

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

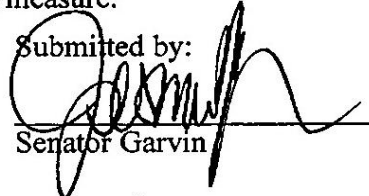
No. 2

COMMITTEE AMENDMENT

(Date)

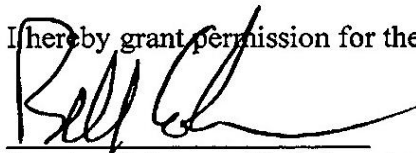
I move to amend Engrossed House Bill No. 1734, by the attached floor substitute (Request #3765) for the title, enacting clause, and entire body of the measure.

Submitted by:



Senator Garvin

I hereby grant permission for the floor substitute to be adopted.



Senator Coleman, Chair (required)



Senator Thompson (Kristen)

Senator Brooks

Senator Burns

Senator Deevers

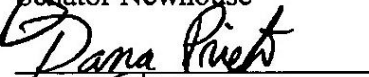
Senator Haste

Senator Jett

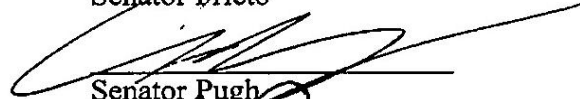
Senator Treat, President Pro Tempore



Senator Newhouse



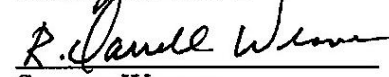
Senator Prieto



Senator Pugh



Senator Seifried



Senator Weaver

Senator Young


Senator McCortney, Majority Floor Leader

Note: Business and Commerce committee majority requires seven (7) members' signatures.

Garvin-MR-FA-HB1734

4/23/2024 1:43 PM

(Floor Amendments Only)

Date and Time Filed: 4.23.24 2:10pm 

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 1734

By: Townley, Pittman, and Roe
of the House

6 and

7 Garvin of the Senate

8
9 FLOOR SUBSTITUTE

10 An Act relating to medical marijuana; authorizing the
11 Oklahoma Medical Marijuana Authority to require
12 fingerprints from owners and employees of commercial
13 medical marijuana facilities; specifying when
14 fingerprints shall be submitted; providing for the
15 manner of submission; requiring the Oklahoma State
16 Bureau of Investigation to provide the Authority
17 certain notice; permitting the Authority access to
18 the findings of background checks; defining terms;
19 providing for codification; and declaring an
20 emergency.

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 427.27 of Title 63, unless there
24 is created a duplication in numbering, reads as follows:

A. The Oklahoma Medical Marijuana Authority shall require
owners of medical marijuana facilities to submit their fingerprints
to the Oklahoma State Bureau of Investigation (OSBI) for the purpose

1 of conducting a state and federal fingerprint-based criminal
2 background check.

3 B. The Authority may require that such fingerprint submissions
4 be made as part of a medical marijuana facility application, a
5 medical marijuana facility renewal application, or an individual
6 application for a license or permit authorizing that individual to
7 be an owner of a medical marijuana facility.

8 C. Fingerprint cards and any required fees shall be sent to the
9 OSBI central repository. The fingerprint records shall be used for
10 searching the state criminal records repository and shall also be
11 forwarded to the Federal Bureau of Investigation for a federal
12 criminal record search as provided in Section 150.9 of Title 74 of
13 the Oklahoma Statutes. The OSBI shall notify the Authority of any
14 criminal history record information or lack of criminal history
15 record information discovered on the submitting individual.
16 Notwithstanding the provisions of Section 150.9b of Title 74 of the
17 Oklahoma Statutes, all records related to any criminal history
18 information discovered shall be accessible and available to the
19 Authority.

