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SENATE STATE OF MINNESOTA

NINETY-THIRD SESSION

S.F. No. 73

(SENATE AUTHORS: PORT, Oumou Verbeten, Putnam, Murphy and Boldon)

DATE	D-PG	OFFICIAL STATUS
01/09/2023	111	Introduction and first reading
		Referred to Judiciary and Public Safety
01/11/2023	146	Author added Boldon
01/26/2023	394a	Comm report: Amended, No recommendation, re-referred to Commerce and Consumer Protection
01/27/2023	454a	Comm report: To pass as amended and re-refer to Jobs and Economic Development
02/01/2023	549	Comm report: To pass and re-referred to State and Local Government and Veterans
02/02/2023	606	Withdrawn and re-referred to Agriculture, Broadband, and Rural Development
02/08/2023	697a	Comm report: To pass as amended and re-refer to Environment, Climate, and Legacy
	699	Rule 12.10: report of votes in committee
02/13/2023	783	Comm report: To pass and re-referred to Transportation
02/16/2023	830a	Comm report: To pass as amended and re-refer to Health and Human Services
03/01/2023	1171a	Comm report: To pass as amended and re-refer to Human Services
03/02/2023	1252a	Comm report: To pass as amended Labor
03/06/2023		Comm report: To pass as amended and re-refer to State and Local Government and Veterans

A bill for an act

relating to cannabis; establishing the Office of Cannabis Management; establishing 12 advisory councils; requiring reports relating to cannabis use and sales; legalizing 1.3 and limiting the possession and use of cannabis by adults; providing for the 1.4 licensing, inspection, and regulation of cannabis businesses; requiring testing of 1.5 cannabis flower and cannabinoid products; requiring labeling of cannabis flower 1.6 and cannabinoid products; limiting the advertisement of cannabis flower, 1.7 cannabinoid products, and cannabis businesses; providing for the cultivation of 1.8 cannabis in private residences; transferring regulatory authority for the medical 1.9 cannabis program; allowing Tribal medical cannabis program manufacturers to 1.10 distribute medical cannabis to Tribal medical cannabis program patients; providing 1.11 for transportation of medical cannabis by Tribal medical cannabis manufacturers; 1.12 taxing the sale of adult-use cannabis; establishing grant and loan programs; 1.13 amending criminal penalties; prohibiting the use or possession of cannabis flower 1.14 and cannabinoid products on a street or highway; establishing expungement 1.15 procedures for certain individuals; establishing labor standards for the use of 1.16 1.17 cannabis by employees and testing of employees; providing for the temporary regulation of certain edible cannabinoid products; providing for professional 1.18 licensing protections; amending the scheduling of marijuana and 1.19 tetrahydrocannabinols; classifying data; making miscellaneous cannabis-related 1.20 changes and additions; making clarifying and technical changes; appropriating 1.21 money; amending Minnesota Statutes 2022, sections 13.411, by adding a 1.22 subdivision; 13.871, by adding a subdivision; 16B.2975, subdivision 8; 34A.01, 1.23 subdivision 4; 144.99, subdivision 1; 151.72; 152.01, by adding subdivisions; 1.24 152.02, subdivisions 2, 4; 152.021, subdivision 2; 152.022, subdivisions 1, 2; 1.25 152.023, subdivisions 1, 2; 152.024, subdivision 1; 152.025, subdivisions 1, 2; 1.26 152.22, by adding subdivisions; 152.29, subdivision 4, by adding a subdivision; 1.27 1.28 152.30; 152.32; 152.33, subdivision 1; 175.45, subdivision 1; 181.938, subdivision 2; 181.950, subdivisions 2, 4, 5, 8, 13, by adding a subdivision; 181.951, 1.29 subdivision 4, by adding subdivisions; 181.952, by adding a subdivision; 181.953; 1.30 181.954; 181.955; 181.957, subdivision 1; 244.05, subdivision 2; 245C.08, 1.31 subdivision 1; 256.01, subdivision 18c; 256B.0625, subdivision 13d; 256D.024, 1.32 subdivisions 1, 3; 256J.26, subdivisions 1, 3; 273.13, subdivision 24; 275.025, 1.33 subdivision 2; 290.0132, subdivision 29; 290.0134, subdivision 19; 297A.61, 1.34 subdivision 3; 297A.67, subdivisions 2, 7; 297A.70, subdivisions 2, 18; 297A.99, 1.35 by adding a subdivision; 297D.01; 297D.04; 297D.06; 297D.07; 297D.08; 1.36 297D.085; 297D.09, subdivision 1a; 297D.10; 297D.11; 340A.412, subdivision 1.37 14; 609.135, subdivision 1; 609.5311, subdivision 1; 609.5314, subdivision 1; 1.38

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2.1 2.2 2.3 2.4 2.5 2.6 2.7 2.8 2.9 2.10 2.11 2.12 2.13 2.14 2.15 2.16 2.17 2.18 2.19	subdivision subdivision proposing o 144; 152; Minnesota 151.72; 15 5b, 6, 7, 8, 1c, 2, 3, 4; subdivision subdivision subdivision 4770.0300 4770.1100 4770.2400 4770.2400 4770.4005 4770.4014	n 2; 609B.435, subdiv n 1; 624.714, subdivised coding for new law in 169A; 289A; 295; 34 Statutes, chapter 342 2.027, subdivisions 3 9, 10, 11, 12, 13, 14 152.26; 152.261; 15 ns 1, 2, 3; 152.29, sub ns 1, 1a, 2, 3, 4, 5; 152 ; 4770.0400; 4770.05 ; 4770.1200; 4770.13 ; 4770.1800; 4770.19 ; 4770.2700; 4770.28 ; 4770.4007; 4770.40 ; 4770.4015; 4770.40	vision 2; 624.7 sion 6; 624.7 Minnesota S 0A; 609A; 62 2; repealing N 3, 4; 152.21; 5, 152.23; 152 2.27, subdivi bdivisions 1, 13 .37; Minneso 00; 4770.060 00; 4770.140 00; 4770.200 00; 4770.400 08; 4770.400 016; 4770.40	, subdivisions 5, 9; 60 712, by adding subdivi 7142, subdivision 1; 62 tatutes, chapters 3; 116 24; proposing coding Minnesota Statutes 202 152.22, subdivisions 1 .24; 152.25, subdivisi sions 1, 2, 3, 4, 5, 6, 7 2, 3, 3a, 4; 152.30; 15 a, 2, 3, 4, 5, 6; 152.34; 7 ta Rules, parts 4770.01 0; 4770.0800; 4770.15 0; 4770.1460; 4770.15 0; 4770.2100; 4770.22 0; 4770.4002; 4770.40 9; 4770.4010; 4770.40 17; 4770.4018; 4770.40	sions; 624.713, 24.7151; J; 116L; 120B; for new law as 22, sections ., 2, 3, 4, 5, 5a, ons 1, 1a, 1b, 7; 152.28, 22.31; 152.32, 152.35; 152.36, 00; 4770.1000; 00; 4770.1600; 00; 4770.2300; 03; 4770.4004; 12; 4770.4013; 4030.
2.20			ARTICLI	E 1	
2.21		REGULATIO		T-USE CANNABIS	
2.22	Section 1 13	12 A11 DEFINITION	IC		
2.22		2.01] DEFINITION			
2.23			urposes of the	is chapter, the following	ng terms have the
2.24	meanings giver				
2.25				Adult-use cannabinoid	•
2.26				the office or is substan	
2.27	* * *	•		inoid product includes	edible cannabinoid
2.28	products but do	es not include medic	al cannabino	1d products.	
2.29	<u>Subd. 3.</u> Ad	ult-use cannabis co	ncentrate. "A	Adult-use cannabis co	ncentrate" means
2.30	cannabis conce	ntrate that is approve	d for sale by	the office or is substa	ntially similar to a
2.31	• • • • •		-use cannabis	s concentrate does not i	nclude synthetically
2.32	derived cannab	inoids.			
2.33	<u>Subd. 4.</u> Ad	ult-use cannabis flo	wer. <u>"</u> Adult-	use cannabis flower"	means cannabis
2.34	flower that is ap	proved for sale by th	e office or is s	substantially similar to	a product approved
2.35	by the office. A	dult-use cannabis flo	ower does not	t include medical canr	abis flower, hemp
2.36	plant parts, or h	emp-derived consum	ner products.		
2.37	<u>Subd. 5.</u> Ad	vertisement. "Adve	rtisement" m	eans any written or or	al statement,
2.38	illustration, or o	depiction that is inter	ided to promo	ote sales of cannabis f	lower, cannabinoid
2.39	products, lower	potency edible prod	ucts, hemp-d	erived consumer prod	ucts, or sales at a
2.40	specific cannab	is business and includ	les any newsp	paper, radio, internet a	nd electronic media,

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3.1 or television promotion; the distribution of fliers and circulars; and the display of window

3.2 and interior signs in a cannabis business. Advertisement does not include a fixed outdoor

3.3 sign that meets the requirements in section 342.66, subdivision 2, paragraph (b).

3.4 <u>Subd. 6.</u> Synthetically derived cannabinoid. "Synthetically derived cannabinoid" means
 3.5 <u>a cannabinoid extracted from a cannabis plant, cannabis flower, hemp plant, or hemp plant</u>

3.6 parts with a chemical makeup that is changed after extraction to create a different cannabinoid

3.7 or other chemical compound by applying a catalyst other than heat or light. Synthetically

3.8 derived cannabinoid includes but is not limited to any tetrahydrocannabinol created from

3.9 cannabidiol but does not include cannabis concentrate, cannabinoid products, or hemp-derived
3.10 consumer products.

3.11 Subd. 7. Batch. "Batch" means:

3.12 (1) a specific quantity of cannabis plants that are cultivated from the same seed or plant

3.13 stock, are cultivated together, are intended to be harvested together, and receive an identical

3.14 propagation and cultivation treatment; or

3.15 (2) a specific quantity of a specific cannabinoid product, lower potency edible product, 3.16 synthetically derived cannabinoid, or hemp-derived consumer product that is manufactured 3.17 at the same time and using the same methods, equipment, and ingredients that is uniform 3.18 and intended to meet specifications for identity, strength, purity, and composition, and that 3.19 is menufactured markaged and labeled according to a single batch production record

3.19 is manufactured, packaged, and labeled according to a single batch production record

3.20 executed and documented during the same cycle of manufacture and produced by a
3.21 continuous process.

3.22 Subd. 8. **Batch number.** "Batch number" means a unique numeric or alphanumeric

3.23 identifier assigned to a batch of cannabis flower or a batch of cannabinoid product, lower

3.24 potency edible product, synthetically derived cannabinoid, or hemp-derived consumer

3.25 product.

3.26 Subd. 9. Bona fide labor organization. "Bona fide labor organization" means a labor 3.27 union that represents or is actively seeking to represent cannabis workers.

3.28 Subd. 10. Cannabinoid. "Cannabinoid" means any of the chemical constituents of hemp

3.29 plants or cannabis plants that are naturally occurring, biologically active, and act on the

3.30 <u>cannabinoid receptors of the brain. Cannabinoid includes but is not limited to</u>

3.31 tetrahydrocannabinol and cannabidiol.

