

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2216

By: McDugle

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6 AS INTRODUCED

7 An Act relating to medical marijuana; providing for  
8 the recognition of out-of-state medical marijuana  
9 certifications or licenses; authorizing licensed  
10 dispensaries to dispense marijuana products under  
11 certain circumstances; directing the Oklahoma Medical  
12 Marijuana Authority to maintain and publish certain  
list; directing Authority to make certain information  
available to dispensaries; providing penalties when  
dispensaries fail to verify status and authenticity  
of certifications and licenses; providing for  
codification; and providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 427.24 of Title 63, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. A person who is not a resident of the State of Oklahoma, but  
20 who is authorized to engage in the medical use of marijuana under  
21 the laws of his or her state of residence, is deemed to hold a valid  
22 medical marijuana license for the purpose of the exemption from  
23 arrest, prosecution or penalty described in subsection F of Section  
24 427.8 of Title 63 of the Oklahoma Statutes, if the person abides by

1 the legal limits on the possession of marijuana for medical purposes  
2 in this state as set forth in Section 420 of Title 63 of the  
3 Oklahoma Statutes.

4 B. A licensed medical marijuana dispensary may dispense  
5 marijuana to a person described in subsection A of this section if  
6 the person presents to the medical marijuana dispensary a valid  
7 medical marijuana certification or license from his or her state of  
8 residence.

9 C. The Oklahoma Medical Marijuana Authority shall maintain and  
10 publish a list of other states that authorize the medical use of  
11 marijuana and images of the medical marijuana certifications and  
12 licenses from those states. The Authority shall make that  
13 information available to licensed medical marijuana dispensaries for  
14 purposes of verification.

15 D. A licensed medical marijuana dispensary that fails to verify  
16 the authenticity and status of an out-of-state medical marijuana  
17 certification or license prior to conducting a marijuana transaction  
18 shall be subject to the following penalties:

19 1. A fine in the amount of Five Hundred Dollars (\$500.00) for a  
20 first offense;

21 2. A fine in the amount of One Thousand Dollars (\$1,000.00) for  
22 a second offense; and

23 3. Revocation or suspension of the medical marijuana dispensary  
24 license for a third and subsequent offense.

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

58-1-5099            GRS            01/06/21