

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 116

By: Bullard

4
5
6 AS INTRODUCED

7 An Act relating to medical marijuana; amending 63
8 O.S. 2021, Section 425, as last amended by Section 2,
9 Chapter 317, O.S.L. 2022 (63 O.S. Supp. 2022, Section
10 425), which relates to discrimination against medical
11 marijuana license holder; prohibiting certain medical
12 marijuana facilities from operating in certain areas;
13 amending 63 O.S. 2021, Section 427.2, as last amended
14 by Section 1, Chapter 317, O.S.L. 2022 (63 O.S. Supp.
15 2022, Section 427.2), which relates to definitions;
16 adding definition; updating statutory language; and
17 providing an effective date.

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

19 SECTION 1. AMENDATORY 63 O.S. 2021, Section 425, as last
20 amended by Section 2, Chapter 317, O.S.L. 2022 (63 O.S. Supp. 2022,
21 Section 425), is amended to read as follows:

22 Section 425. A. No school or landlord may refuse to enroll or
23 lease to and may not otherwise penalize a person solely for his or
24 her status as a medical marijuana patient licensee, unless failing
to do so would cause the school or landlord the potential to lose a
monetary or licensing-related benefit under federal law or
regulations.

1 B. Unless a failure to do so would cause an employer the
2 potential to lose a monetary or licensing-related benefit under
3 federal law or regulations, an employer may not discriminate against
4 a person in hiring, termination or imposing any term or condition of
5 employment or otherwise penalize a person based upon the status of
6 the person as a medical marijuana patient licensee. Employers may
7 take action against a medical marijuana patient licensee if the
8 licensee uses or possesses marijuana while in his or her place of
9 employment or during the hours of employment. Employers may not
10 take action against a medical marijuana patient licensee solely
11 based upon the status of an employee as a medical marijuana patient
12 licensee or the results of a drug test showing positive for
13 marijuana or its components.

14 C. For the purposes of medical care, including organ
15 transplants, the authorized use of marijuana by a medical marijuana
16 patient licensee shall be considered the equivalent of the use of
17 any other medication under the direction of a physician and does not
18 constitute the use of an illicit substance or otherwise disqualify a
19 registered qualifying patient from medical care.

20 D. No medical marijuana patient licensee may be denied custody
21 of or visitation or parenting time with a minor child, and there is
22 no presumption of neglect or child endangerment for conduct allowed
23 under this law unless the behavior of the medical marijuana patient
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1 licensee creates an unreasonable danger to the safety of the minor
2 child.

3 E. No person who possesses a medical marijuana patient license
4 may be unduly withheld from holding another state-issued license by
5 virtue of his or her status as a medical marijuana patient licensee
6 including, but not limited to, a concealed carry permit.

7 F. 1. No city or local municipality may unduly change or
8 restrict zoning laws to prevent the opening of a medical marijuana
9 dispensary.

10 2. For purposes of this subsection, an undue change or
11 restriction of municipal zoning laws means an act which entirely
12 prevents medical marijuana dispensaries from operating within
13 municipal boundaries as a matter of law. Municipalities may follow
14 their standard planning and zoning procedures to determine if
15 certain zones or districts would be appropriate for locating
16 marijuana-licensed premises, medical marijuana businesses or any
17 other premises where marijuana or its by-products are cultivated,
18 grown, processed, stored or manufactured.

19 3. A medical marijuana dispensary does not include those other
20 entities licensed by the Oklahoma Medical Marijuana Authority as
21 marijuana-licensed premises, medical marijuana businesses or other
22 facilities or locations where marijuana or any product containing
23 marijuana or its by-products are cultivated, grown, processed,
24 stored or manufactured.