3.32 <u>Subd. 11.</u> Cannabinoid extraction. "Cannabinoid extraction" means the process of
 3.33 extracting cannabis concentrate from cannabis plants or cannabis flower using water, lipids,

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4.1	gases, solv	vents, or other chemical	s or chemical pr	ocesses, but does not	include the process
4.2	of extracti	ng concentrate from her	mp plants or her	np plant parts or the p	process of creating
4.3	synthetica	lly derived cannabinoid	<u>s.</u>		
4.4	Subd. 1	12. <mark>Cannabinoid produ</mark>	i ct. (a) "Cannabi	noid product" means a	ny of the following:
4.5	<u>(1) can</u>	nabis concentrate;			
4.6	<u>(2)</u> a pr	oduct infused with canna	abinoids, includi	ng but not limited to te	trahydrocannabinol,
4.7	extracted of	or derived from cannabi	is plants or cann	abis flower;	
4.8	<u>(3)</u> any	v other product that cont	tains cannabis c	oncentrate; or	
4.9	<u>(4)</u> a pr	roduct infused with syn	thetically derive	ed cannabinoids.	
4.10	<u>(b) Car</u>	nnabinoid product inclu	des adult-use ca	nnabinoid products, i	ncluding but not
4.11	limited to	edible cannabinoid prod	ducts, and medie	cal cannabinoid produ	acts. Cannabinoid
4.12	product do	bes not include cannabis	s flower, synthet	cically derived cannab	vinoids, or
4.13	<u>hemp-deri</u>	ved consumer products	<u>.</u>		
4.14	Subd.	13. Cannabinoid profi	le. "Cannabinoi	d profile" means the a	mounts of each
4.15	cannabino	id that the office require	es to be identifie	ed in testing and label	ing, including but
4.16	not limited	l to delta-9 tetrahydroca	annabinol, tetrał	nydrocannabinolic aci	d, cannabidiol,
4.17	cannabidio	olic acid, and cannabige	erol in cannabis	flower, a cannabinoid	product, a batch of
4.18	synthetica	lly derived cannabinoid	, or a hemp-der	ived consumer produc	et, expressed as
4.19	percentage	es measured by weight a	nd, in the case o	f cannabinoid product	s and hemp-derived
4.20	consumer	products, expressed as	milligrams in ea	ch serving and packa	ge.
4.21	Subd.	14. Cannabis business.	"Cannabis busi	ness" means any of the	e following licensed
4.22	under this	chapter:			
4.23	<u>(1) can</u>	nabis cultivator;			
4.24	<u>(2) can</u>	nabis manufacturer;			
4.25	<u>(3)</u> can	nabis retailer;			
4.26	<u>(4) can</u>	nabis wholesaler;			
4.27	<u>(5) can</u>	nabis transporter;			
4.28	<u>(6) can</u>	nabis testing facility;			
4.29	<u>(7) can</u>	nabis microbusiness;			
4.30	<u>(8)</u> can	nabis event organizer;			

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5.1	<u>(9)</u> cannabi	s delivery service;			
5.2	(10) lower	potency edible retailer;			
5.3	<u>(11) medica</u>	Il cannabis cultivator;			
5.4	<u>(12) medica</u>	al cannabis processor; a	und		
5.5	<u>(13) medica</u>	al cannabis retailer.			
5.6	<u>Subd. 15.</u>	annabis concentrate.	(a) "Cannabis co	ncentrate" means:	
5.7	(1) the extra	acts and resins of a can	nabis plant or car	nabis flower;	
5.8	(2) the extra	ects or resins of a cannab	ois plant or cannab	ois flower that are re	fined to increase
5.9	the presence of	targeted cannabinoids	; or		
5.10	(3) a produc	t that is produced by ref	ining extracts or r	esins of a cannabis	plant or cannabis
5.11	flower and is in	ntended to be consumed	d by combustion	or vaporization of t	he product and
5.12	inhalation of si	noke, aerosol, or vapor	from the product	<u>ī.</u>	
5.13	(b) Cannab	is concentrate does not	include industria	l hemp, synthetical	ly derived
5.14	cannabinoids, o	or hemp-derived consu	mer products.		
5.15	<u>Subd. 16.</u>	annabis flower. "Cann	abis flower" mea	ns the harvested flo	wer, bud, leaves,
5.16	and stems of a	cannabis plant. Cannab	ois flower include	s adult-use cannabi	is flower and
5.17	medical cannal	ois flower. Cannabis flo	wer does not incl	ude cannabis seed,	industrial hemp,
5.18	or hemp-derive	ed consumer products.			
5.19	<u>Subd. 17.</u>	C <mark>annabis industry.</mark> "Ca	nnabis industry"	means every item,	product, person,
5.20	process, action	, business, or other thin	ig subject to regu	lation under this ch	apter.
5.21	Subd. 18. C	annabis paraphernal	ia. "Cannabis par	aphernalia" means	all equipment,
5.22	products, and r	naterials of any kind th	at are knowingly	or intentionally use	ed primarily in:
5.23	(1) manufa	cturing cannabinoid pro	oducts;		
5.24	(2) ingesting	g, inhaling, or otherwise	e introducing cann	abis flower or cann	abinoid products
5.25	into the human	body; and			
5.26	(3) testing t	he strength, effectivenes	ss, or purity of can	nabis flower, canna	binoid products,
5.27	or hemp-derive	ed consumer products.			
5.28	Subd. 19. C	Cannabis plant. "Canna	abis plant" means	all parts of the pla	nt of the genus
5.29	Cannabis that i	s growing or has not be	en harvested and	has a delta-9 tetral	nydrocannabinol
5.30	concentration of	of more than 0.3 percen	t on a dry weight	basis.	

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6.1	Subd. 20. Cannabis prohibition. "Cannabis prohibition" means the system of state and
6.2	federal laws that prevented establishment of a legal market and instead established petty
6.3	offenses and criminal offenses punishable by fines, imprisonment, or both for the cultivation,
6.4	possession, and sale of all parts of the plant of any species of the genus Cannabis, including
6.5	all agronomical varieties, whether growing or not; the seeds thereof; the resin extracted
6.6	from any part of such plant; and every compound, manufacture, salt, derivative, mixture,
6.7	or preparation of such plant, its seeds, or resin.
6.8	Subd. 21. Cannabis seed. "Cannabis seed" means the viable seed of the plant of the
6.9	genus Cannabis that is reasonably expected to grow into a cannabis plant. Cannabis seed
6.10	does not include hemp seed.
6.11	Subd. 22. Cannabis worker. "Cannabis worker" means any individual employed by a
6.12	cannabis business and any individual who is a contractor of a cannabis business whose
6.13	scope of work involves the handling of cannabis plants, cannabis flower, synthetically
6.14	derived cannabinoids, or cannabinoid products.
6.15	Subd. 23. Child-resistant. "Child-resistant" means packaging that meets the poison
6.16	prevention packaging standards in Code of Federal Regulations, title 16, section 1700.15.
6.17	Subd. 24. Cooperative. "Cooperative" means an association conducting business on a
6.18	cooperative plan that is organized or is subject to chapter 308A or 308B.
6.19	Subd. 25. Council. "Council" means the Cannabis Advisory Council.
6.20	Subd. 26. Cultivation. "Cultivation" means any activity involving the planting, growing,
6.21	harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp
6.22	plants, or hemp plant parts.
6.23	Subd. 27. Division of Medical Cannabis. "Division of Medical Cannabis" means a
6.24	division housed in the Office of Cannabis Management that operates the medical cannabis
6.25	program.
6.26	Subd. 28. Division of Social Equity "Division of Social Equity" means a division housed
6.27	in the Office of Cannabis Management that promotes development, stability, and safety in
6.28	communities that have experienced a disproportionate, negative impact from cannabis
6.29	prohibition and usage.
6.30	Subd. 29. Edible cannabinoid product. "Edible cannabinoid product" means any
6.31	product that is intended to be eaten or consumed as a beverage by humans; contains a
6.32	cannabinoid, including a synthetically derived cannabinoid, in combination with food
6.33	ingredients; is not a drug; and is a type of product approved for sale by the office, or is

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7.1	substantially	v similar to a product a	pproved by the o	office including but no	t limited to products
7.2		e nonalcoholic bevera			
7.3	includes low	ver potency edible pro	ducts.		
7.4	<u>Subd. 30</u>). Health care practit	ioner. "Health	care practitioner" mea	ns a
7.5	Minnesota-l	icensed doctor of med	licine, a Minne	sota-licensed physicia	n assistant acting
7.6	within the sc	cope of authorized prac	tice, or a Minne	sota-licensed advance	d practice registered
7.7	nurse who ha	as the primary respons	ibility for the ca	re and treatment of the	equalifying medical
7.8	condition of	an individual diagnos	sed with a quali	fying medical condition	o <u>n.</u>
7.9	Subd. 31	. Health record. "He	alth record" has	the meaning given in	section 144.291,
7.10	subdivision	<u>2.</u>			
7.11	<u>Subd. 32</u>	. Hemp concentrate.	(a) "Hemp cor	centrate" means:	
7.12	(1) the ex	xtracts and resins of a	hemp plant or	hemp plant parts;	
7.13	(2) the ex	xtracts or resins of a he	emp plant or he	mp plant parts that are	e refined to increase
7.14	the presence	e of targeted cannabing	oids; or		
7.15	<u>(3) a pro</u>	duct that is produced	by refining extr	acts or resins of a hen	np plant or hemp
7.16	plant parts a	nd is intended to be co	onsumed by co	mbustion or vaporizat	ion of the product
7.17	and inhalation	on of smoke, aerosol,	or vapor from t	he product.	
7.18	<u>(b)</u> Hem	p concentrate does not	t include synthe	etically derived cannal	pinoids or
7.19	hemp-derive	ed consumer products.	<u>.</u>		
7.20	<u>Subd. 33</u>	. <u>Hemp-derived cons</u>	sumer product	. (a) "Hemp-derived c	onsumer product"
7.21	means a pro	duct intended for hum	nan or animal co	onsumption that:	
7.22	<u>(1) consi</u>	sts of hemp plant part	<u>s;</u>		
7.23	(2) is her	mp concentrate; or			
7.24	(3) conta	ins hemp concentrate	<u>-</u>		
7.25	<u>(b) Hem</u>	p-derived consumer p	roduct includes	hemp-derived topical	products, but does
7.26	not include of	edible cannabinoid pro	oducts, syntheti	cally derived cannabi	noids, hemp fiber
7.27	products, or	hemp grain.			
7.28	<u>Subd. 34</u>	. <u>Hemp-derived topi</u>	<u>cal product.</u> "H	Hemp-derived topical	product" means a
7.29	product inter	nded for human or an	imal consumpti	on that contains hemp	concentrate and is
7.30	intended for	application externally	y to a part of the	e body of a human or a	animal.

