

1 **SENATE FLOOR VERSION**

2 February 22, 2021

3 **AS AMENDED**

4 SENATE BILL NO. 522

5 By: Taylor of the Senate

6 and

7 Echols of the House

8 An Act relating to medical marijuana; requiring
9 Oklahoma Medical Marijuana Authority to contract with
10 third-party vendor to provide certain services;
11 directing Authority to determine minimum services;
12 directing third-party vendor to conduct certain
13 functions for applicants; requiring third-party
14 vendor to issue certain credential; providing for
15 certain appeal; excluding third-party vendor from
16 certain liability; directing promulgation of rules;
17 providing for codification; and providing an
18 effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 427.3a of Title 63, unless there
22 is created a duplication in numbering, reads as follows:

23 A. The Oklahoma Medical Marijuana Authority within the State
24 Department of Health shall contract with one or more third-party
25 vendors to provide the licensing services necessary to carry out the
26 provisions of Section 420 et seq. of Title 63 of the Oklahoma
27 Statutes and the Oklahoma Medical Marijuana and Patient Protection

1 Act **relating to the licensing of medical marijuana research**
2 **licensees, medical marijuana education facility licensees, medical**
3 **marijuana business licensees and employees of such entities.**

4 B. The Authority shall determine the minimum services to be
5 provided by such third-party vendor and shall establish costs and
6 prices. A third-party vendor shall on behalf of the Authority
7 conduct the statutorily required background checks and verify
8 eligibility and suitability for any license applicant for a medical
9 marijuana research license, medical marijuana education facility
10 license, any category of medical marijuana business license, and
11 employees of such entities.

12 C. Upon successful completion by the third-party vendor of the
13 statutorily required background checks and verification of
14 eligibility and suitability for a license applicant or employee, the
15 third-party vendor shall issue a credential or badge to the
16 applicant or employee. The results of background checks and
17 verification shall be provided to the Authority by the third-party
18 vendor.

19 D. In the event that the third-party vendor determines that an
20 applicant, or its employee, does not meet the minimum statutory
21 requirements for a license, the applicant or employee shall have no
22 recourse against the third-party vendor but may appeal such adverse
23 determination to the Authority.

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1 E. The third-party vendor shall bear no liability for any acts
2 taken in good-faith compliance with the provisions Section 420 et
3 seq. of Title 63 of the Oklahoma Statutes and the Oklahoma Medical
4 Marijuana and Patient Protection Act, and the rules promulgated by
5 the State Commissioner of Health.

6 F. The State Commissioner of Health may promulgate rules to
7 implement the provisions of this section.

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

9 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
10 February 22, 2021 - DO PASS AS AMENDED

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