1 G. 1. The location of any medical marijuana dispensary is
2 specifically prohibited within one thousand (1,000) feet of any
3 public school or private school. The distance indicated in this
4 paragraph shall be measured from the nearest property line of such
5 public school or private school to the nearest perimeter wall of the
6 licensed premises of such medical marijuana dispensary. If a
7 medical marijuana dispensary met the requirements of this paragraph
8 at the time of its initial licensure, the medical marijuana
9 dispensary licensee shall be permitted to continue operating at the
10 licensed premises in the same manner and not be subject to
11 nonrenewal or revocation due to subsequent events or changes in
12 regulations occurring after licensure that would render the medical
13 marijuana dispensary in violation by being within one thousand
14 (1,000) feet of a public school or private school. If any public
15 school or private school is established within one thousand (1,000)
16 feet of any medical marijuana dispensary after such medical
17 marijuana dispensary has been licensed, the provisions of this
18 paragraph shall not be a deterrent to the renewal of such license or
19 warrant revocation of the license. For purposes of this paragraph,
20 a property owned, used or operated by a public school or by a
21 private school that is not used for classroom instruction on core
22 curriculum, such as an administrative building, athletic facility,
23 ballpark, field or stadium, shall not constitute a public school or
24

1 private school unless such property is located on the same campus as
2 a building used for classroom instruction on core curriculum.

3 2. The location of any medical marijuana commercial grower
4 shall not be within one thousand (1,000) feet of any public school
5 or private school as measured from the nearest property line of such
6 public school or private school to the nearest property line of the
7 licensed premises of such medical marijuana commercial grower.

8 Additionally, the location of the medical marijuana commercial
9 grower shall not adjoin to any public school or private school or be
10 located at the same physical address as the public school or private
11 school. If a medical marijuana commercial grower met the
12 requirements of this paragraph at the time of its initial licensure,
13 the medical marijuana commercial grower licensee shall be permitted
14 to continue operating at the licensed premises in the same manner
15 and not be subject to nonrenewal or revocation due to subsequent
16 events or changes in regulations occurring after licensure that
17 would render the medical marijuana commercial grower in violation of
18 this paragraph. If any public school or private school is
19 established within one thousand (1,000) feet of any medical
20 marijuana commercial grower after such medical marijuana commercial
21 grower has been licensed, or if any public school or private school
22 is established adjoining to or at the same physical address as any
23 medical marijuana commercial grower after such medical marijuana
24 commercial grower has been licensed, the provisions of this

1 paragraph shall not be a deterrent to the renewal of such license or
2 warrant revocation of the license. For purposes of this paragraph,
3 a property owned, used, or operated by a public school or by a
4 private school that is not used for classroom instruction on core
5 curriculum, such as an administrative building, athletic facility,
6 ballpark, field, or stadium, shall not constitute a public school or
7 private school unless such property is located on the same campus as
8 a building used for classroom instruction on core curriculum.

9 H. The location of any medical marijuana commercial grower
10 shall not be within one thousand (1,000) feet of any place of
11 worship as defined in paragraph 50 of Section 427.2 of this title as
12 measured from the nearest property line of such place of worship to
13 the nearest property line of the licensed premises of such medical
14 marijuana commercial grower. Additionally, the location of the
15 medical marijuana commercial grower shall not adjoin to any place of
16 worship or be located at the same physical address as the place of
17 worship. If a medical marijuana commercial grower met the
18 requirements of this paragraph at the time of its initial licensure,
19 the medical marijuana commercial grower licensee shall be permitted
20 to continue operating at the licensed premises in the same manner
21 and not be subject to nonrenewal or revocation due to subsequent
22 events or changes in regulations occurring after licensure that
23 would render the medical marijuana commercial grower in violation of
24 this paragraph. If any place of worship is established within one

1 thousand (1,000) feet of any medical marijuana commercial grower
2 after such medical marijuana commercial grower has been licensed, or
3 if any place of worship is established adjoining to or at the same
4 physical address as any medical marijuana commercial grower after
5 such medical marijuana commercial grower has been licensed, the
6 provisions of this paragraph shall not be a deterrent to the renewal
7 of such license or warrant revocation of the license. For purposes
8 of this paragraph, a property owned, used, or operated by a place of
9 worship that is not used on a full-time basis for worship, such as
10 any administrative building, office space, or storage facility,
11 shall constitute a place of worship.