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8.1	Subd. 35. Hemp fiber product. "Hemp fiber product" means an intermediate or finished
8.2	product made from the fiber of hemp plant parts that is not intended for human or animal
8.3	consumption. Hemp fiber product includes but is not limited to cordage, paper, fuel, textiles,
8.4	bedding, insulation, construction materials, compost materials, and industrial materials.
8.5	Subd. 36. Hemp grain. "Hemp grain" means the harvested seeds of the hemp plant
8.6	intended for consumption as a food or part of a food product. Hemp grain includes oils
8.7	pressed or extracted from harvested hemp seeds.
8.8	Subd. 37. Hemp plant. "Hemp plant" means all parts of the plant of the genus Cannabis
8.9	that is growing or has not been harvested and has a delta-9 tetrahydrocannabinol
8.10	concentration of no more than 0.3 percent on a dry weight basis.
8.11	Subd. 38. Hemp plant parts. "Hemp plant parts" means any part of the harvested hemp
8.12	plant, including the flower, bud, leaves, stems, and stalk, but does not include derivatives,
8.13	extracts, cannabinoids, isomers, acids, salts, and salts of isomers that are separated from
8.14	the plant. Hemp plant parts does not include hemp fiber products, hemp grain, or hemp
8.15	seed.
8.16	Subd. 39. Hemp seed. "Hemp seed" means the viable seed of the plant of the genus
8.17	Cannabis that is intended to be planted and is reasonably expected to grow into a hemp
8.18	plant. Hemp seed does not include cannabis seed or hemp grain.
8.19	Subd. 39a. Indian lands. "Indian lands" means all lands within the limits of any Indian
8.20	reservation within the boundaries of Minnesota and any lands within the boundaries of
8.21	Minnesota title to which are either held in trust by the United States or over which an Indian
8.22	Tribe exercises governmental power.
8.23	Subd. 40. Industrial hemp. "Industrial hemp" has the meaning given in section 18K.02,
8.24	subdivision 3.
8.25	Subd. 41. Intoxicating cannabinoid. "Intoxicating cannabinoid" means a cannabinoid,
8.26	including a synthetically derived cannabinoid, that when introduced into the human body
8.27	impairs the central nervous system or impairs the human audio, visual, or mental processes.
8.28	Intoxicating cannabinoid includes but is not limited to any tetrahydrocannabinol.
8.29	Subd. 42. Labor peace agreement. "Labor peace agreement" means an agreement
8.30	between a cannabis business and a bona fide labor organization that protects the state's
8.31	interests by, at minimum, prohibiting the labor organization from engaging in picketing,
8.32	work stoppages, or boycotts against the cannabis business. This type of agreement shall not
8.33	mandate a particular method of election or certification of the bona fide labor organization.

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9.1	Subd. 4	- <u>3.</u> License holder. "Li	cense holder" m	leans a person, coope	erative, or business
9.2	that holds a	any of the following lic	enses:		
9.3	<u>(1) cann</u>	nabis cultivator;			
9.4	<u>(2)</u> can	nabis manufacturer;			
9.5	<u>(3)</u> can	nabis retailer;			
9.6	<u>(4) cann</u>	nabis wholesaler;			
9.7	<u>(5) cann</u>	nabis transporter;			
9.8	<u>(6)</u> cani	nabis testing facility;			
9.9	<u>(7) cann</u>	nabis microbusiness;			
9.10	<u>(8) cani</u>	nabis event organizer;			
9.11	<u>(9) cani</u>	nabis delivery service;			
9.12	<u>(10) lov</u>	wer potency edible reta	iler;		
9.13	<u>(11) me</u>	edical cannabis cultivat	or;		
9.14	<u>(12) me</u>	edical cannabis process	or; or		
9.15	<u>(13) me</u>	edical cannabis retailer.	-		
9.16	Subd. 4	4. Local unit of gover	mment. "Local	unit of government"	means a home rule
9.17	charter or s	statutory city, county, to	own, or other po	litical subdivision.	
9.18	Subd. 4	5. Lower potency edi	ble product. "L	ower potency edible	product" means any
9.19	product that	<u>ıt:</u>			
9.20	<u>(1) is in</u>	ntended to be eaten or c	consumed as a b	everage by humans;	
9.21	(2) cont	tains a cannabinoid, incl	luding a syntheti	cally derived cannabi	noid, in combination
9.22	with food i	ngredients;			
9.23	<u>(3) is no</u>	ot a drug;			
9.24	<u>(4) is pa</u>	ackaged in servings that	nt contain no mo	ore than five milligram	ms of delta-9
9.25	tetrahydroc	cannabinol per serving,	25 milligrams	of cannabidiol per ser	rving, 25 milligrams
9.26	of cannabig	gerol per serving, or an	y combination o	f those cannabinoids	that does not exceed
9.27	the identifi	ed amounts;			
9.28	<u>(5) does</u>	s not contain more thar	n a combined to	tal of 0.5 milligrams	of all other
9.29	<u>cannabinoi</u>	<u>ds;</u>			

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10.1	<u>(6) does</u>	s not contain a syntheti	cally derived ca	nnabinoid other than	delta-9
10.2	tetrahydroc	cannabinol; and			
10.3	<u>(</u> 7) is a	type of product approv	red for sale by the	ne office or is substant	cially similar to a
10.4	product app	proved by the office, in	cluding but not	limited to products th	at resemble
10.5	nonalcohol	ic beverages, candy, an	nd baked goods.		
10.6	Subd. 4	6. Matrix barcode. "N	latrix barcode"	means a code that stor	res data in a
10.7		sional array of geometr			able of being read
10.8	by the cam	era on a smartphone or	other mobile d	evice.	
10.9		7. Medical cannabino		•	
10.10		d product provided to a	-		
10.11		caregiver; or a parent,		•	• • • •
10.12 10.13		tailer or medical cannab ndition. A medical can			<u> </u>
			•		
10.14		id, including but not lin	filled to off;		
10.15	<u>(2) pill;</u>				
10.16	<u>(3) liqu</u>	id or oil for use with a	vaporized deliv	ery method;	
10.17	<u>(4) wate</u>	er-soluble cannabinoid n	nultiparticulate,	including granules, pov	wder, and sprinkles;
10.18	<u>(5) oral</u>	ly dissolvable product,	including lozer	nges, gum, mints, bucc	cal tablets, and
10.19	sublingual	tablets;			
10.20	<u>(6) edib</u>	ble products in the form	of gummies ar	nd chews;	
10.21	<u>(7)</u> topi	cal formulation; or			
10.22	<u>(8) any</u>	allowable form or deli	very method ap	proved by the office.	
10.23	Subd. 4	8. Medical cannabis b	ousiness. "Medi	cal cannabis business'	" means an entity
10.24	licensed un	nder this chapter to eng	age in one or m	ore of the following:	
10.25	(1) the	cultivation of cannabis	plants for medi	cal cannabis flower;	
10.26	(2) the	manufacture of medica	l cannabinoid p	roducts; and	
10.27	(3) the	retail sale of medical ca	annabis flower a	and medical cannabing	oid products.
10.28	Subd. 4	9. <mark>Medical cannabis</mark> f	lower. "Medica	l cannabis flower" mea	ans cannabis flower
10.29	provided to	a patient enrolled in the	ne registry prog	ram; a registered desig	nated caregiver; or
10.30	<u>a parent, le</u>	gal guardian, or spouse	e of an enrolled	patient by a cannabis	retailer or medical
10.31	cannabis bu	usiness to treat or allev	iate the sympto	ms of a qualifying me	dical condition.

Article 1 Section 1.

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11.1	Medical cannab	ois flower does no	t include adult-u	se cannabis flower or	hemp-derived
11.2	consumer produ	icts.			
11.3	<u>Subd. 50.</u> M	edical cannabis	paraphernalia.	"Medical cannabis pa	raphernalia" means
11.4	a delivery devic	e, related supply,	or educational n	naterial used by a pat	ient enrolled in the
11.5	registry program	n to administer m	edical cannabis a	and medical cannabin	oid products.
11.6	<u>Subd. 51.</u> N	onintoxicating ca	nnabinoid. "No	onintoxicating cannab	inoid" means a
11.7	cannabinoid tha	t when introduced	l into the human	body does not impair	the central nervous
11.8	system and does	s not impair the hu	uman audio, visu	al, or mental process	es. Nonintoxicating
11.9	cannabinoid inc	ludes but is not lin	nited to cannabic	liol and cannabigerol	but does not include
11.10	any syntheticall	y derived cannabi	noid.		
11.11	<u>Subd. 52.</u> O	ffice. "Office" me	ans the Office o	f Cannabis Managem	ent.
11.12	<u>Subd. 53.</u> O	utdoor advertise	ment. "Outdoor	advertisement" mean	s an advertisement
11.13	that is located or	utdoors or can be s	een or heard by a	n individual who is ou	atdoors and includes
11.14	billboards; adve	ertisements on ben	ches; advertisen	nents at transit station	s or transit shelters;
11.15	advertisements of	on the exterior or in	nterior of buses, t	axis, light rail transit, o	or business vehicles;
11.16	and print signs t	hat do not meet the	e requirements in	section 342.66, subd	ivision 2, paragraph
11.17	(b), but that are	placed or located	on the exterior p	property of a cannabia	s business.
11.18	<u>Subd. 54.</u> P a	atient. "Patient" n	neans a Minneso	ta resident who has b	een diagnosed with
11.19	a qualifying me	dical condition by	a health care pr	actitioner and who ha	as met all other
11.20	requirements fo	r patients under th	nis chapter to par	rticipate in the registr	y program.
11.21	<u>Subd. 55.</u> P :	atient registry nu	mber. "Patient r	egistry number" mea	ns a unique
11.22	identification m	umber assigned by	y the Division of	Medical Cannabis to	a patient enrolled
11.23	in the registry p	rogram.			
11.24	<u>Subd. 56.</u> Q	ualifying medica	l condition. "Qu	alifying medical con	dition" means a
11.25	diagnosis of any	y of the following	conditions:		
11.26	(1) Alzheim	er's disease;			
11.27	(2) autism s	pectrum disorder f	that meets the re	quirements of the fift	h edition of the
11.28	Diagnostic and S	Statistical Manual	of Mental Disord	ers published by the A	merican Psychiatric
11.29	Association;				
11.30	<u>(3) cancer;</u>				
11.31	(4) chronic i	motor or vocal tic	disorder;		
11.32	(5) chronic j	oain;			

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12.1	(6) glaucor	na;							
12.2	<u>(</u> 7) human	immunodeficiency vi	rus or acqui	red immune deficiency	syndrome;				
12.3	(8) intracta	(8) intractable pain as defined in section 152.125, subdivision 1, paragraph (c);							
12.4	(9) obstruc	tive sleep apnea;							
12.5	<u>(10) post-tr</u>	raumatic stress disord	ler;						
12.6	<u>(11)</u> Toure	tte's syndrome;							
12.7	<u>(12)</u> amyot	trophic lateral scleros	is;						
12.8	<u>(13) seizur</u>	es, including those ch	aracteristic	of epilepsy;					
12.9	<u>(14)</u> severe	and persistent muscl	e spasms, in	cluding those character	istic of multiple				
12.10	sclerosis;								
12.11	<u>(15) inflam</u>	nmatory bowel diseas	e, including	Crohn's disease;					
12.12	<u>(16)</u> irritab	le bowel syndrome;							
12.13	<u>(17)</u> obsess	sive-compulsive disor	·der;						
12.14	(18) sickle cell disease;								
12.15	<u>(19) termin</u>	nal illness; or							
12.16	(20) any of	her medical condition	n or its treatr	nent approved by the of	flice.				
12.17	<u>Subd. 57.</u> 1	Registered designate	d caregiver.	"Registered designated	l caregiver" means				
12.18	an individual v	who:							
12.19	(1) is at lea	ast 18 years old;							
12.20	<u>(2) is not d</u>	isqualified for a crimi	inal offense a	according to section 342	2.20, subdivision 2;				
12.21	(3) has bee	n approved by the Di	vision of Me	edical Cannabis to assis	t a patient with				
12.22	obtaining med	ical cannabis flower	and medical	cannabinoid products fi	rom a cannabis				
12.23	retailer or med	lical cannabis retailer	and with ad	ministering medical car	nnabis flower and				
12.24	medical canna	binoid products; and							
12.25	<u>(4) is autho</u>	orized by the Division	of Medical	Cannabis to assist a pat	ient with the use of				
12.26	medical canna	bis flower and medic	al cannabinc	oid products.					
12.27	<u>Subd. 58.</u>	Registry or registry	program. "F	Registry" or "registry pr	ogram" means the				
12.28	patient registr	y established under th	is chapter lis	sting patients authorized	l to obtain medical				
12.29	cannabis flow	er, medical cannabing	oid products,	and medical cannabis p	paraphernalia from				

