SENATE FLOOR VERSION
February 13, 2025

SENATE BILL NO. 518 By: Alvord of the Senate

and

West (Kevin) of the House

An Act relating to medical marijuana packaging; amending 63 O.S. 2021, Section 427.18, as last amended by Section 144, Chapter 452, O.S.L. 2024 (63 O.S. Supp. 2024, Section 427.18), which relates to packaging and labeling requirements; requiring certain labeling; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 427.18, as last amended by Section 144, Chapter 452, O.S.L. 2024 (63 O.S. Supp. 2024, Section 427.18), is amended to read as follows:

Section 427.18. A. A medical marijuana business shall not sell, transfer or otherwise distribute medical marijuana or medical marijuana product that has not been packaged and labeled in accordance with this section and rules promulgated by the Executive Director of the Oklahoma Medical Marijuana Authority.

B. A medical marijuana dispensary shall return medical marijuana and medical marijuana product that does not meet packaging or labeling requirements in this section or rules promulgated

pursuant thereto to the entity who transferred it to the dispensary. The medical marijuana dispensary shall document to whom the item was returned, what was returned, and the date of the return, or dispose of any usable marijuana that does not meet these requirements in accordance with the Oklahoma Medical Marijuana and Patient Protection Act.

C. 1. Medical marijuana packaging shall be packaged to minimize its appeal to children and shall not depict images other than the business name logo of the medical marijuana producer and image of the product.

2. A medical marijuana business shall not place any content on a container in a manner that reasonably appears to target individuals under the age of twenty-one (21) including, but not limited to, cartoon characters or similar images.

3. Labels on a container shall not include any false or misleading statements.

4. No container shall be intentionally or knowingly labeled so as to cause a reasonable patient confusion as to whether the medical marijuana, medical marijuana concentrate or medical marijuana product is a trademarked product or labeled in a manner that violates any federal trademark law or regulation. The label on the container shall include a warning that states the following:

a. "For use by licensed medical marijuana patients only", ~~and~~

b. "Keep out of reach of children"~~.~~, and

c. "Marijuana and marijuana products can impair concentration, coordination, and judgment: a person should not operate a motor vehicle while under the influence of marijuana or marijuana products. The ingestion of any amount of marijuana or marijuana products before driving may result in criminal prosecution for driving under the influence."

5. The label on the container shall not make any claims regarding health or physical benefits to the patient.

6. The container itself may be clear in order to allow licensed medical marijuana patients and licensed medical marijuana caregivers the ability to view the product inside the container but shall be child-resistant, as defined in Section 427.2 of this title.

7. At the point of sale and transfer of any medical marijuana, medical marijuana concentrate, or medical marijuana products to a licensed medical marijuana patient or licensed medical marijuana caregiver, the dispensary shall place the medical marijuana, medical marijuana concentrate, or medical marijuana products in an exit package, as such term is defined in Section 427.2 of this title.

D. The Executive Director shall develop minimum standards for packaging and labeling of medical marijuana, medical marijuana concentrate, and medical marijuana products. Such standards shall include, but not be limited to, the required contents of labels to

be affixed to all medical marijuana, medical marijuana concentrate, and medical marijuana products prior to transfer to a licensed patient or caregiver, which shall include, at a minimum:

1. THC and other cannabinoid potency, and terpenoid potency;

2. A statement indicating that the product has been tested for contaminants;

3. One or more product warnings to be determined by the Executive Director; and

4. Any other information the Executive Director deems necessary.

SECTION 2. This act shall become effective November 1, 2025.

COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND INSURANCE
February 13, 2025 - DO PASS