

## BILL SUMMARY

1<sup>st</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB2095</b>
<b>Version:</b>	<b>FA1</b>
<b>Request Number:</b>	<b>8000</b>
<b>Author:</b>	<b>Echols</b>
<b>Date:</b>	<b>3/20/2023</b>
<b>Impact:</b>	<b>No Impact</b>

### Research Analysis

The floor substitute for HB 2095 modifies several components of law regarding medical marijuana licensing, regulations enforcement, and business operations.

The measure revokes the licenses of any medical marijuana business licensee found to have intentionally not paid the tax on retail medical marijuana sales, and prohibits the revoked party from being able to receive any other type of medical marijuana business license issue by the Oklahoma Medical Marijuana Authority.

The measure grants OMMA the authority to enter into agreements with other state agencies to enforce laws regulating medical marijuana, and gives the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma State Bureau of Investigation, as well as the Oklahoma Attorney General the full authority to investigate and enforce any violations of the law regarding medical marijuana.

The measure makes it unlawful for a licensed medical marijuana commercial grower to knowingly hire undocumented immigrants to perform work inside a commercial grow facility or on any property of the grow operation. Violation is a misdemeanor punishable by up to 1 year in the county jail, a fine of up to \$500 or both. In addition, the license of the commercial grower is subject to revocation.

During investigations where there is reasonable suspicion that a medical marijuana business licensee is illegally growing, processing, transferring, selling, disposing, or diverting marijuana, the investigating entity may establish the personal identifying information of all owners and individuals with any ownership interest in the business through subpoenaed documents. The measure adds medical marijuana research and educational facilities to the list of facilities by which the submission of an application constitutes permission for entry to and inspection of the facility.

The measure establishes that no more than one medical marijuana commercial grower license shall be issued for any one property, and places a cap on the number of active medical marijuana commercial grower licenses allowed to be issued by OMMA in circulation at 1,000 licenses.

The measure provides that if the Authority receives a complaint concerning noncompliance by a medical marijuana research licensee or a medical marijuana education facility licensee, the Authority, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma State Bureau of Investigation, and the Attorney General may conduct additional unannounced, on-site inspections beyond the required biannual inspections. The Authority shall also refer all complaints alleging criminal activity to appropriate state or local law enforcement.

The measure also extends the moratorium on processing and issuing new medical marijuana business licenses by two years until 2026.

**CHANGES IN FLOOR SUB VERSION FROM INTRODUCED:**

Extends the moratorium on processing and issuing new medical marijuana business licenses until 2026.

Prepared By: Matthew Brenchley

**Fiscal Analysis**

In its current form, HB2095 provides for changes to medical marijuana licensing, regulations enforcement, and business operations. The measure also creates a fine to be enforced upon medical marijuana commercial growers that knowingly hire undocumented immigrants. Any potential collection of these fines by the state are negated by the associated prosecutorial costs. There are no other considerations to the state budget.

Prepared By: Zachary Penrod, House Fiscal Staff

**Other Considerations**

None.