make available a list showing the location of licensed entities to the public.

Lastly, the CCR authorizes any court in the state to access the medical marijuana use registry.

Prepared By: Emily Wendler

Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

Other Considerations

None.

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