12 I. Research shall be provided for under this law. A researcher
13 may apply to the State Department of Health for a special research
14 license. The research license shall be granted, provided the
15 applicant meets the criteria listed in the Oklahoma Medical
16 Marijuana and Patient Protection Act. Research licensees shall be
17 required to file monthly consumption reports to the State Department
18 of Health with amounts of marijuana used for research. Biomedical
19 and clinical research which is subject to federal regulations and
20 institutional oversight shall not be subject to oversight by the
21 State Department of Health.

22 SECTION 2. AMENDATORY 63 O.S. 2021, Section 427.2, as
23 last amended by Section 1, Chapter 317, O.S.L. 2022 (63 O.S. Supp.
24 2022, Section 427.2), is amended to read as follows:

1 Section 427.2. As used in the Oklahoma Medical Marijuana and
2 Patient Protection Act:

3 1. "Advertising" means the act of providing consideration for
4 the publication, dissemination, solicitation or circulation, of
5 visual, oral or written communication to induce directly or
6 indirectly any person to patronize a particular medical marijuana
7 business, or to purchase particular medical marijuana or a medical
8 marijuana product. Advertising includes marketing, but does not
9 include packaging and labeling;

10 2. "Authority" means the Oklahoma Medical Marijuana Authority;

11 3. "Batch number" means a unique numeric or alphanumeric
12 identifier assigned prior to testing to allow for inventory tracking
13 and traceability;

14 4. "Cannabinoid" means any of the chemical compounds that are
15 active principles of marijuana;

16 5. "Caregiver" means a family member or assistant who regularly
17 looks after a medical marijuana license holder whom a physician
18 attests needs assistance;

19 6. "Child-resistant" means special packaging that is:

- 20 a. designed or constructed to be significantly difficult
21 for children under five (5) years of age to open and
22 not difficult for normal adults to use properly as
23 defined by 16 C.F.R. 1700.15 (1995) and 16 C.F.R.
24 1700.20 (1995),

1 b. opaque so that the outermost packaging does not allow
2 the product to be seen without opening the packaging
3 material, and

4 c. resealable to maintain its child-resistant
5 effectiveness for multiple openings for any product
6 intended for more than a single use or containing
7 multiple servings;

8 7. "Clone" means a nonflowering plant cut from a mother plant
9 that is capable of developing into a new plant and has shown no
10 signs of flowering;

11 8. "Commissioner" means the State Commissioner of Health;

12 9. "Complete application" means a document prepared in
13 accordance with the provisions set forth in the Oklahoma Medical
14 Marijuana and Patient Protection Act, rules promulgated pursuant
15 thereto, and the forms and instructions provided by the Department
16 including any supporting documentation required and the applicable
17 license application fee;

18 10. "Department" means the State Department of Health;

19 11. "Director" means the Executive Director of the Oklahoma
20 Medical Marijuana Authority;

21 12. "Dispense" means the selling of medical marijuana or a
22 medical marijuana product to a qualified patient or the designated
23 caregiver of the patient that is packaged in a suitable container
24

1 appropriately labeled for subsequent administration to or use by a
2 qualifying patient;

3 13. "Dispensary" means a medical marijuana dispensary, an
4 entity that has been licensed by the Department pursuant to the
5 Oklahoma Medical Marijuana and Patient Protection Act to purchase
6 medical marijuana or medical marijuana products from a licensed
7 medical marijuana commercial grower or medical marijuana processor,
8 sell medical marijuana or medical marijuana products to patients and
9 caregivers as defined under the Oklahoma Medical Marijuana and
10 Patient Protection Act, or sell or transfer products to another
11 dispensary;

12 14. "Edible medical marijuana product" means any medical-
13 marijuana-infused product for which the intended use is oral
14 consumption including, but not limited to, any type of food, drink
15 or pill;

