

1 **SENATE FLOOR VERSION**

2 February 19, 2024

3 SENATE BILL NO. 1635

By: Coleman

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5  
6 An Act relating to medical marijuana; amending 63  
7 O.S. 2021, Section 426.1, as amended by Section 6,  
8 Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2023, Section  
9 426.1), which relates to licensure revocation;  
10 requiring an affidavit for license renewal or for  
11 change of premises; permitting municipalities to  
implement inspection program; providing for  
promulgation of rules of affidavit submittal;  
authorizing the Oklahoma Medical Marijuana Authority  
to suspend licensee's operations for noncompliance;  
and providing an effective date.

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

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

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

1 B. The Oklahoma Medical Marijuana Authority shall assist any  
2 law 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 427.2 of this  
6 title, the Authority shall share information with law enforcement  
7 agencies upon request without a subpoena or search warrant.

8 C. The Authority shall make available all information on  
9 whether or not a medical marijuana patient or caregiver license is  
10 valid to law enforcement electronically through an online  
11 verification system.

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

20 E. Any marijuana-licensed premises, medical marijuana business  
21 or any other premises where marijuana or its by-products are  
22 licensed to be cultivated, grown, processed, stored or manufactured  
23 shall submit with its application or request to change location,  
24 after notifying the political subdivision of its intent, a

1 certificate of compliance from the political subdivision where the  
2 facility of the applicant or licensee is to be located certifying  
3 compliance with zoning classifications, applicable municipal  
4 ordinances and all applicable safety, electrical, fire, plumbing,  
5 waste, construction and 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 may implement an inspection program  
19 to verify compliance with this subsection. The Authority shall  
20 promulgate the rules necessary for the affidavit provided in this  
21 subsection. If an application for renewal is submitted in violation  
22 of the provisions of this subsection or information provided on the  
23 affidavit is inaccurate or untrue, the Authority shall suspend

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1 operations of the licensee's premises until compliance is  
2 reestablished.

3 SECTION 2. This act shall become effective November 1, 2024.

4 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE  
5 February 19, 2024 - DO PASS

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