	SF73	REVISOR	BD	S0073-7	7th Engrossment
13.1	cannabis retaile	ers and medical car	nabis retailers	and administer medic	al cannabis flower
13.2		nnabinoid products			
13.3	Subd 59 R	egistry verificatio	n "Registry ver	rification" means the v	verification provided
13.4				nt is enrolled in the re	
13.5	T			umber, and, if applica	
13.6		•		t, legal guardian, or s	
12.7	·	~	* *	~~~~	·
13.7 13.8				means an area where ed, or stored by a can	
13.8					
13.9				atewide monitoring s	
13.10	<u> </u>	grated cannabis tra	cking, inventor	y, and verification est	ablished or adopted
13.11	by the office.				
13.12	<u>Subd. 62.</u> A	rtificial cannabin	oid. "Artificial	cannabinoid" means	a substance with a
13.13	similar chemica	ll structure and pha	rmacological ac	ctivity to a cannabinoi	d but is not extracted
13.14	or derived from	i cannabis plants, c	annabis flower	, hemp plants, or hem	p plant parts and is
13.15	instead created	or produced by ch	emical or bioch	emical synthesis.	
13.16	Subd. 62a.	Fribal medical car	nnabis board. <u>'</u>	'Tribal medical canna	bis board" means an
13.17	agency establis	hed by each federa	lly recognized	Fribal government and	d duly authorized by
13.18	that Tribe's gov	erning body to per	form regulator	y oversight and monit	or compliance with
13.19	<u>a Tribal medica</u>	ll cannabis program	n and applicabl	e regulations.	
13.20	Subd. 62b. '	Fribal medical ca	nnabis progra	m. <u>"Tribal medical ca</u>	nnabis program"
13.21	means a progra	m established by a	federally recog	gnized Tribal governm	nent within the
13.22	boundaries of N	Ainnesota regardin	g the commerc	ial production, proces	ssing, sale or
13.23	distribution, an	d possession of me	edical cannabis	and medical cannabis	s products.
13.24	Subd. 62c.	Fribal medical can	inabis progran	1 manufacturer. "Tril	oal medical cannabis
13.25	program manuf	acturer" means an	entity designat	ed by a Tribal medica	ıl cannabis board
13.26	within the bour	daries of Minneso	ta or a federally	recognized Tribal go	vernment within the
13.27	boundaries of N	Ainnesota to engag	ge in production	, processing, and sale	or distribution of
13.28	medical cannab	is and medical can	nabis products	under that Tribe's Trib	al medical cannabis
13.29	program.				
13.30	Subd. 62d.	fribal medical can	nabis program	patient. "Tribal medie	cal cannabis program
13.31	patient" means	a person who poss	sesses a valid re	gistration verification	a card or equivalent
13.32	document that i	s issued under the la	aws or regulatio	ons of a Tribal nation w	vithin the boundaries

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14.1	of Minneson	ta and that verifies tha	t the person is e	nrolled in or authoriz	ed to participate in		
14.2	<u>that Tribal r</u>	nation's Tribal medical	cannabis progr	am.			
14.3	Subd. 63	3. Veteran. "Veteran"	means an indivi	dual who satisfies the	e requirements in		
14.4	section 197	.447.					
14.5	Subd. 64	4. Visiting designated	caregiver. "Vis	siting designated care	giver" means an		
14.6	individual v	vho is authorized unde	er a visiting patie	ent's jurisdiction of re	sidence to assist the		
14.7	visiting pati	ent with the use of me	dical cannabis f	lower and medical car	nnabinoid products.		
14.8	To be consid	dered a visiting design	nated caregiver,	the individual must p	ossess a valid		
14.9	verification	card or its equivalent	that is issued by	the visiting patient's	jurisdiction of		
14.10	residence ar	nd that verifies that the	individual is au	thorized to assist the	visiting patient with		
14.11	the adminis	tration of medical can	nabis flower and	l medical cannabinoid	l products under the		
14.12	laws or regu	ulations of the visiting	patient's jurisdi	ction of residence.			
14.13	Subd. 65	5. Visiting patient. "Vi	siting patient" m	eans an individual wh	o is not a Minnesota		
14.14	resident and	l who possesses a vali	d registration ve	rification card or its e	equivalent that is		
14.15	issued unde	r the laws or regulatio	ns of another sta	ate, district, commony	wealth, or territory		
14.16	of the United States verifying that the individual is enrolled in or authorized to participate						
14.17	in that jurisdiction's medical cannabis or medical marijuana program.						
14.18	Subd. 66	6. Volatile solvent. "V	olatile solvent"	means any solvent the	at is or produces a		
14.19	flammable g	gas or vapor that, whe	n present in the	air in sufficient quant	ities, will create		
14.20	explosive or	r ignitable mixtures. Vo	olatile solvent inc	cludes but is not limite	d to butane, hexane,		
14.21	and propane	2.					
14.22	Sec. 2. [34	42.02] OFFICE OF C	CANNABIS MA	ANAGEMENT.			
14.23	Subdivis	sion 1. Establishment	. The Office of (Cannabis Managemen	it is created with the		
14.24	powers and	duties established by	law. In making	rules, establishing pol	icy, and exercising		
14.25	its regulator	ry authority over the c	annabis industry	, the office must:			
14.26	<u>(1) prom</u>	note the public health a	and welfare;				
14.27	<u>(2) prote</u>	ect public safety;					
14.28	<u>(3) elim</u>	inate the illicit market	for cannabis flo	wer and cannabinoid	products;		
14.29	<u>(4) meet</u>	t the market demand for	or cannabis flow	ver and cannabinoid p	roducts;		
14.30	<u>(5) prom</u>	note a craft industry fo	or cannabis flow	er and cannabinoid pr	oducts; and		
14.31	<u>(6) prior</u>	ritize growth and recov	very in commun	ities that have experie	enced a		
14.32	disproportio	onate, negative impact	from cannabis	prohibition.			

Article 1 Sec. 2.

	SF73	REVISOR	BD	S0073-7	7th Engrossment
15.1	<u>Subd. 2.</u>]	Powers and duties.	The office has t	he following powers	and duties:
15.2	(1) to dev	elop, maintain, and e	enforce an organ	ized system of regula	tion for the cannabis
15.3	industry;	•		· · ·	
15.4	(2) to esta	blish programming,	services, and not	ification to protect, m	naintain, and improve
15.5	the health of	citizens;			
15.6	(3) to pre	vent unauthorized ac	ccess to cannabi	s flower, cannabinoic	l products, and
15.7	hemp-derive	d consumer products	by individuals	under 21 years of age	e;
15.8	(4) to esta	ablish and regularly	update standard	s for product testing,	packaging, and
15.9	labeling;				
15.10	(5) to pro	mote economic grov	wth with an emp	hasis on growth in ar	reas that experienced
15.11	a disproporti	onate, negative impa	ct from cannabi	s prohibition;	
15.12	<u>(6) to issu</u>	ue and renew license	<u>s;</u>		
15.13	(7) to req	uire fingerprints from	n individuals de	termined to be subject	ct to fingerprinting,
15.14	including the	e submission of finge	erprints to the Fe	ederal Bureau of Inve	estigation where
15.15	required by 1	aw and to obtain crin	ninal conviction	n data for individuals	seeking a license
15.16	from the offi	ce on the individual's	s behalf or as a c	cooperative member	or director, manager,
15.17	or general pa	urtner of a business e	ntity;		
15.18	<u>(8)</u> to rec	eive reports required	by this chapter	and inspect the prem	uises, records, books,
15.19	and other do	cuments of license h	olders to ensure	compliance with all	applicable laws and
15.20	rules;				
15.21	<u>(9)</u> to autl	horize the use of unm	arked motor veh	nicles to conduct seizu	ures or investigations
15.22	pursuant to t	he office's authority;			
15.23	<u>(10) to im</u>	pose and collect civi	il and administra	ative penalties as prov	vided in this chapter;
15.24	<u>(11) to pu</u>	blish such information	on as may be dee	med necessary for the	e welfare of cannabis
15.25	businesses, c	annabis workers, and	d the health and	safety of citizens;	
15.26	<u>(12) to m</u>	ake loans and grants	in aid to the ext	ent that appropriation	is are made available
15.27	for that purp	ose;			
15.28	(13) to at	thorize research and	studies on canr	abis flower, cannabi	noid products, and
15.29	the cannabis	industry;			
15.30	<u>(14) to pr</u>	ovide reports as requ	ired by law;		

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16.1	(15) to	develop a warning labe	l regarding the	effects of the use of c	cannabis flower and
16.2	<u> </u>	id products by persons 2			
16.3	(16) to	establish limits on the p	otency of cann	abis flower and canna	binoid products that
16.4	<u> </u>	to customers by license			
16.5		dorsement to sell canna			
16.6	<u>(17) to</u>	exercise other powers a	and authority a	nd perform other dution	es required by law.
16.7	Subd. 3	<u>. Medical cannabis pr</u>	ogram. (a) Th	e powers and duties o	f the Department of
16.8	Health with	n respect to the medical of	cannabis progra	um under Minnesota St	atutes 2022, sections
16.9	152.22 to 1	152.37, are transferred t	to the Office of	Cannabis Manageme	nt under section
16.10	<u>15.039.</u>				
16.11	<u>(b) Stat</u>	e employees shall not b	e displaced by	the transfer of duties f	rom the Department
16.12	of Health r	nedical cannabis progra	am to the Offic	e of Cannabis Manage	ement under this
16.13	subdivision	n. Any employees trans	ferred under th	is section to the Offic	e of Cannabis
16.14	Manageme	ent shall retain their cur	rent seniority a	and benefit accrual rate	<u>es.</u>
16.15	Subd. 4	L. Interagency agreem	ents. (a) The o	ffice and the commiss	ioner of agriculture
16.16	shall enter	into interagency agreer	nents to ensure	that edible cannabing	oid products are
16.17	handled, m	nanufactured, and inspe-	cted in a mann	er that is consistent wi	ith the relevant food
16.18	safety requ	irements in chapters 28	3A, 31, and 34	A and associated rules	÷
16.19	<u>(b) The</u>	office may cooperate a	nd enter into o	ther agreements with t	he commissioner of
16.20	agriculture	and may cooperate and	l enter into agr	eements with the com	missioners and
16.21	directors of	f other state agencies an	nd departments	to promote the benef	icial interests of the
16.22	state.				
16.23	Subd. 5	5. Rulemaking. The off	fice may adopt	rules to implement an	y provisions in this
16.24	chapter. Ru	ales for which notice is	published in th	ne State Register befor	re July 1, 2025, may
16.25	be adopted	using the expedited ru	lemaking proce	ess in section 14.389.	
16.26	Subd. 6	<u>5.</u> Director. (a) The gov	ernor shall app	oint a director of the o	ffice with the advice
16.27	and conser	nt of the senate. The dire	ector must be i	n the unclassified serv	vice and must serve
16.28	at the pleas	sure of the governor.			
16.29	(b) The	salary of the director n	nust not exceed	l the salary limit estab	lished under section
16.30	15A.0815,	subdivision 3.			
16.31	(c) Whi	ile serving as the direct	or and within t	wo vears after termina	ting service. the
16.32	<u> </u>	prohibited from having			
16.33		censed under this chapt			
		1			

Article 1 Sec. 2.