16 15. "Entity" means an individual, general partnership, limited
17 partnership, limited liability company, trust, estate, association,
18 corporation, cooperative or any other legal or commercial entity;

19 16. "Flower" means the reproductive organs of the marijuana or
20 cannabis plant referred to as the bud or parts of the plant that are
21 harvested and used to consume in a variety of medical marijuana
22 products;

1 17. "Flowering" means the reproductive state of the marijuana
2 or cannabis plant in which there are physical signs of flower or
3 budding out of the nodes of the stem;

4 18. "Food-based medical marijuana concentrate" means a medical
5 marijuana concentrate that was produced by extracting cannabinoids
6 from medical marijuana through the use of propylene glycol,
7 glycerin, butter, olive oil, coconut oil or other typical food-safe
8 cooking fats;

9 19. "Good cause" for purposes of an initial, renewal or
10 reinstatement license application, or for purposes of discipline of
11 a licensee, means:

- 12 a. the licensee or applicant has violated, does not meet,
13 or has failed to comply with any of the terms,
14 conditions or provisions of the act, any rules
15 promulgated pursuant thereto, or any supplemental
16 relevant state or local law, rule or regulation,
17 b. the licensee or applicant has failed to comply with
18 any special terms or conditions that were placed upon
19 the license pursuant to an order of the State
20 Department of Health, Oklahoma Medical Marijuana
21 Authority or the municipality, or
22 c. the licensed premises of a medical marijuana business
23 or applicant have been operated in a manner that
24 adversely affects the public health or welfare or the

1 safety of the immediate vicinity in which the
2 establishment is located;

3 20. "Harvest batch" means a specifically identified quantity of
4 medical marijuana that is uniform in strain, cultivated utilizing
5 the same cultivation practices, harvested at the same time from the
6 same location and cured under uniform conditions;

7 21. "Harvested marijuana" means post-flowering medical
8 marijuana not including trim, concentrate or waste;

9 22. "Heat- or pressure-based medical marijuana concentrate"
10 means a medical marijuana concentrate that was produced by
11 extracting cannabinoids from medical marijuana through the use of
12 heat or pressure;

13 23. "Immature plant" means a nonflowering marijuana plant that
14 has not demonstrated signs of flowering;

15 24. "Inventory tracking system" means the required tracking
16 system that accounts for medical marijuana from either the seed or
17 immature plant stage until the medical marijuana or medical
18 marijuana product is sold to a patient at a medical marijuana
19 dispensary, transferred to a medical marijuana research facility,
20 destroyed by a medical marijuana business or used in a research
21 project by a medical marijuana research facility;

22 25. "Licensed patient" or "patient" means a person who has been
23 issued a medical marijuana patient license by the State Department
24 of Health or Oklahoma Medical Marijuana Authority;

1 26. "Licensed premises" means the premises specified in an
2 application for a medical marijuana business license, medical
3 marijuana research facility license or medical marijuana education
4 facility license pursuant to the Oklahoma Medical Marijuana and
5 Patient Protection Act that are owned or in possession of the
6 licensee and within which the licensee is authorized to cultivate,
7 manufacture, distribute, sell, store, transport, test or research
8 medical marijuana or medical marijuana products in accordance with
9 the provisions of the Oklahoma Medical Marijuana and Patient
10 Protection Act and rules promulgated pursuant thereto;

11 27. "Manufacture" means the production, propagation,
12 compounding or processing of a medical marijuana product, excluding
13 marijuana plants, either directly or indirectly by extraction from
14 substances of natural or synthetic origin, or independently by means
15 of chemical synthesis, or by a combination of extraction and
16 chemical synthesis;

17 28. "Marijuana" shall have the same meaning as such term is
18 defined in Section 2-101 of this title and shall not include any
19 plant or material containing delta-8 or delta-10
20 tetrahydrocannabinol which is grown, processed or sold pursuant to
21 the provisions of the Oklahoma Industrial Hemp Program;

