

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1347

By: Fetgatter

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6 AS INTRODUCED

7 An Act relating to medical marijuana; amending 63  
8 O.S. 2021, Section 427.13, as amended by Section 14,  
9 Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2022, Section  
10 427.13), which relates to the Oklahoma Medical  
11 Marijuana and Patient Protection Act; directing the  
12 Oklahoma Medical Marijuana Authority to issue  
13 requests for proposals; directing Authority to select  
14 a vendor for seed-to-sale inventory tracking system;  
15 providing time limitation; stating responsibilities  
16 of the Authority; providing requirements for the  
17 seed-to-sale inventory tracking system; directing the  
18 Authority to provide training and training materials;  
19 and declaring an emergency.

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

21 SECTION 1. AMENDATORY 63 O.S. 2021, Section 427.13, as  
22 amended by Section 14, Chapter 251, O.S.L. 2022 (63 O.S. Supp. 2022,  
23 Section 427.13), is amended to read as follows:

24 Section 427.13 A. All medical marijuana and medical marijuana  
products shall be purchased solely from a state-licensed medical  
marijuana business, and shall not be purchased from any out-of-state  
providers.

1        B. 1. The Oklahoma Medical Marijuana Authority shall have  
2 oversight and auditing responsibilities to ensure that all marijuana  
3 being grown in this state is accounted for and shall implement an  
4 inventory tracking system. Pursuant to these duties, the Authority  
5 shall require that each medical marijuana business, medical  
6 marijuana research facility, medical marijuana education facility  
7 and medical marijuana waste disposal facility keep records for every  
8 transaction with another medical marijuana business, patient or  
9 caregiver. Inventory shall be tracked and updated after each  
10 individual sale and reported to the Authority.

11        2. The inventory tracking system licensees use shall allow for  
12 integration of other seed-to-sale systems and, at a minimum, shall  
13 include the following:

- 14            a. notification of when marijuana seeds and clones are  
15                planted,
- 16            b. notification of when marijuana plants are harvested  
17                and destroyed,
- 18            c. notification of when marijuana is transported, sold,  
19                stolen, diverted or lost,
- 20            d. a complete inventory of all marijuana, seeds, plant  
21                tissue, clones, plants, usable marijuana or trim,  
22                leaves and other plant matter, batches of extract, and  
23                marijuana concentrates,

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- e. all samples sent to a testing laboratory, an unused portion of a sample returned to a licensee, all samples utilized by licensee for purposes of negotiating a sale, and
- f. all samples used for quality testing by a licensee.

3. Each medical marijuana business, medical marijuana research facility, medical marijuana education facility and medical marijuana waste disposal facility shall use a seed-to-sale tracking system or integrate its own seed-to-sale tracking system with the seed-to-sale tracking system established by the Authority.

4. These records shall include, but not be limited to, the following:

- a. the name and license number of the medical marijuana business that cultivated, manufactured or sold the medical marijuana or medical marijuana product,
- b. the address and phone number of the medical marijuana business that cultivated, manufactured or sold the medical marijuana or medical marijuana product,
- c. the type of product received during the transaction,
- d. the batch number of the marijuana plant used,
- e. the date of the transaction,
- f. the total spent in dollars,
- g. all point-of-sale records,
- h. marijuana excise tax records, and

1 i. any additional information as may be reasonably  
2 required by the Executive Director of the Oklahoma  
3 Medical Marijuana Authority.

4 5. All inventory tracking records retained by a medical  
5 marijuana business, medical marijuana research facility, medical  
6 marijuana education facility or medical marijuana waste disposal  
7 facility containing medical marijuana patient or caregiver  
8 information shall comply with all relevant state and federal laws  
9 including, but not limited to, the Health Insurance Portability and  
10 Accountability Act of 1996 (HIPAA).

11 C. 1. Upon the effective date of this act, the Authority shall  
12 have thirty (30) business days to issue a request for proposals and  
13 select through a competitive bidding process, pursuant to Section  
14 85.7 of Title 74 of the Oklahoma Statutes, a vendor that shall  
15 provide a seed-to-sale inventory tracking system for medical  
16 marijuana business licensees. The contract may be a multi-year  
17 contract or renewable annually, in accordance with any applicable  
18 guidelines or procedures required by the Authority.

19 2. The Authority shall be responsible for all costs associated  
20 with the seed-to-sale tracking system chosen by the Authority. The  
21 seed-to-sale inventory tracking system shall feature a software  
22 infrastructure that provides maximum flexibility for the exchange of  
23 data between the Authority and medical marijuana business licensees.  
24 The seed-to-sale inventory tracking system shall allow the medical

1 marijuana business licensees to submit data to the Authority  
2 directly through an application program interface (API), data  
3 interchange service tool, or by means of a process and technology  
4 acceptable to the Authority. If the Authority selects a vendor  
5 whose proprietary software requires the utilization of barcodes,  
6 radio-frequency identification tags (RFID), or quick response (QR)  
7 codes to manage data entry, the Authority shall be responsible for  
8 purchasing the equipment necessary for medical marijuana business  
9 licensees to interface with the software of the seed-to-sale  
10 inventory tracking system.

11 3. Upon selecting a vendor and prior to implementation of the  
12 seed-to-sale inventory tracking system, the Authority shall be  
13 responsible for providing sufficient training and training materials  
14 to medical marijuana business licensees. Any administrative costs  
15 related to training and training materials shall be the sole  
16 responsibility of the Authority.

17 SECTION 2. REPEALER 63 O.S. 2021, Section 427.13, as  
18 amended by Section 7, Chapter 584, O.S.L. 2021, is hereby repealed.

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

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24 59-1-5258 GRS 01/15/23