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17.1	Subd. 7	7. Employees. (a) The o	office may empl	oy other personnel in	the classified service
17.2	necessary 1	to carry out the duties i	n this chapter.		
17.3	(b) A p	rospective employee of	f the office mus	t submit a completed	criminal history
17.4	records che	eck consent form, a ful	l set of classifia	ble fingerprints, and	the required fees to
17.5	the office.	Upon receipt of this inf	formation, the c	office must submit the	completed criminal
17.6	history rec	ords check consent for	m, full set of cla	assifiable fingerprints	s, and required fees
17.7	to the Bure	eau of Criminal Appreh	ension. After re	eceiving this informat	ion, the bureau must
17.8	conduct a]	Minnesota criminal hist	tory records che	eck of the license app	licant. The bureau
17.9	may excha	nge a license applicant'	s fingerprints w	vith the Federal Burea	u of Investigation to
17.10	obtain the	applicant's national crin	minal history re	cord information. Th	e bureau must return
17.11	the results	of the Minnesota and f	ederal criminal	history records check	as to the director to
17.12	determine	if the applicant is disqu	alified under se	ection 342.20.	
17.13	<u>(c) Wh</u>	ile employed by the off	fice and within	two years after termin	nating employment,
17.14	an employ	ee may not have a direc	ct or an indirect	financial interest in a	a cannabis business
17.15	licensed ur	nder this chapter.			
17.16	Subd. 8	8. Division of Social Eq	uity. The office	must establish a Divis	sion of Social Equity.
17.17	<u>At a minin</u>	num, the division must:	<u>.</u>		
17.18	<u>(1)</u> adm	ninister grants to commu	inities that expen	rienced a disproportio	nate, negative impact
17.19	from canna	abis prohibition and usa	age in order to p	promote economic de	velopment, provide
17.20	services to	prevent violence, supp	ort early interv	ention programs for y	youth and families,
17.21	and promo	te community stability	and safety;		
17.22	<u>(2) act a</u>	as an ombudsperson for	the office to pr	ovide information, in	vestigate complaints
17.23	under this	chapter, and provide or	facilitate dispu	te resolutions; and	
17.24	<u>(3)</u> repo	ort to the office on the s	status of compla	aints and social equit	y in the cannabis
17.25	industry.				
17.26	Subd. 9	O. Compliance with fee	deral law. Noth	ing in this chapter sh	all be construed to
17.27	allow cann	abis to be transported of	outside of the st	ate unless explicitly a	uthorized by federal
17.28	law.				
17.29	EFFE(C TIVE DATE. This se	ction is effectiv	re July 1, 2023, excep	ot for subdivision 3,
17.30	which is ef	ffective January 1, 2024	<u>4.</u>		

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18.1	Sec. 3. [34	2.03] CANNABIS A	DVISORY CO	UNCIL.		
18.2	Subdivis	tion 1. Membership.	(a) The Cannabi	s Advisory Council is	created consisting	
18.3	of the follow	ving members:				
18.4	<u>(1) the d</u>	irector of the Office o	f Cannabis Man	agement or a designed	<u>;</u>	
18.5	(2) the co	ommissioner of emplo	oyment and ecor	omic development or	a designee;	
18.6	(3) the co	ommissioner of reven	ue or a designee	• <u>•</u>		
18.7	(4) the co	ommissioner of health	n or a designee;			
18.8	(5) the co	ommissioner of huma	n services or a d	esignee;		
18.9	<u>(6) the co</u>	ommissioner of public	c safety or a desi	gnee;		
18.10	(7) the co	ommissioner of huma	n rights or a des	ignee;		
18.11	<u>(8)</u> the co	ommissioner of labor	or a designee;			
18.12	<u>(9) the co</u>	ommissioner of agricu	ulture or a design	nee;		
18.13	(10) the commissioner of the Pollution Control Agency or a designee;					
18.14	(11) the	superintendent of the	Bureau of Crimi	nal Apprehension or	a designee;	
18.15	(12) the	colonel of the State Pa	atrol or a design	ee;		
18.16	(13) the	director of the Office	of Traffic Safety	in the Department of	f Public Safety or a	
18.17	designee;					
18.18	<u>(14) a re</u>	presentative from the	League of Minn	esota Cities appointed	d by the league;	
18.19	<u>(15) a re</u>	presentative from the	Association of M	Ainnesota Counties aj	opointed by the	
18.20	association;					
18.21	<u>(16) an e</u>	expert in minority bus	iness developme	nt appointed by the g	overnor;	
18.22	<u>(17)</u> an e	expert in economic de	velopment strate	gies for under-resour	ced communities	
18.23	appointed by	y the governor;				
18.24	<u>(18) an e</u>	expert in farming or re	presenting the in	nterests of farmers ap	pointed by the	
18.25	governor;					
18.26	<u>(19) an e</u>	expert representing the	interests of can	abis workers appoint	ed by the governor;	
18.27	<u>(20)</u> an e	expert representing the	e interests of em	ployers appointed by	the governor;	
18.28	<u>(21)</u> an e	expert in municipal lav	w enforcement v	vith advanced training	<u>; in impairment</u>	
18.29	detection an	d evaluation appointe	d by the governo	<u>or;</u>		

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19.1	<u>(22)</u> an exp	ert in social welfare	e or social justice	e appointed by the g	overnor;
19.2	<u>(23) an exp</u>	ert in criminal justic	ce reform to miti	gate the disproportic	onate impact of drug
19.3	prosecutions o	n communities of co	olor appointed b	y the governor;	
19.4	<u>(</u> 24) an exp	ert in prevention, tr	eatment, and rec	overy related to sub	stance use disorders
19.5	appointed by the	he governor;			
19.6	<u>(25)</u> an exp	ert in minority busi	ness ownership	appointed by the gov	vernor;
19.7	<u>(</u> 26) an exp	ert in women-owne	d businesses ap	pointed by the gover	nor;
19.8	<u>(27)</u> an exp	pert in cannabis retai	iling appointed b	by the governor;	
19.9	<u>(28)</u> an exp	ert in cannabis proc	luct manufacturi	ng appointed by the	governor;
19.10	<u>(29)</u> an exp	ert in laboratory sci	ences and toxic	ology appointed by t	he governor;
19.11	<u>(30)</u> an exp	ert in providing leg	al services to ca	nnabis businesses ap	pointed by the
19.12	governor;				
19.13	<u>(31) an exp</u>	pert in cannabis culti	ivation appointe	d by the governor;	
19.14	<u>(32)</u> an exp	ert in toxicology ap	pointed by the g	governor;	
19.15	<u>(33)</u> an exp	pert in pediatric med	licine appointed	by the governor;	
19.16	<u>(34) an exp</u>	pert in adult medicin	e appointed by t	he governor;	
19.17	<u>(35)</u> two pa	tient advocates, one	who is a patient	enrolled in the medic	al cannabis program
19.18	and one who is	s a parent or caregiv	er of a patient in	the medical cannab	ois program;
19.19	<u>(36) two lic</u>	ensed mental healt	h professionals a	ppointed by the gov	rernor;
19.20	(37) a veter	ran appointed by the	e governor;		
19.21	(38) one m	ember of each of the	e following fede	rally recognized Tri	bes, designated by
19.22	the elected Tri	bal president or cha	irperson of the g	overning bodies of:	
19.23	(i) the Fond	d du Lac Band;			
19.24	(ii) the Gra	nd Portage Band;			
19.25	(iii) the Mi	lle Lacs Band;			
19.26	(iv) the Wh	nite Earth Band;			
19.27	(v) the Bois	s Forte Band;			
19.28	(vi) the Lee	ech Lake Band;			

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20.1	(vii) the Red La	ke Nation;			
20.2	(viii) the Upper	Sioux Communit	<u>y;</u>		
20.3	(ix) the Lower S	Sioux Indian Com	munity;		
20.4	(x) the Shakope	e Mdewakanton S	Sioux Commu	nity; and	
20.5	(xi) the Prairie I	sland Indian Com	nmunity; and		
20.6	(39) a representa	ative from the Loo	cal Public Hea	lth Association of N	linnesota appointed
20.7	by the association.				
20.8	(b) While servir	ig on the Cannabi	s Advisory Co	ouncil and within tw	o years after
20.9	terminating service,	, a council membe	er shall not serv	ve as a lobbyist, as de	efined under section
20.10	10A.01, subdivision	<u>n 21.</u>			
20.11	Subd. 2. Terms;	compensation; r	emoval; vaca	ncy; expiration. The	e membership terms,
20.12	compensation, remo	oval of members	appointed by t	he governor, and fill	ling of vacancies of
20.13	members are provid	led in section 15.	<u>059.</u>		
20.14	Subd. 3. Officer	rs; meetings. (a)	The director o	f the Office of Cann	abis Management
20.15	or the director's des	ignee must chair	the Cannabis A	Advisory Council. T	he advisory council
20.16	must elect a vice-ch	nair and may elect	t other officers	as necessary.	
20.17	(b) The advisory	v council shall me	et quarterly of	r upon the call of the	e chair.
20.18	(c) Meetings of	the advisory cour	ncil are subjec	t to chapter 13D.	
20.19	Subd. 4. Duties	(a) The duties of	the advisory	council shall include	2:
20.20	(1) reviewing na	ational cannabis p	olicy;		
20.21	(2) examining the	ne effectiveness o	f state cannab	is policy;	
20.22	(3) reviewing de	evelopments in th	e cannabis ind	ustry;	
20.23	(4) reviewing de	evelopments in th	e study of can	nabis flower and can	nnabinoid products;
20.24	(5) taking public	e testimony; and			
20.25	(6) making reco	mmendations to t	he Office of C	annabis Manageme	<u>nt.</u>
20.26	(b) At its discret	tion, the advisory	council may e	examine other relate	d issues consistent
20.27	with this section.				

