

A RESOLUTION

22-706

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 18, 2018

To declare the existence of an emergency with respect to the need to amend section 7 of the Legalization of Marijuana for Medical Treatment Initiative of 1998 to authorize a dispensary, cultivation center, or testing laboratory to relocate to any election ward subject to the approval of the Mayor; provided, that no more than 2 dispensaries and 6 cultivation centers may operate within an election ward.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Medical Marijuana Relocation Emergency Declaration Resolution of 2018”.

Sec. 2. (a) The Legalization of Marijuana for Medical Treatment Initiative of 1998 effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*) (“Initiative”), established a medical marijuana program in the District. In accordance with the Initiative, the Department of Health may permit the registration of a maximum of 8 dispensaries to ensure that qualifying patients have adequate access to medical marijuana.

(b) At around 12:00 a.m. on August 19, 2018, Fire and Emergency Medical Services Department personnel were called to a fire in the 1300 block of North Capitol Street, N.W. The fire destroyed the roof decks of 2 4-story dwellings. One of the dwellings housed the Capital City Care medical marijuana dispensary and the fire resulted in significant water damage to the facility. As a result of the fire and the associated water damage, the dispensary has been unable to reopen.

(c) The Council recognizes the potential for registered patients to suffer adverse health impacts due to the closure of this dispensary, or any dispensary shuttered due to unforeseen circumstances. There are approximately 6,017 registered patients in the District and demand for medical marijuana services tends to be far greater than the available supply for these patients’ needs, which means the city cannot afford to allow Capital City Care or any facility to remain closed unnecessarily.

(d) To facilitate the swift reopening of dispensaries and cultivation centers that close due to unforeseen circumstances, the Initiative must be amended to permit the relocation of a dispensary or cultivation center with the permission of the Mayor to any ward in the District, as long as the relocation does not exceed the current per ward cap on the number of dispensaries and cultivation centers, which currently is set at 2 dispensaries and 6 cultivation centers.

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(e) Authorizing the Mayor to approve the relocation of a dispensary or cultivation center to an underserved ward can increase the ability of patients to access medical marijuana services.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Relocation Emergency Amendment Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.