22 29. "Material change" means any change that would require a
23 substantive revision to the standard operating procedures of a
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1 licensee for the cultivation or production of medical marijuana,
2 medical marijuana concentrate or medical marijuana products;

3 30. "Mature plant" means a harvestable female marijuana plant
4 that is flowering;

5 31. "Medical marijuana business (MMB)" means a licensed medical
6 marijuana dispensary, medical marijuana processor, medical marijuana
7 commercial grower, medical marijuana laboratory, medical marijuana
8 business operator or a medical marijuana transporter;

9 32. "Medical marijuana concentrate" or "concentrate" means a
10 specific subset of medical marijuana that was produced by extracting
11 cannabinoids from medical marijuana. Categories of medical
12 marijuana concentrate include water-based medical marijuana
13 concentrate, food-based medical marijuana concentrate, solvent-based
14 medical marijuana concentrate, and heat- or pressure-based medical
15 marijuana concentrate;

16 33. "Medical marijuana commercial grower" or "commercial
17 grower" means an entity licensed to cultivate, prepare and package
18 medical marijuana and transfer or contract for transfer medical
19 marijuana to a medical marijuana dispensary, medical marijuana
20 processor, any other medical marijuana commercial grower, medical
21 marijuana research facility, medical marijuana education facility
22 and pesticide manufacturers. A commercial grower may sell seeds,
23 flower or clones to commercial growers pursuant to the Oklahoma
24 Medical Marijuana and Patient Protection Act;

1 34. "Medical marijuana education facility" or "education
2 facility" means a person or entity approved pursuant to the Oklahoma
3 Medical Marijuana and Patient Protection Act to operate a facility
4 providing training and education to individuals involving the
5 cultivation, growing, harvesting, curing, preparing, packaging or
6 testing of medical marijuana, or the production, manufacture,
7 extraction, processing, packaging or creation of medical-marijuana-
8 infused products or medical marijuana products as described in the
9 Oklahoma Medical Marijuana and Patient Protection Act;

10 35. "Medical-marijuana-infused product" means a product infused
11 with medical marijuana including, but not limited to, edible
12 products, ointments and tinctures;

13 36. "Medical marijuana product" or "product" means a product
14 that contains cannabinoids that have been extracted from plant
15 material or the resin therefrom by physical or chemical means and is
16 intended for administration to a qualified patient including, but
17 not limited to, oils, tinctures, edibles, pills, topical forms,
18 gels, creams, vapors, patches, liquids and forms administered by a
19 nebulizer, excluding live plant forms which are considered medical
20 marijuana;

21 37. "Medical marijuana processor" means a person or entity
22 licensed pursuant to the Oklahoma Medical Marijuana and Patient
23 Protection Act to operate a business including the production,
24 manufacture, extraction, processing, packaging or creation of
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1 concentrate, medical-marijuana-infused products or medical marijuana
2 products as described in the Oklahoma Medical Marijuana and Patient
3 Protection Act;

4 38. "Medical marijuana research facility" or "research
5 facility" means a person or entity approved pursuant to the Oklahoma
6 Medical Marijuana and Patient Protection Act to conduct medical
7 marijuana research. A medical marijuana research facility is not a
8 medical marijuana business;

9 39. "Medical marijuana testing laboratory" or "laboratory"
10 means a public or private laboratory licensed pursuant to the
11 Oklahoma Medical Marijuana and Patient Protection Act, to conduct
12 testing and research on medical marijuana and medical marijuana
13 products;

14 40. "Medical marijuana transporter" or "transporter" means a
15 person or entity that is licensed pursuant to the Oklahoma Medical
16 Marijuana and Patient Protection Act. A medical marijuana
17 transporter does not include a medical marijuana business that
18 transports its own medical marijuana, medical marijuana concentrate
19 or medical marijuana products to a property or facility adjacent to
20 or connected to the licensed premises if the property is another
21 licensed premises of the same medical marijuana business;

