

A RESOLUTION

25-459

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 2, 2024

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to provide that it is unlawful for a licensed or unlicensed cultivation center, manufacturer, retailer, or internet retailer to represent that goods or services or the business is compliant with the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, to authorize the Alcoholic Beverage and Cannabis Board to extend the 45-calendar day public comment period by an additional 30-calendar days in response to a written request submitted by either an affected Advisory Neighborhood Commission or the applicant, to clarify that an Advisory Neighborhood Commission within 600 feet of where an establishment is or will be located has standing to protest the issuance of a license to an unlicensed cultivation center, manufacturer, retailer, or internet retailer, to align the enforcement procedures with those provided in Title 25 of the District of Columbia Official Code, and to clarify that the Alcoholic Beverage and Cannabis Board has the authority to issue cease-and-desist orders mandating compliance with the provisions of the Medical Cannabis Program; and to amend the Medical Cannabis Amendment Act of 2022 to clarify that the Alcoholic Beverage and Cannabis Board has authority to enforce against commercial property owners of properties that are used to operate illegal cannabis businesses.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Medical Cannabis Program Enforcement Congressional Review Emergency Declaration Resolution of 2024”.

Sec. 2. (a) On January 9, 2024, the Council passed the Medical Cannabis Program Enforcement Emergency Amendment Act of 2024, effective January 25, 2024 (D.C. Act 25-371; 71 DCR 1200) (“emergency act”). The emergency act will expire on April 24, 2024.

(b) On February 6, 2024, the Council passed the Medical Cannabis Program Enforcement Temporary Amendment Act of 2024, enacted on February 22, 2024 (D.C. Act 25-396; 71 DCR 2082) (“temporary act”). The temporary act is currently undergoing congressional review.

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(c) To prevent a gap in the law between the expiration of the emergency act and the effective date of the temporary act, it is now necessary to pass this congressional review emergency legislation.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Cannabis Program Enforcement Congressional Review Emergency Amendment Act of 2024 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.