Bill No.:	**SB 1033**
Version:	**Engrossed**
Request Number:	
Author:	**Fetgatter**
Date:	**4/6/2021**
Impact:	**No impact**

Research Analysis

SB 1033 provides that, on and after November 1, 2019, the requirement that medical marijuana retail establishments be at least 1,000 feet away from any school, measured from the school door nearest the front door of the establishment to that same front door, does not apply if the school was established after the retail establishment was licensed. The measure prohibits the Oklahoma Medical Marijuana Authority (OMMA) from revoking or denying issuance, renewal or transfer of a license due to an error in measurement. An original grower, processor or dispensary license issued on or after November 1, 2019, shall be grandfathered into the location on the date the original license was first issued, and any change in ownership after the original licensure shall be construed by OMMA to be a continuation of the same type of business that was originally licensed.

Additionally, the measure authorizes municipalities to, upon request for renewal or transfer of a retail license, object to the continued licensure when it is operating contrary to the required setback distance from a school, including the error in measurement allowance. For the rejection to be granted by OMMA, the municipality must provide a resolution finding that the dispensary is located within 1,000 feet of a school that was openly in existence in such a way that the public generally would have known of the school's existence and operation prior to the dispensary's licensure and documentation of the measured distance utilizing the method set forth in the measure.

Prepared By: Emily McPherson

Fiscal Analysis

After review, SB 1033 has no fiscal or revenue considerations to the state, the CCR to SB 1033 allows for the Oklahoma Tax Commission to take 1.5% of existing 7% sales tax for collecting and enforcing gross collection proceeds.

Prepared By: Stacy Johnson

Other Considerations

None.