22 41. "Medical marijuana waste" or "waste" means unused, surplus,
23 returned or out-of-date marijuana, plant debris of the plant of the
24 genus Cannabis including dead plants and all unused plant parts and
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1 roots, except the term shall not include roots, stems, stalks and
2 fan leaves;

3 42. "Medical use" means the acquisition, possession, use,
4 delivery, transfer or transportation of medical marijuana, medical
5 marijuana products, medical marijuana devices or paraphernalia
6 relating to the administration of medical marijuana to treat a
7 licensed patient;

8 43. "Mother plant" means a marijuana plant that is grown or
9 maintained for the purpose of generating clones, and that will not
10 be used to produce plant material for sale to a medical marijuana
11 processor or medical marijuana dispensary;

12 44. "Oklahoma physician" or "physician" means a physician
13 licensed by and in good standing with the State Board of Medical
14 Licensure and Supervision, the State Board of Osteopathic Examiners
15 or the Board of Podiatric Medical Examiners;

16 45. "Oklahoma resident" means an individual who can provide
17 proof of residency as required by the Oklahoma Medical Marijuana and
18 Patient Protection Act;

19 46. "Owner" means, except where the context otherwise requires,
20 a direct beneficial owner including, but not limited to, all persons
21 or entities as follows:

- 22 a. all shareholders owning an interest of a corporate
23 entity and all officers of a corporate entity,
- 24 b. all partners of a general partnership,

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

15 47. "Package" or "packaging" means any container or wrapper
16 that may be used by a medical marijuana business to enclose or
17 contain medical marijuana;

18 48. "Person" means a natural person, partnership, association,
19 business trust, company, corporation, estate, limited liability
20 company, trust or any other legal entity or organization, or a
21 manager, agent, owner, director, servant, officer or employee
22 thereof, except that person does not include any governmental
23 organization;

1 49. "Pesticide" means any substance or mixture of substances
2 intended for preventing, destroying, repelling or mitigating any
3 pest or any substance or mixture of substances intended for use as a
4 plant regulator, defoliant or desiccant, except that the term
5 pesticide shall not include any article that is a "new animal drug"
6 as designated by the United States Food and Drug Administration;

7 50. "Place of worship" means any permanent building, structure,
8 facility, or office space owned, leased, or rented on a full-time
9 basis, and used weekly for worship services, activities, or business
10 of the congregation, which shall include, but not be limited to,
11 churches, temples, synagogues, and mosques;

12 51. "Production batch" means:

- 13 a. any amount of medical marijuana concentrate of the
14 same category and produced using the same extraction
15 methods, standard operating procedures and an
16 identical group of harvest batch of medical marijuana,
17 or
18 b. any amount of medical marijuana product of the same
19 exact type, produced using the same ingredients,
20 standard operating procedures and the same production
21 batch of medical marijuana concentrate;

22 ~~51.~~ 52. "Public institution" means any entity established or
23 controlled by the federal government, state government, or a local
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1 government or municipality including, but not limited to,
2 institutions of higher education or related research institutions;

3 ~~52.~~ 53. "Public money" means any funds or money obtained by the
4 holder from any governmental entity including, but not limited to,
5 research grants;

6 ~~53.~~ 54. "Recommendation" means a document that is signed or
7 electronically submitted by a physician on behalf of a patient for
8 the use of medical marijuana pursuant to the Oklahoma Medical
9 Marijuana and Patient Protection Act;

10 ~~54.~~ 55. "Registered to conduct business" means a person that
11 has provided proof that the business applicant is in good standing
12 with the Secretary of State and Oklahoma Tax Commission;

13 ~~55.~~ 56. "Remediation" means the process by which the medical
14 marijuana flower or trim, which has failed microbial testing, is
15 processed into solvent-based medical marijuana concentrate and
16 retested as required by the Oklahoma Medical Marijuana and Patient
17 Protection Act;