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21.1	Sec. 4. [342	2.04] STUDIES; RE	EPORTS.		
21.2	(a) The of	ffice shall conduct a	study to determine	ine the expected size	and growth of the
21.3	regulated car	mabis industry, inclu	iding an estimate	e of the demand for c	annabis flower and
21.4	cannabinoid p	products, the number	and geographic	distribution of cannab	is businesses needed
21.5	to meet that o	lemand, and the anti	cipated business	from residents of ot	her states.
21.6	<u>(b)</u> The or	ffice shall conduct a	study to determ	ine the size of the illi	cit cannabis market,
21.7	the sources of	fillicit cannabis flow	er and illicit cann	abinoid products in th	ne state, the locations
21.8	of citations is	ssued and arrests mag	de for cannabis o	offenses, and the suba	reas, such as census
21.9	tracts or neig	hborhoods, that expe	erience a disprop	oortionately large am	ount of cannabis
21.10	enforcement.				
21.11	<u>(c)</u> The of	ffice shall conduct a	study on impair	ed driving to determi	ne the number of
21.12	accidents inv	olving one or more o	drivers who adm	itted to using cannab	ois flower or
21.13	cannabinoid	products or who test	ed positive for c	annabis or tetrahydro	ocannabinol, the
21.14	number of ar	rests of individuals for	or impaired drivi	ng in which the indiv	vidual tested positive
21.15	for cannabis	or tetrahydrocannabi	inol, and the nur	nber of convictions f	or driving under the
21.16	influence of o	cannabis flower, can	nabinoid produc	ts, or tetrahydrocann	abinol.
21.17	(d) The of	ffice shall provide pr	reliminary repor	ts on the studies cond	lucted pursuant to
21.18	paragraphs (a	a) to (c) to the legisle	ature by January	15, 2024, and shall p	provide final reports
21.19	to the legislat	ture by January 15, 2	2025. The reports	s may be consolidated	d into a single report
21.20	by the office.	<u>.</u>			
21.21	(e) The of	ffice shall collect exi	isting data from	the Department of H	uman Services,
21.22	Department of	of Health, Minnesota	a state courts, and	d hospitals licensed u	nder chapter 144 on
21.23	the utilization	n of mental health an	d substance use	disorder services, em	ergency room visits,
21.24	and commitn	nents to identify any	increase in the s	services provided or a	any increase in the
21.25	number of vi	sits or commitments	. The office shal	l also obtain summar	y data from existing
21.26	first episode	psychosis programs	on the number of	f persons served by	the programs and
21.27	number of pe	rsons on the waiting	g list. All inform	ation collected by the	e office under this
21.28	paragraph sh	all be included in the	e report required	under paragraph (f).	
21.29	<u>(f)</u> The of	fice shall submit an	annual report to	the legislature by Jan	nuary 15, 2024, and
21.30	each January	15 thereafter. The ann	nual report shall	include but not be lim	ited to the following:
21.31	<u>(1) the sta</u>	atus of the regulated	cannabis industr	<u>'Y;</u>	
21.32	(2) the sta	atus of the illicit canr	nabis market;		

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22.1	(3) the	number of accidents, a	rrests, and conv	victions involving driv	ers who admitted to
22.2	using cann	abis flower or cannabin	noid products o	r who tested positive	for cannabis or
22.3	tetrahydroc	cannabinol;			
22.4	(4) the $($	change in potency, if an	iy, of cannabis f	lower and cannabinoi	d products available
22.5	through the	e regulated market;			
22.6	<u>(5) prog</u>	gress on providing oppo	ortunities to indi	viduals and community	ties that experienced
22.7	a dispropor	rtionate, negative impa	ct from cannab	is prohibition, includin	ng but not limited to
22.8	providing r	elief from criminal con	nvictions and ir	creasing economic op	portunities;
22.9	<u>(6) the</u>	status of racial and geo	graphic diversi	ty in the cannabis ind	ustry;
22.10	<u>(7)</u> prop	oosed legislative chang	ges;		
22.11	<u>(8) info</u>	rmation on the adverse	effects of seco	nd-hand smoke from a	ny cannabis flower,
22.12	<u>cannabinoi</u>	d products, and hemp-	derived consun	ner products that are c	onsumed by
22.13	combustion	n or vaporization of the	product and in	halation of smoke, ae	rosol, or vapor from
22.14	the product	t; and			
22.15	<u>(9) reco</u>	ommendations for level	ls of funding fo	<u>r:</u>	
22.16	<u>(i) a coo</u>	ordinated education pro	ogram to addres	s and raise public awa	reness about the top
22.17	three adver	rse health effects, as de	termined by the	e commissioner of hea	ulth, associated with
22.18	the use of c	cannabis flower or can	nabinoid produ	cts by individuals und	er 21 years of age;
22.19	<u>(ii) a co</u>	oordinated education pr	ogram to education	ate pregnant individua	ls, breastfeeding
22.20	individuals	, and individuals who	may become pr	egnant on the adverse	health effects of
22.21	cannabis fl	ower and cannabinoid	products;		
22.22	<u>(iii)</u> trai	ning, technical assistan	ice, and educati	onal materials for hom	e visiting programs,
22.23	Tribal hom	e visiting programs, an	nd child welfare	workers regarding sa	fe and unsafe use of
22.24	cannabis fl	ower and cannabinoid	products in hor	nes with infants and y	oung children;
22.25	<u>(iv) mo</u>	del programs to educat	te middle schoo	l and high school stud	lents on the health
22.26	effects on c	children and adolescent	ts of the use of	cannabis flower, cann	abinoid products,
22.27	and other in	ntoxicating or controlle	ed substances;		
22.28	(v) grar	nts issued through the C	CanTrain, CanN	lavigate, CanStartup,	and CanGrow
22.29	programs;				
22.30	(vi) gra	nts to organizations for	r community de	evelopment in social e	quity communities
22.31	through the	e CanRenew program;			

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23.1	(vii) trai	ning of peace officers a	nd law enforcen	nent agencies on chang	ges to laws involving	
23.2	cannabis flo	ower, cannabinoid proc	lucts, and hemp	-derived consumer pro	oducts, and the law's	
23.3	impact on s	earches and seizures;				
23.4	(viii) tra	ining of peace officer	s to increase the	number of drug reco	gnition experts;	
23.5	(ix) train	ning of peace officers	on the cultural u	ses of sage and disting	guishing use of sage	
23.6	from the use	e of cannabis flower, i	ncluding wheth	er the Board of Peace	Officer Standards	
23.7	and Trainin	g should approve or d	evelop training	materials;		
23.8	(\mathbf{x}) the r	etirement and replace	nent of drug de	tection dogs; and		
23.9	(xi) the	Department of Humar	Services and c	ounty social service a	gencies to address	
23.10	any increase	e in demand for servic	es.			
23.11	<u>(g)</u> In de	eveloping the recomme	ended funding le	evels under paragraph	(f), clause (9), items	
23.12	<u>(vii)</u> to (xi),	the office shall consu	lt with local lav	v enforcement agencie	es, the Minnesota	
23.13	Chiefs of Po	olice Association, the l	Minnesota Sheri	ff's Association, the L	eague of Minnesota	
23.14	Cities, the A	Association of Minnes	ota Counties, ai	nd county social servio	ces agencies.	
23.15	23.15 Sec. 5. [342.05] STATEWIDE MONITORING SYSTEM.					
23.16	Subdivis	sion 1. Statewide mo	nitoring. The of	fice must contract wit	h an outside vendor	
23.17	to establish	a statewide monitorin	g system for int	egrated cannabis tracl	king, inventory, and	
23.18	verification	to track all cannabis	plants, cannabis	flower, cannabinoid p	products, and	
23.19	syntheticall	y derived cannabinoid	s from seed, im	mature plant, or creat	ion until disposal or	
23.20	sale to a pat	tient or customer.				
23.21	Subd. 2.	Data submission rec	uirements. Th	e monitoring system r	nust allow cannabis	
23.22	businesses a	and Tribal medical car	nabis program	manufacturers to sub	mit monitoring data	
23.23	to the office	e through the use of m	onitoring syster	n software commonly	used within the	
23.24	cannabis in	dustry and may also p	ermit cannabis	ousinesses and Tribal	medical cannabis	
23.25	program ma	anufacturers to submit	monitoring data	through manual data	entry with approval	
23.26	from the of	fice.				
23.27		42.06] APPROVAL (DF CANNABIS	S FLOWER, PRODU	UCTS, AND	
23.28	<u>CANNABI</u>	<u>NOIDS.</u>				
23.29	(a) The	office shall approve ty	pes of cannabis	flower, cannabinoid	products, and	
22.20	1	ad a amazzan an ana dizata	other there have	n domited tonical and	du ata fan natail agla	

23.30 <u>hemp-derived consumer products other than hemp-derived topical products for retail sale.</u>

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24.1	(b) The offic	ce shall not approv	ve any cannabing	oid product or hemp-c	lerived consumer
24.2	product that:				
24.3	<u>(1) is or app</u>	ears to be a lollip	op or ice cream;		
24.4	(2) bears the	e likeness or conta	ins characteristic	es of a real or fictional	l person, animal, or
24.5	fruit;				
24.6	(3) is model	ed after a type or	brand of product	s primarily consumed	l by or marketed to
24.7	children;				
24.8	(4) is substa	ntively similar to	a meat food proc	luct; poultry food pro	duct as defined in
24.9	section 31A.02,	subdivision 10; or	r a dairy product	as defined in section 3	2D.01, subdivision
24.10	<u>7;</u>				
24.11	(5) contains	an artificial canna	abinoid;		
24.12	<u>(6) is made b</u>	y applying a cann	abinoid, includin	g but not limited to a s	ynthetically derived
24.13	cannabinoid, to	a finished food p	roduct that does	not contain cannabing	oids and is sold to
24.14	consumers, incl	uding but not lim	ited to a candy or	r snack food; or	
24.15	(7) if the pro	oduct is an edible	cannabinoid prod	duct, contains an ingr	edient, other than a
24.16	cannabinoid, th	at is not approved	by the United S	tates Food and Drug	Administration for
24.17	use in food.				
24.18	(c) The offic	e must not approv	ve any cannabis	flower, cannabinoid p	roduct, or
24.19	hemp-derived c	onsumer product	that:		
24.20	(1) is intend	ed to be consume	d by combustion	or vaporization of the	e product and
24.21	inhalation of sn	noke, aerosol, or v	apor from the pr	oduct; and	
24.22	(2) imparts a	a taste or smell, ot	her than the tast	e or smell of cannabis	flower, that is
24.23	distinguishable	by an ordinary pe	rson before or du	uring consumption of	the product.
24.24	(d) The offic	e may adopt rules	to limit or prohi	bit ingredients in or ac	lditives to cannabis
24.25	flower, cannabi	noid products, or	hemp-derived co	nsumer products to e	nsure compliance
24.26	with the limitat	ions in paragraph	<u>(c).</u>		
24.27	Sec. 7. [342.0	7] AGRICULTU	RAL AND FOO	DD SAFETY PRAC	ГІСЕS;
24.28	RULEMAKIN	<u>G.</u>			
24.29	Subdivision	1. Plant propaga	ntion standards.	In consultation with	the commissioner
24.30	of agriculture, t	he office by rule r	nust establish ce	rtification, testing, an	d labeling

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25.1	requirements for	or the methods use	d to grow new c	annabis plants or hen	np plants, including
25.2	but not limited	to growth from se	ed, clone, cuttin	g, or tissue culture.	
25.3	Subd. 2. Ag	ricultural best pr	actices. In cons	ultation with the com	missioner of
25.4	agriculture and	representatives fro	om the Universit	ty of Minnesota Exter	nsion Service, the
25.5	office shall esta	blish best practice	es for:		
25.6	(1) the culti	vation and prepara	tion of cannabis	plants; and	
25.7	(2) the use of	of pesticides, fertili	izers, soil amend	lments, and plant ame	endments in relation
25.8	to growing can	nabis plants.			
25.9	<u>Subd. 3.</u> Ed	ible cannabinoid	product handle	er endorsement. (a) .	Any person seeking
25.10	to manufacture	, process, sell, han	dle, or store an e	dible cannabinoid pro	oduct, other than an
25.11	edible cannabir	noid product that h	as been placed i	n its final packaging,	must first obtain an
25.12	edible cannabir	noid product handl	er endorsement.		
25.13	(b) In consu	ltation with the co	ommissioner of a	griculture, the office	shall establish an
25.14	edible cannabir	noid product handl	er endorsement.		
25.15	(c) The offic	ce must regulate e	dible cannabinoi	d product handlers ar	nd assess penalties
25.16	in the same mar	nner provided for	food handlers ur	nder chapters 28A, 31	, and 34A and
25.17	associated rules	s, with the followin	ng exceptions:		
25.18	(1) the office	e must issue an edi	ble cannabinoid	product handler endo	rsement, rather than
25.19	a license;				
25.20	(2) eligibilit	y for an edible canr	nabinoid product	handler endorsement	is limited to persons
25.21	who possess a	valid license issued	d by the office;		
25.22	(3) the offic	e may not charge a	a fee for issuing	or renewing the endo	orsement;
25.23	(4) the offic	e must align the te	erm and renewal	period for edible can	nabinoid product
25.24	handler endorse	ements with the ter	rm and renewal	period of the license i	ssued by the office;
25.25	and				
25.26	<u>(5)</u> an edible	e cannabinoid prod	luct must not be	considered adulterate	d solely because the
25.27	product contain	s tetrahydrocannab	oinol, cannabis co	oncentrate, or any othe	er material extracted
25.28	or derived from	a cannabis plant,	cannabis flower	, hemp plant, or hemp	o plant parts.
25.29	(d) The edib	ele cannabinoid pro	oduct handler en	dorsement must prohi	bit the manufacture
25.30	of edible canna	binoid products at	the same premi	ses where food is man	nufactured, except
25.31	for the limited	production of edib	le products prod	uced solely for produ	ict development,
25.32	sampling, or tes	sting.			

