

1 ENGROSSED SENATE
2 BILL NO. 1635

By: Coleman of the Senate

3 and

4 Marti of the House

5
6 [medical marijuana - licensure revocation -
7 affidavit - inspection program - rules -
8 noncompliance -
9 emergency]

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

11 SECTION 1. AMENDATORY 63 O.S. 2021, Section 426.1, as
12 amended by Section 6, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023,
13 Section 426.1), is amended to read as follows:

14 Section 426.1. A. All licensure revocation hearings conducted
15 pursuant to marijuana licenses established in the Oklahoma Statutes
16 shall be recorded. A party may request a copy of the recording of
17 the proceedings. Copies shall be provided to local law enforcement
18 if the revocation was based on alleged criminal activity.

19 B. The Oklahoma Medical Marijuana Authority shall assist any
20 law enforcement officer in the performance of his or her duties upon
21 such request by the law enforcement officer or the request of other
22 local officials having jurisdiction. Except for license information
23 concerning licensed patients, as defined in Section 427.2 of this

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1 title, the Authority shall share information with law enforcement
2 agencies upon request without a subpoena or search warrant.

3 C. The Authority shall make available all information on
4 whether or not a medical marijuana patient or caregiver license is
5 valid to law enforcement electronically through an online
6 verification system.

7 D. The Authority shall make available to state agencies and
8 political subdivisions a list of marijuana-licensed premises,
9 medical marijuana businesses or any other premises where marijuana
10 or its by-products are licensed to be cultivated, grown, processed,
11 stored or manufactured to aid state agencies and county and
12 municipal governments in identifying locations within their
13 jurisdiction and ensuring compliance with applicable laws, rules and
14 regulations.

15 E. Any marijuana-licensed premises, medical marijuana business
16 or any other premises where marijuana or its by-products are
17 licensed to be cultivated, grown, processed, stored or manufactured
18 shall submit with its application or request to change location,
19 after notifying the political subdivision of its intent, a
20 certificate of compliance from the political subdivision where the
21 facility of the applicant or licensee is to be located certifying
22 compliance with zoning classifications, applicable municipal
23 ordinances and all applicable safety, electrical, fire, plumbing,
24 waste, construction and building specification codes. If the

1 political subdivision does not have an authority having a
2 jurisdiction agreement on file with the State Fire Marshal's office,
3 the State Fire Marshal shall certify compliance with all applicable
4 safety, electrical, fire, plumbing, waste, construction, and
5 building specification codes.

6 Once a certificate of compliance has been submitted to the
7 Oklahoma Medical Marijuana Authority showing full compliance as
8 outlined in this subsection, ~~no additional certificate of compliance~~
9 ~~shall be required~~ the licensee shall only need to submit an
10 affidavit for license renewal unless stating the premises continues
11 to comply with zoning classifications, applicable municipal
12 ordinances, and all applicable safety, electrical, fire, plumbing,
13 waste, construction, and building specification codes. An
14 additional certificate of compliance along with an affidavit shall
15 be submitted if a change of use or occupancy occurs, or there is any
16 change concerning the facility or location that would, by law,
17 require additional inspection, licensure or permitting by the state
18 or municipality. Municipalities or the State Fire Marshal may
19 implement an inspection program to verify compliance with this
20 subsection. The Authority shall promulgate the rules necessary for
21 the affidavit provided in this subsection. If an application for
22 renewal is submitted in violation of the provisions of this
23 subsection or information provided on the affidavit is inaccurate or
24 untrue, the Authority shall suspend operations of the licensee's

1 premises until compliance is reestablished. Any marijuana licensed
2 premises, medical marijuana business, or any other premises where
3 medical marijuana or its byproducts are licensed to be cultivated,
4 grown, processed, stored, or manufactured that have been issued a
5 certificate of compliance by any political subdivision prior to the
6 effective date of this act shall not be denied licensure or
7 registration by a state agency for failing to provide a certificate
8 of occupancy issued by either the State Fire Marshal or a political
9 subdivision who has an authority having jurisdiction on file with
10 the State Fire Marshal until after July 1, 2026.

11 SECTION 2. It being immediately necessary for the preservation
12 of the public peace, health or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

15 Passed the Senate the 14th day of March, 2024.

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Presiding Officer of the Senate

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19 Passed the House of Representatives the ____ day of _____,
20 2024.

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Presiding Officer of the House
of Representatives

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