



Councilmember Kenyan R. McDuffie

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to provide a deadline date by which existing cultivation centers and dispensaries must file their applications with ABCA for additional medical cannabis facility licenses, to not allow a cultivation center to also hold an internet retailer license, to provide that the 2 cultivation center registration applicants that tied for second and received the same total score after submitting a medical cannabis facility registration application to the Alcoholic Beverage Control Board between November 29, 2021 and March 28, 2022, be awarded a cultivation center registration, to provide that other cultivation center and dispensary registration applicants that scored 150 points or more after submitting a medical cannabis facility registration application to the Alcoholic Beverage Control Board during the same open application period shall be considered for a cultivation center or retailer registration, and to allow a cultivation center and dispensary registration applicant that scored 150 points or more to change the location of its facility without otherwise affecting the status of its application.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Cannabis Clarification Supplemental Emergency Amendment Act of 2023”.

Sec. 2. Section 7 of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.06), is amended as follows:

(a) Subsection (d) is amended as follows:

40 (1) Paragraph (2) is amended by striking the phrase “retailer or online retailer
41 license” and inserting the phrase “retailer license” in its place.

42 (2) A new paragraph (5) is added to read as follows:

43 “(5) Applications for additional licenses pursuant to paragraphs (1) through (3) of
44 this subsection shall be filed with ABCA by the existing cultivation center or dispensary by May
45 1, 2024.”.

46 (b) Subsection (e)(1) is amended as follows

47 (1) Subparagraph (F) is amended by striking the phrase “retailer or internet
48 retailer license” and inserting the phrase “retailer license” in its place.

49 (2) A new subparagraph (G) is added to read as follows:

50 “(G) No licensee holding a cultivation center license shall hold an internet retailer
51 license.”.

52 (c) New subsections (w) and (x) are added to read as follows:

53 “(w)(1) The 2 cultivation center registration applicants that submitted a medical cannabis
54 facility registration application to the ABC Board between November 29, 2021 and March 28,
55 2022, that tied for second and received the same total score shall be awarded a cultivation center
56 registration.

57 “(2) Cultivation center registration applicants not referenced in paragraph (1) of
58 this subsection that scored 150 points or more during the same open application period shall be
59 considered for a cultivation center registration after May 1, 2023; provided, that the applicant
60 files a corrected application, including to change the facility location, with the ABC Board by
61 May 1, 2024. Those applicants that scored 150 points or higher shall be allowed to change the

62 location of the cultivation center facility on its application by May 1, 2024, without negatively
63 affecting the status of the application.

64 “(3) An applicant that filed more than one cultivation center registration
65 application during the open application period with one or more of the same owners shall be
66 considered for only one cultivation center registration under this subsection.

67 “(4) An initial application fee paid by a cultivation center registration applicant
68 that scored 150 points or higher shall be credited by ABCA toward the entire cost of the
69 applicant’s cultivation center application fee.

70 “(x)(1) Dispensary registration applicants that submitted a medical cannabis facility
71 registration application to the ABC Board between November 29, 2021 and March 28, 2022, and
72 received 150 points or more shall be considered for a retailer registration no earlier than 180
73 calendar days after March 22, 2023. An applicant shall be allowed to change the location of the
74 retailer facility on its application by May 1, 2024, without negatively affecting the status of the
75 application.

76 “(2) An applicant that filed more than one dispensary registration application
77 during the open application period with one or more of the same owners shall be considered for
78 only one retailer registration under this subsection.

79 “(3) An initial application fee paid by a dispensary registration applicant that
80 scored 150 points or higher shall be credited by ABCA toward the entire cost of the applicant’s
81 retailer application fee.

82 Sec. 3. Repealer.

83 The Medical Cannabis Clarification Temporary Amendment Act of 2023, enacted on
84 March 24, 2023 (D.C. Act 25-63; 70 DCR ____), is repealed.

85 Sec. 4. Fiscal impact statement.

86 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
87 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
88 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

89 Sec. 5. Effective date.

90 This act shall take effect following approval by the Mayor (or in the event of veto by the
91 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
92 90 days, as provided for emergency acts of the Council of the District of Columbia in section
93 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
94 D.C. Official Code § 1-204.12(a)).