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26.1	Sec. 8. [342	.08] ESTABLISHN	MENT OF EN	VIRONMENTAL ST	TANDARDS.
26.2	Subdivisio	on 1. Water standar	ds. In consulta	tion with the commissi	oner of the Pollution
26.3	Control Agen	cy, the office by rul	e must establis	n appropriate water sta	andards for cannabis
26.4	businesses.				
26.5	<u>Subd. 2.</u>	E nergy use. In const	ultation with th	e commissioner of con	mmerce, the office
26.6	by rule must	establish appropriate	e energy standa	rds for cannabis busir	lesses.
26.7	<u>Subd. 3.</u>	olid waste. In const	ultation with th	e commissioner of the	Pollution Control
26.8	Agency, the o	office by rule must es	stablish approp	riate solid waste stand	ards for the disposal
26.9	<u>of:</u>				
26.10	<u>(1)</u> cannat	ois flower and canna	binoid product	<u>s;</u>	
26.11	(2) packag	<u>ging;</u>			
26.12	(3) recycla	able materials, inclu	ding minimum	requirements for the	use of recyclable
26.13	materials; and	<u>1</u>			
26.14	(4) other s	solid waste.			
26.15	<u>Subd. 4.</u>)dor. The office by r	ule must establ	ish appropriate standa	rds and requirements
26.16	to limit odors	produced by cannal	bis businesses.		
26.17	<u>Subd. 5.</u> <u>A</u>	pplicability; federa	ll, state, and lo	cal laws. A cannabis b	usiness must comply
26.18	with all applie	cable federal, state,	and local laws	related to the subjects	of subdivisions 1 to
26.19	<u>4.</u>				
26.20	<u>Subd. 6.</u> F	Rulemaking. (a) The	e office may on	ly adopt a rule under th	his section if the rule
26.21	is consistent v	with and at least as s	tringent as app	icable state and federa	al laws related to the
26.22	subjects of su	bdivisions 1 to 4.			
26.23	(b) The of	fice must coordinate	e and consult w	ith a department or ag	gency of the state
26.24	regarding the	development and im	plementation o	f a rule under this sect	ion if the department
26.25	or agency has	expertise or a regul	atory interest i	n the subject matter of	f the rule.
26.26	Sec. 9. [342	2.09] PERSONAL A	ADULT USE (OF CANNABIS.	
26.27	Subdivisio	on 1. Personal adult	t use, possessio	n, and transportatior	<u>ı of cannabis flower</u>
26.28	and cannabi	noid products. (a) A	An individual 2	1 years of age or olde	r may:
26.29	<u>(1)</u> use, po	ossess, or transport c	annabis paraph	nernalia;	
26.30	<u>(2) posses</u>	s or transport two ou	nces or less of a	adult-use cannabis flov	ver in a public place;

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27.1	(3) pos	sess five pounds or less	s of adult-use can	nabis flower in the	individual's private
27.2	residence;				
27.3	<u>(4) pos</u>	sess or transport eight g	grams or less of a	dult-use cannabis c	concentrate;
27.4	<u>(5) pos</u>	sess or transport edible	cannabinoid pro	ducts infused with	a combined total of
27.5	800 millig	rams or less of tetrahyd	rocannabinol;		
27.6	(6) give	e for no remuneration tw	vo ounces or less o	of adult-use cannabi	s flower, eight grams
27.7	or less of a	dult-use cannabis conc	entrate, or an edi	ble cannabinoid pro	oduct infused with
27.8	800 millig	rams or less of tetrahyd	rocannabinol to a	an individual who i	s at least 21 years of
27.9	age; and				
27.10	<u>(7) use</u>	adult-use cannabis flow	wer and adult-use	cannabinoid produ	acts in the following
27.11	locations:				
27.12	<u>(i) a pri</u>	vate residence, includi	ng the individual	's curtilage or yard;	
27.13	<u>(ii) on j</u>	private property, not ge	nerally accessible	e by the public, unl	ess the individual is
27.14	explicitly p	prohibited from consum	ning cannabis flor	wer or cannabinoid	products on the
27.15	property by	y the owner of the prop	erty; or		
27.16	<u>(iii) on</u>	the premises of an estab	lishment or even	t licensed to permit	on-site consumption.
27.17	<u>(b)</u> Exc	ept as provided in para	graph (c), an ind	ividual may not:	
27.18	<u>(1) use</u> .	, possess, or transport c	annabis flower o	r cannabinoid prod	ucts if the individual
27.19	is under 21	years of age;			
27.20	<u>(2) use</u>	cannabis flower or can	nabinoid products	s in a motor vehicle	as defined in section
27.21	<u>169A.03, s</u>	subdivision 15;			
27.22	<u>(3)</u> use	cannabis flower or can	nabinoid product	s at any location w	here smoking is
27.23	prohibited	under section 144.414;			
27.24	<u>(</u> 4) use	or possess cannabis flo	wer or cannabino	id products in a pub	lic school, as defined
27.25	in section	120A.05, subdivisions	9, 11, and 13, or	in a charter school	governed by chapter
27.26	<u>124E, inclu</u>	uding all facilities, whet	her owned, rented	d, or leased, and all	vehicles that a school
27.27	district ow	ns, leases, rents, contra	cts for, or control	<u>ls;</u>	
27.28	<u>(5) use</u>	or possess cannabis flow	ver or cannabinoi	d products in a state	correctional facility;
27.29	<u>(6) ope</u>	rate a motor vehicle wh	ile under the influ	uence of cannabis fl	ower or cannabinoid
27.30	products;				

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28.1	(7) give fo	r no remuneration ca	annabis flower	or cannabinoid produ	cts to an individual
28.2	under 21 years				
28.3	(8) give for	r no remuneration of	annahis flower	or cannabinoid produ	cts as a sample or
28.3	· · -			selling goods or servi	
28.5	<u> </u>			binoid products, artifi	
28.6 28.7	<u>.</u>	d be inhaled by a mi	•	s in any location where	e the smoke, aerosol,
28.7	or vapor wour	d be limated by a lim	<u>1101.</u>		
28.8				uses (1) to (4), do not a	
28.9				d, possession, or trans	
28.10	cannabis flow	er or medical cannal	pinoid products	s by a patient; a registe	ered designated
28.11	caregiver; or a	parent, legal guardi	an, or spouse of	of a patient.	
28.12	(d) A prop	rietor of a family or	group family c	lay care program mus	t disclose to parents
28.13	or guardians o	f children cared for	on the premise	s of the family or grou	up family day care
28.14	program, if the	e proprietor permits	the smoking or	use of cannabis flow	er or cannabinoid
28.15	products on th	e premises outside o	f its hours of o	peration. Disclosure n	nust include posting
28.16	on the premise	es a conspicuous wri	tten notice and	orally informing pare	ents or guardians.
28.17	Cannabis flow	er or cannabinoid pr	roducts must be	e inaccessible to child	en and stored away
28.18	from food pro	ducts.			
28.19	<u>Subd. 2.</u> H	ome cultivation of	cannabis for p	ersonal adult use. U	p to eight cannabis
28.20	plants, with no	more than four bei	ng mature, flov	vering plants may be	grown at a single
28.21	residence, incl	uding the curtilage	or yard, withou	t a license to cultivate	cannabis issued
28.22	under this cha	pter provided that cu	ultivation takes	place at the primary 1	esidence of an
28.23	individual 21 y	vears of age or older	and in an enclo	sed, locked space that	is not open to public
28.24	view.				
28.25	<u>Subd. 3.</u> H	ome extraction of o	cannabis conc	entrate by use of vola	atile solvent
28.26	prohibited. N	o person may use a v	olatile solvent	to separate or extract c	annabis concentrate
28.27	without a cann	abis manufacturer, o	cannabis micro	business, or medical of	cannabis processor
28.28	license issued	under this chapter.			
28.29	<u>Subd. 4.</u>	ale of cannabis flow	ver and canna	binoid products prol	nibited. No person
28.30	may sell canna	bis flower or cannab	inoid products	without a license issue	ed under this chapter
28.31	that authorizes	s the sale.			
28.32	Subd. 5. In	nportation of hemp	-derived produ	ucts. No person may ir	nport lower potency
28.33				icts, other than hemp-	• • •

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29.1	products, th	at are manufactured o	outside the bound	laries of the state of I	Minnesota with the
29.2	intent to sel	l the products to cons	umers within the	state or to any other	person or business
29.3	that intends	to sell the products to	consumers with	in the state without a	license issued under
29.4	this chapter	that authorizes the in	nportation of suc	h products. This sub	division does not
29.5	apply to pro	ducts lawfully purcha	ased for personal	use.	
29.6	Subd. 6.	Violations; penaltie	s. (a) In addition	to penalties listed in	this subdivision, a
29.7	person who	violates the provision	ns of this chapter	is subject to any app	olicable criminal
29.8	penalty.				
29.9	<u>(b)</u> The	office may assess the	following civil p	penalties on a person	who sells cannabis
29.10	flower or ca	nnabinoid products v	vithout a license	issued under this cha	pter that authorizes
29.11	the sale:				
29.12	<u>(1) if the</u>	e person sells more the	an two ounces bu	it not more than eight	t ounces of cannabis
29.13	flower, up to	o \$1,000;			
29.14	(2) if the	e person sells more th	an eight ounces l	out not more than one	e pound of cannabis
29.15	flower, up to	o \$5,000;			
29.16	(3) if the	e person sells more th	an one pound bu	t not more than five	pounds of cannabis
29.17	flower, up to	o \$25,000;			
29.18	(4) if the	e person sells more th	an five pounds b	ut not more than 25	oounds of cannabis
29.19	flower, up to	o \$100,000;			
29.20	(5) if the	e person sells more th	an 25 pounds bu	t not more than 50 pc	ounds of cannabis
29.21	flower, up to	o \$250,000; and			
29.22	(6) if the	e person sells more th	an 50 pounds of	cannabis flower, up t	to \$1,000,000.
29.23	<u>(c)</u> The o	office may assess the	following civil p	enalties on a person	who sells cannabis
29.24	concentrate	without a license issu	ed under this ch	apter that authorizes	the sale:
29.25	(1) if the	e person sells more th	an eight grams b	ut not more than 40 g	grams of cannabis
29.26	concentrate.	, up to \$1,000;			
29.27	(2) if the	e person sells more th	an 40 grams but	not more than 80 gra	ms of cannabis
29.28	concentrate,	, up to \$5,000;			
29.29	(3) if the	e person sells more th	an 80 grams but	not more than 400 gr	cams of cannabis
29.30	concentrate,	, up to \$25,000;			
29.31	(4) if the	person sells more that	n 400 grams but	not more than two ki	lograms of cannabis
29.32	concentrate.	, up to \$100,000;			

