

BILL SUMMARY

1st Session of the 59th Legislature

Bill No.:	HB2095
Version:	PCS1
Request Number:	
Author:	Rep. Echols
Date:	2/22/2023
Impact:	No impact

Research Analysis

The proposed committee 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 all medical marijuana business licenses are nontransferable, that no entity can hold more than one of each medical marijuana business license, and that no more than one medical marijuana commercial grower license shall be issued for any one property.

The measure 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.

Prepared By: Matthew Brenchley

Fiscal Analysis

After review, the PCS1 to HB 2095 has no fiscal considerations to the state.

Prepared By: House Stacy Johnson, Fiscal Staff

Other Considerations

None.