

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1635

By: Coleman

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5
6 AS INTRODUCED

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

22 Section 426.1. A. All licensure revocation hearings conducted
23 pursuant to marijuana licenses established in the Oklahoma Statutes
24 shall be recorded. A party may request a copy of the recording of
the proceedings. Copies shall be provided to local law enforcement
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.

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