

A RESOLUTION

25-276

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2023

To declare the existence of an emergency basis, due to congressional review, amend 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.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Medical Cannabis Clarification and Non-Resident Patient Access Congressional Review Emergency Declaration Resolution of 2023”.

Sec. 2(a) There existed a need to expand non-resident patient access at licensed retailer by making temporary non-resident patient registrations valid for periods other than 30 days, to expand the definition of a social equity applicant to include arrests and convictions of qualifying family members for a cannabis or drug-related offense and add siblings and grandparents to the list of eligible family members, and to clarify that the 5 cultivation center registration applicants

that scored 150 points or more during the ABC Board open application period that occurred between November 29, 2021, and March 28, 2022, are automatically eligible to receive a manufacturer license provided they pay the annual fee and register with the ABC Board.

(b) In July 2023, the Council enacted the Medical Cannabis Clarification and Non-Resident Patient Access Emergency Amendment Act of 2023, effective July 31, 2023 (D.C. Act 25-194; 70 DCR 10733), (“emergency legislation”) and the Medical Cannabis Clarification and Non-Resident Patient Access Temporary Amendment Act of 2023, passed on 2nd on reading on September 19, 2023 (Enrolled version Bill 25-368), (“temporary legislation”) to address the above-referenced needs.

(c) The emergency legislation expires on October 29, 2023. The temporary legislation must still complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and will not become law until after the emergency legislation has expired.

(d) It is necessary that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Cannabis Clarification and Non-Resident Patient Access Congressional Review Emergency Amendment Act of 2023 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.