20 D. As used in this section:

21 1. "Medical marijuana facility" means an entity licensed or
22 certified by the Authority to acquire, cultivate, process,
23 manufacture, test, store, sell, transport, or deliver medical
24 marijuana; and

1 2. "Owner" means a direct beneficial owner including, but not
2 limited to, all persons or entities, as follows:

- 3 a. all shareholders owning an interest of a corporate
4 entity and all officers of a corporate entity,
- 5 b. all partners of a general partnership,
- 6 c. all general partners and all limited partners that own
7 an interest in a limited partnership,
- 8 d. all members that own an interest in a limited
9 liability company,
- 10 e. all beneficiaries that hold a beneficial interest in a
11 trust and all trustees of a trust,
- 12 f. all persons or entities that own interest in a joint
13 venture,
- 14 g. all persons or entities that own an interest in an
15 association,
- 16 h. the owners of any other type of legal entity, and
- 17 i. any other person holding an interest or convertible
18 note in any entity, which owns, operates, or manages a
19 licensed medical marijuana facility.

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 427.28 of Title 63, unless there
22 is created a duplication in numbering, reads as follows:

23 A. The Oklahoma Medical Marijuana Authority shall require all
24 employees of medical marijuana facilities to submit their

1 fingerprints to the Oklahoma State Bureau of Investigation (OSBI)
2 for the purpose of conducting a state and federal fingerprint-based
3 criminal background check.

4 B. The Authority may require that such fingerprint submissions
5 be made as part of an individual's application for a license,
6 permit, identification card, or credential authorizing that
7 individual to be an employee of a medical marijuana facility.

8 C. Fingerprint cards and any required fees shall be sent to the
9 OSBI central repository. The fingerprint records shall be used for
10 searching the state criminal records repository and shall also be
11 forwarded to the Federal Bureau of Investigation for a federal
12 criminal record search as provided in Section 150.9 of Title 74 of
13 the Oklahoma Statutes. The OSBI shall notify the Authority of any
14 criminal history record information or lack of criminal history
15 record information discovered on the submitting individual.
16 Notwithstanding the provisions of Section 150.9b of Title 74 of the
17 Oklahoma Statutes, all records related to any criminal history
18 information discovered shall be accessible and available to the
19 Authority.

20 D. As used in this section:

21 1. "Employee" means any natural person who:

22 a. grows, harvests, dries, cures, purchases, sells,
23 transfers, transports, processes, produces,
24 manufactures, creates, or packages medical marijuana,

- 1 medical marijuana products, or medical marijuana waste
2 on behalf of or for a licensed medical marijuana
3 commercial grower, processor, or dispensary,
- 4 b. samples, trains, or educates on behalf of or for a
5 licensed medical marijuana education or research
6 facility,
- 7 c. disposes of or transports medical marijuana, medical
8 marijuana products, and medical marijuana waste on
9 behalf of or for a licensed medical marijuana waste
10 disposal facility,
- 11 d. tests and conducts research on medical marijuana and
12 medical marijuana products on behalf of or for a
13 medical marijuana licensed testing laboratory,
- 14 e. transports, stores, distributes, but does not take
15 ownership of, medical marijuana and medical marijuana
16 products on behalf of or for a licensed medical
17 marijuana commercial transporter,
- 18 f. tracks, traces, reports, and inputs any information
19 into the state inventory tracking system on behalf of
20 or for a licensed medical marijuana commercial license
21 holder, or
- 22 g. conducts any other additional business for the benefit
23 of a medical marijuana commercial license holder as
24 authorized by rules promulgated by the Executive

1 Director of the Authority, with the exception of
2 professional services not involved in the handling of
3 medical marijuana, medical marijuana products, or
4 medical marijuana concentrates; and

5 2. "Medical marijuana facility" means an entity licensed or
6 certified by the Authority to acquire, cultivate, process,
7 manufacture, test, store, sell, transport, or deliver medical
8 marijuana.

9 SECTION 3. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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14 59-2-3765 MR 4/23/2024 2:55:56 PM
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