18 ~~56.~~ 57. "Research project" means a discrete scientific endeavor
19 to answer a research question or a set of research questions related
20 to medical marijuana and is required for a medical marijuana
21 research license. A research project shall include a description of
22 a defined protocol, clearly articulated goals, defined methods and
23 outputs, and a defined start and end date. The description shall
24 demonstrate that the research project will comply with all

1 requirements in the Oklahoma Medical Marijuana and Patient
2 Protection Act and rules promulgated pursuant thereto. All research
3 and development conducted by a medical marijuana research facility
4 shall be conducted in furtherance of an approved research project;

5 ~~57.~~ 58. "Revocation" means the final decision by the Department
6 that any license issued pursuant to the Oklahoma Medical Marijuana
7 and Patient Protection Act is rescinded because the individual or
8 entity does not comply with the applicable requirements set forth in
9 the Oklahoma Medical Marijuana and Patient Protection Act or rules
10 promulgated pursuant thereto;

11 ~~58.~~ 59. "School" means a public or private preschool, a public
12 or private elementary or secondary school, or a technology center
13 school which is primarily used for classroom instruction. A
14 homeschool, daycare or child-care facility shall not be considered a
15 "school" as used in the Oklahoma Medical Marijuana and Patient
16 Protection Act;

17 ~~59.~~ 60. "Shipping container" means a hard-sided container with
18 a lid or other enclosure that can be secured in place. A shipping
19 container is used solely for the transport of medical marijuana,
20 medical marijuana concentrate, or medical marijuana products between
21 medical marijuana businesses, a medical marijuana research facility,
22 or a medical marijuana education facility;

23 ~~60.~~ 61. "Solvent-based medical marijuana concentrate" means a
24 medical marijuana concentrate that was produced by extracting

1 cannabinoids from medical marijuana through the use of a solvent
2 approved by the Department;

3 ~~61.~~ 62. "State Question" means Oklahoma State Question No. 788,
4 Initiative Petition No. 412, approved by a majority vote of the
5 citizens of Oklahoma on June 26, 2018;

6 ~~62.~~ 63. "Strain" means the classification of marijuana or
7 cannabis plants in either pure sativa, indica, afghanica, ruderalis
8 or hybrid varieties;

9 ~~63.~~ 64. "THC" means tetrahydrocannabinol, which is the primary
10 psychotropic cannabinoid in marijuana formed by decarboxylation of
11 naturally tetrahydrocannabinolic acid, which generally occurs by
12 exposure to heat;

13 ~~64.~~ 65. "Test batch" means with regard to usable marijuana, a
14 homogenous, identified quantity of usable marijuana by strain, no
15 greater than ten (10) pounds, that is harvested during a seven-day
16 period from a specified cultivation area, and with regard to oils,
17 vapors and waxes derived from usable marijuana, means an identified
18 quantity that is uniform, that is intended to meet specifications
19 for identity, strength and composition, and that is manufactured,
20 packaged and labeled during a specified time period according to a
21 single manufacturing, packaging and labeling protocol;

22 ~~65.~~ 66. "Transporter agent" means a person who transports
23 medical marijuana or medical marijuana products for a licensed
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1 transporter and holds a transporter agent license pursuant to the
2 Oklahoma Medical Marijuana and Patient Protection Act;

3 ~~66.~~ 67. "Universal symbol" means the image established by the
4 State Department of Health or Oklahoma Medical Marijuana Authority
5 and made available to licensees through its website indicating that
6 the medical marijuana or the medical marijuana product contains THC;

7 ~~67.~~ 68. "Usable marijuana" means the dried leaves, flowers,
8 oils, vapors, waxes and other portions of the marijuana plant and
9 any mixture or preparation thereof, excluding seeds, roots, stems,
10 stalks and fan leaves; and

11 ~~68.~~ 69. "Water-based medical marijuana concentrate" means a
12 concentrate that was produced by extracting cannabinoids from
13 medical marijuana through the use of only water, ice or dry ice.

14 SECTION 3. This act shall become effective November 1, 2023.

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16 59-1-161 MR 1/3/2023 4:30:09 PM
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