

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2217

By: McDugle

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5
6 AS INTRODUCED

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

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

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

17 Section 426.1 A. Except for revocation hearings concerning
18 licensed patients, as defined in Section ~~2 of Enrolled House Bill~~
19 ~~No. 2612 of the 1st Session of the 57th Oklahoma Legislature~~ 427.1
20 of this title, all licensure revocation hearings conducted pursuant
21 to marijuana licenses established in the Oklahoma Statutes shall be
22 recorded. A party may request a copy of the recording of the
23 proceedings. Copies shall be provided to local law enforcement if
24 the revocation was based on alleged criminal activity.

1 B. The State Department of Health shall assist any law
2 enforcement officer in the performance of his or her duties upon
3 such request by the law enforcement officer or the request of other
4 local officials having jurisdiction. Except for license information
5 concerning licensed patients, as defined in Section ~~2 of Enrolled~~
6 ~~House Bill No. 2612 of the 1st Session of the 57th Oklahoma~~
7 ~~Legislature~~ 427.1 of this title, the Department shall share
8 information with law enforcement agencies upon request without a
9 subpoena or search warrant.

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

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

22 E. All marijuana-licensed premises, medical marijuana
23 businesses or any other premises where marijuana or its by-products
24 are licensed to be cultivated, grown, processed, stored or

1 manufactured shall submit with their application, after notifying
2 the political subdivision of their intent, a certificate of
3 compliance from the political subdivision where the facility of the
4 applicant or use is to be located certifying compliance with zoning
5 classifications, applicable municipal ordinances and all applicable
6 safety, electrical, fire, plumbing, waste, construction and building
7 specification codes. A facility of the applicant located within an
8 unincorporated area and outside any corporate municipal limits shall
9 be zoned for agricultural use, provided that the county or political
10 subdivision regulates land use for the location and implements
11 zoning classifications for the location.

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

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