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A BILL
25-903

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to allow the Alcoholic Beverage and Cannabis Board (“ABC Board”) to issue temporary non-resident registration identification cards that are valid for periods between 3 days and no longer than one year in length, allow licensed testing laboratories to receive and test samples of medical cannabis products from qualifying patients, allow licensed testing laboratories to conduct quality assurance or research and development testing for cultivation centers and manufacturers, amend the definition of a social equity applicant to include arrests and convictions of qualifying family members for a cannabis or drug offense, expand the list of eligible family members under the social equity applicant definition to include siblings and grandparents, clarify that existing licensed cultivation centers and retailers and applicants that scored 150 points or more during the open application period that occurred between November 29, 2021 and March 28, 2022, that are authorized by statute to receive a cultivation center, manufacturer, or retailer license apart from a designated open application period are not counted in calculating the 50% set aside requirement, clarify that the 5 cultivation center registration applicants that scored 150 points or more during the same open application period shall automatically receive a manufacturer license provided that they pay the annual fee and register with the ABC Board, allow the Alcoholic Beverage and Cannabis Administration to issue conditional licenses to testing laboratory applicants, and to waive the application fee for testing laboratory licenses.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Cannabis Clarification and Non-Resident Patient Access Temporary Amendment Act of 2024”.

35 Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective
36 February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), is amended as
37 follows:

38 (a) Section 2 (D.C. Official Code § 7-1671.01) is amended as follows:

39 (1) Paragraph (13B)(B) is amended by striking the phrase “30-day registration
40 identification card” and inserting the phrase "registration identification card valid for periods
41 established by the ABC Board by rulemaking, which are between 3 days and no longer than one
42 year in length” in its place.

43 (2) Paragraph (20C)(B) is amended by striking the phrase “or has a non-
44 parent legal guardian who is or has been incarcerated” and inserting the phrase “or has a non-
45 parent legal guardian, or a grandparent or a sibling who is or has been arrested, convicted, or
46 incarcerated”.

47 (b) Section 6(b) (D.C. Official Code § 7-1671.05(b)) is amended as follows:

48 (1) Paragraph (4) is amended as follows:

49 (A) Subparagraph (A) is amended by striking the phrase “30 days”
50 and inserting the phrase "periods established by the ABC Board by rulemaking, which are
51 between 3 days and no longer than one year in length”.

52 (B) Subparagraph (B) is amended by striking the phrase "30-day”.

53 (2) Paragraph (5)(C) is amended by striking the phrase "3 years.” and
54 inserting the phrase “3 years, except for temporary non-resident registration identification cards

55 that are valid for periods established by the ABC Board by rulemaking, which shall be between 3
56 days and no longer than one year in length.” in its place.

57 (3) A new paragraph (11A) is added to read as follows:

58 “(11A) Allow testing laboratories to:

59 “(A) Receive and test samples of medical cannabis products from
60 qualifying patients; provided, that the qualifying patient must present proof that he or she is
61 currently registered, and that the medical cannabis product was purchased from a retailer or
62 internet retailer licensed with ABCA.

63 “(B) Receive and test samples of medical cannabis products from licensed
64 cultivation centers or manufacturers for purposes of quality assurance or research and
65 development. Samples collected for quality assurance or research and development testing may
66 be selected by the cultivation center or manufacturer non-randomly. Any tests conducted for
67 purposes of quality assurance or research and development shall not satisfy the requirements of
68 paragraphs (8) through (11) of this subsection.”.

69 (c) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

70 (1) Subsection (h) is amended by striking the phrase "cultivation centers who
71 receive a manufacturer’s license pursuant to subsection (d) of this section.” and inserting the
72 phrase "cultivation centers and retailers, and applicants who scored 150 points or more during
73 the ABC Board open application period that occurred between November 29, 2021 and March

74 28, 2022, who receive a cultivation center, manufacturer, or retailer’s license pursuant to
75 subsections (d), (w), (x) and (y) of this section.”.

76 (2) Subsection (k)(1) is amended to read as follows:

77 “(k)(1) The ABC Board shall be authorized to issue a one-year conditional license for a
78 cultivation center, retailer, internet retailer, manufacturer, courier, or testing laboratory that does
79 not currently have a proposed location; except, that the ABC Board shall be authorized to
80 convert a one-year conditional license to 2 years for a cultivation center or manufacturer that
81 does not currently have a proposed location.”.

82 (3) Subsection (n)(2) is amended to read as follows:

83 “(2)(A) The ABC Board shall, by rules issued pursuant to section 14, establish the
84 initial application and renewal fees for cultivation center, manufacturer, retailer, internet retailer,
85 and courier licenses. The ABC Board may revise these fees as considered necessary.

86 “(B) There shall be no initial application fee for a testing laboratory
87 license. Renewal fees for a testing laboratory license shall be established by rules issued pursuant
88 to sub-paragraph (A) of this paragraph.”.

89 (3) A new subsection (y) is added to read as follows:

90 “(y) The 5 cultivation center registration applicants that submitted medical
91 cannabis facility registration applications to the ABC Board between November 29, 2021 and
92 March 28, 2022, that scored 150 points or more shall automatically receive a manufacturer
93 license provided that the annual fee is paid after the effective date of the Medical Cannabis

94 Manufacturer Clarification Emergency Amendment Act of 2023, effective June 29, 2023 (D.C.
95 Act 25-152; 70 DCR ____); provided, that the applicant registers on a form provided by ABCA
96 with the ABC Board by May 1, 2024.”.

97 Sec. 3. Technical amendment.

98 Section 5 of the Certified Business Enterprise Program Compliance and Enforcement
99 Support Temporary Amendment Act of 2024, enacted on May 29, 2024 (D.C. Act 25-484; 71
100 DCR 6756) is amended to read as follows:

101 “Sec. 5. Effective date.

102 “This act shall take effect after approval by the Mayor (or in the event of veto by the
103 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
104 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
105 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
106 Columbia Register.”.

107 Sec. 4. Fiscal impact statement.

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

111 Sec. 5. Effective date.

112 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
113 the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

ENGROSSED ORIGINAL

114 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
115 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
116 Columbia Register.

117 (b) This act shall expire after 225 days of its having taken effect.