

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 2217

By: McDugle

7 COMMITTEE SUBSTITUTE

8 An Act relating to public health and safety; amending  
9 Section 4, Chapter 509, O.S.L. 2019 (63 O.S. Supp.  
10 2020, Section 426.1), which relates to medical  
11 marijuana; limiting locations in which certain  
12 commercial marijuana businesses may operate; and  
13 providing an effective date.

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

15 SECTION 1. AMENDATORY Section 4, Chapter 509, O.S.L.  
16 2019 (63 O.S. Supp. 2020, Section 426.1), is amended to read as  
17 follows:

18 Section 426.1 A. Except for revocation hearings concerning  
19 licensed patients, as defined in Section ~~2 of Enrolled House Bill~~  
20 ~~No. 2612 of the 1st Session of the 57th Oklahoma Legislature~~ 427.2  
21 of this title, all licensure revocation hearings conducted pursuant  
22 to marijuana licenses established in the Oklahoma Statutes shall be  
23 recorded. A party may request a copy of the recording of the  
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1 proceedings. Copies shall be provided to local law enforcement if  
2 the revocation was based on alleged criminal activity.

3 B. The State Department of Health shall assist any law  
4 enforcement officer in the performance of his or her duties upon  
5 such request by the law enforcement officer or the request of other  
6 local officials having jurisdiction. Except for license information  
7 concerning licensed patients, as defined in Section ~~2 of Enrolled~~  
8 ~~House Bill No. 2612 of the 1st Session of the 57th Oklahoma~~  
9 ~~Legislature~~ 427.2 of this title, the Department shall share  
10 information with law enforcement agencies upon request without a  
11 subpoena or search warrant.

12 C. The State Department of Health shall make available all  
13 information displayed on medical marijuana licenses, as well as  
14 whether or not the license is valid, to law enforcement  
15 electronically through the Oklahoma Law Enforcement  
16 Telecommunications System.

17 D. The Department shall make available to political  
18 subdivisions a list of marijuana-licensed premises, medical  
19 marijuana businesses or any other premises where marijuana or its  
20 by-products are licensed to be cultivated, grown, processed, stored  
21 or manufactured to aid county and municipal governments in  
22 identifying locations within their jurisdiction and ensure  
23 compliance with local regulations.

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1 E. All marijuana-licensed premises, medical marijuana  
2 businesses or any other premises where marijuana or its by-products  
3 are licensed to be cultivated, grown, processed, stored or  
4 manufactured shall submit with their application, after notifying  
5 the political subdivision of their intent, a certificate of  
6 compliance from the political subdivision where the facility of the  
7 applicant or use is to be located certifying compliance with zoning  
8 classifications, applicable municipal ordinances and all applicable  
9 safety, electrical, fire, plumbing, waste, construction and building  
10 specification codes. A facility of the applicant located within an  
11 unincorporated area and outside any corporate municipal limits shall  
12 be zoned for agricultural use, provided that the county or political  
13 subdivision regulates land use for the location and implements  
14 zoning classifications for the location. Nothing in this subsection  
15 shall be construed to supersede the provisions of the Oklahoma  
16 Medical Marijuana and Patient Protection Act or limit the regulatory  
17 authority of the Oklahoma Medical Marijuana Authority.

18 SECTION 2. This act shall become effective November 1, 2021.

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20 58-1-7507 JL 02/11/21  
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