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30.1	(5) if the	person sells more the	an two kilogram	s but not more than	four kilograms of
30.2	cannabis con	centrate, up to \$250	,000; and		
30.3	(6) if the p	person sells more than	n four kilograms (of cannabis concentra	ate, up to \$1,000,000.
30.4	<u>(d)</u> The o	ffice may assess the	following civil p	enalties on a person	who imports or sells
30.5	products infu	sed with tetrahydroc	cannabinol witho	ut a license issued u	nder this chapter that
30.6	authorizes th	e importation or sale	<u>:</u>		
30.7	(1) if the p	person imports or sell	s products infuse	d with a total of more	e than 800 milligrams
30.8	but not more	than four grams of t	tetrahydrocannab	pinol, up to \$1,000;	
30.9	(2) if the	person imports or se	ells products infu	sed with a total of m	nore than four grams
30.10	but not more	than eight grams of	tetrahydrocanna	binol, up to \$5,000;	
30.11	(3) if the	person imports or se	lls products infu	sed with a total of m	ore than eight grams
30.12	but not more	than 40 grams of tet	trahydrocannabir	nol, up to \$25,000;	
30.13	(4) if the	person imports or se	ells products infu	sed with a total of m	nore than 40 grams
30.14	but not more	than 200 grams of to	etrahydrocannab	inol, up to \$100,000	<u>);</u>
30.15	(5) if the	person imports or se	ells products infu	sed with a total of m	nore than 200 grams
30.16	but not more	than 400 grams of to	etrahydrocannab	inol, up to \$250,000	; and
30.17	(6) if the	person imports or se	ells products infu	sed with a total of m	nore than 400 grams
30.18	of tetrahydro	cannabinol, up to \$1	,000,000.		
30.19	<u>(e)</u> The o	ffice may assess a ci	vil penalty of up	to \$500 for each pla	ant grown in excess
30.20	of the limit or	n a person who grows	s more than eight	cannabis plants or m	ore than four mature,
30.21	flowering pla	ants, without a licens	se to cultivate car	nnabis issued under	this chapter.
30.22	Sec. 10. [3 4	42.10] LICENSES;	TYPES.		
30.23	The offic	e shall issue the follo	owing types of li	cense:	
30.24	<u>(1) canna</u>	bis cultivator, includ	ling:		
30.25	<u>(i) craft c</u>	ultivator; and			
30.26	<u>(ii) bulk c</u>	cultivator;			
30.27	<u>(2) canna</u>	bis manufacturer;			
30.28	<u>(3)</u> canna	bis retailer;			
30.29	<u>(4) canna</u>	bis wholesaler;			
30.30	<u>(5) canna</u>	bis transporter;			
	Article 1 Sec. 1	0	30		

Article 1 Sec. 10.

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31.1	(6) cannabi	s testing facility;			
31.2	(7) cannabi	s microbusiness;			
31.3	(8) cannabi	s event organizer;			
31.4	(9) cannabi	s delivery service;			
31.5	(10) lower	potency edible retai	iler;		
31.6	<u>(11) medica</u>	al cannabis cultivate	or;		
31.7	<u>(12) medica</u>	al cannabis process	or; and		
31.8	<u>(13) medica</u>	al cannabis retailer.			
31.9	Sec. 11. [342	.11] LICENSES; I	TEES.		
31.10	Except for	the application fees	authorized und	ler sections 342.12, para	graph (d), and
31.11	<u>342.15, subdiv</u>	ision 4, the office sl	hall not charge	a fee for annual licenses	issued under this
31.12	chapter.				
31.13	Sec. 12. [342	.12] LICENSES; 7	FRANSFERS;	ADJUSTMENTS.	
31.14	(a) License	s issued under this	chapter may no	t be transferred. A new	license must be
31.15	obtained when	<u>:</u>			
31.16	(1) the form	n of the licensee's le	egal business st	ructure converts or chan	ges to a different
31.17	type of legal b	usiness structure;			
31.18	(2) the licer	nsee dissolves, cons	solidates, or me	erges with another legal of	organization;
31.19	(3) within t	he previous 24 mor	ths, 50 percent	t or more of the licensee	is transferred by
31.20	a single transac	ction or multiple tra	insactions to:		
31.21	(i) another	person or legal orga	anization; or		
31.22	(ii) a person	n or legal organizati	ion who had les	ss than a five percent ow	mership interest
31.23	in the licensee	at the time of the fi	rst transaction;	or	
31.24	(4) any othe	er event or combina	ation of events	that results in a substitut	ion, elimination,
31.25	or withdrawal	of the licensee's res	ponsibility for	the operation of the licer	nsee.
31.26	(b) License	s must be renewed	annually.		
31.27	(c) License	holders may petitic	on the office to	adjust the tier of a licens	se issued within a
31.28	license categor	y provided that the	license holder	meets all applicable requ	uirements.

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32.1	(d) The office by rule may permit relocation of a licensed cannabis business, adopt
32.2	requirements for the submission of a license relocation application, establish standards for
32.3	the approval of a relocation application, and charge a fee not to exceed \$250 for reviewing
32.4	and processing applications. Relocation of a licensed premises pursuant to this paragraph
32.5	does not extend or otherwise modify the license term of the license subject to relocation.
32.6	Sec. 13. [342.14] LOCAL CONTROL.
32.7	(a) A local unit of government may not prohibit the possession, transportation, or use
32.8	of cannabis flower or cannabinoid products authorized under this chapter.
32.9	(b) A local unit of government may not prohibit the establishment or operation of a
32.10	cannabis business licensed under this chapter.
32.11	(c) A local unit of government may adopt reasonable restrictions on the time, place, and
32.12	manner of the operation of a cannabis business provided that such restrictions do not prohibit
32.13	the establishment or operation of cannabis businesses. A local unit of government may
32.14	prohibit the operation of a cannabis business within 1,000 feet of a school, day care, or the
32.15	Capitol or Capitol grounds.
32.16	(d) The office shall work with local units of government to develop model ordinances
32.17	for reasonable restrictions on the time, place, and manner of the operation of a cannabis
32.18	business.
32.19	(e) If a local unit of government is conducting studies or has authorized a study to be
32.20	conducted or has held or has scheduled a hearing for the purpose of considering adoption
32.21	or amendment of reasonable restrictions on the time, place, and manner of the operation of
32.22	a cannabis business, the governing body of the local unit of government may adopt an
32.23	interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting
32.24	the planning process and the health, safety, and welfare of its citizens. Before adopting the
32.25	interim ordinance, the governing body must hold a public hearing. The interim ordinance
32.26	may regulate, restrict, or prohibit the operation of a cannabis business within the jurisdiction
32.27	or a portion thereof until January 1, 2025.
32.28	(f) Within 30 days of receiving a copy of an application from the office, a local unit of
32.29	government shall certify on a form provided by the office whether a proposed cannabis
32.30	business complies with local zoning ordinances and, if applicable, whether the proposed
32.31	business complies with the state fire code and building code.
32.32	(g) Upon receipt of an application for a license issued under this chapter, the office shall
32.33	contact the local unit of government in which the business would be located and provide

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33.1	the local un	it of government with	30 days in which	h to provide input on	the application. The
33.2	local unit of	f government may pro	vide the office w	vith any additional inf	formation it believes
33.3	is relevant t	to the office's decision	on whether to is	ssue a license, includ	ing but not limited
33.4	to identifyin	ng concerns about the	proposed locatio	n of a cannabis busin	ess or sharing public
33.5	information	about an applicant.			
33.6	<u>(h)</u> The	office by rule shall est	ablish an expedi	ited complaint proces	s to receive, review,
33.7	and respond	d to complaints made	by a local unit of	f government about a	a cannabis business.
33.8	Complaints	may include alleged	violations of loca	al ordinances or othe	r alleged violations.
33.9	At a minim	um, the expedited com	plaint process sl	hall require the office	to provide an initial
33.10	response to	the complaint within	seven days and p	perform any necessar	y inspections within
33.11	30 days. No	othing in this paragrap	hs prohibits a lo	cal unit of governme	nt from enforcing a
33.12	local ordina	ance.			
33.13	Sec. 14. [342.15] LICENSE A	PPLICATION .	AND RENEWAL; I	TEES.
33.14	<u>Subdivi</u>	sion 1. Application; o	contents. (a) The	e office by rule shall	establish forms and
33.15	procedures	for the processing of	licenses issued u	nder this chapter. At	a minimum, any
33.16	application	to obtain or renew a lic	ense shall includ	le the following inform	nation, if applicable:
33.17	<u>(1) the r</u>	name, address, and dat	e of birth of the	applicant;	
33.18	(2) the c	lisclosure of ownershi	p and control red	quired under paragra	ph (b);
33.19	(3) the c	lisclosure of whether t	the applicant or,	if the applicant is a b	usiness, any officer,
33.20	director, ma	anager, and general pa	rtner of the busing	ness has ever filed fo	r bankruptcy;
33.21	(4) the a	address and legal prop	erty description	of the business;	
33.22	<u>(5) docu</u>	mentation showing le	gal possession o	of the premises where	the business will
33.23	operate;				
33.24	<u>(6) a dia</u>	agram of the premises,	including a sec	urity drawing;	
33.25	<u>(7)</u> a co	py of the security plan			
33.26	<u>(8) proo</u>	f of trade name regist	ration;		

- (9) a copy of the applicant's business plan showing the expected size of the business; 33.27
- anticipated growth; the methods of record keeping; the knowledge and experience of the 33.28
- applicant and any officer, director, manager, and general partner of the business; the 33.29
- environmental plan; and other relevant financial and operational components; 33.30

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34.1	(10) an attestation signed by a bona fide labor organization stating that the applicant has						
34.2	entered into a labor peace agreement;						
34.3	(11) cer	rtification that the appli	cant will comr	ly with the requirement	nts of this chapter		
34.4		the ownership and oper					
34.5	(12) ide	entification of one or mo	re controlling	persons or managerial e	employees as agents		
34.6	(12) identification of one or more controlling persons or managerial employees as agents who shall be responsible for dealing with the office on all matters; and						
		(13) a statement that the applicant agrees to respond to the office's supplemental requests					
34.7 34.8	for informa	••	ant agrees to re-	spond to the office's su	ppremental requests		
54.0							
34.9		applicant must file and u					
34.10	The office by rule shall establish the contents and form of the disclosure. At a minimum,						
34.11	the disclos	the disclosure shall include the following:					
34.12	(1) the management structure, ownership, and control of the applicant or license holder,						
34.13	including t	including the name of each cooperative member, officer, director, manager, general partner					
34.14	or business	or business entity; the office or position held by each person; each person's percentage					
34.15	ownership	ownership interest, if any; and, if the business has a parent company, the name of each					
34.16	owner, board member, and officer of the parent company and the owner's, board member's,						
34.17	or officer's	or officer's percentage ownership interest in the parent company and the cannabis business;					
34.18	<u>(</u> 2) a sta	(2) a statement from the applicant and, if the applicant is a business, from every officer,					
34.19	director, m	anager, and general par	tner of the bus	iness, indicating wheth	ner that person has		
34.20	previously	previously held, or currently holds, an ownership interest in a cannabis business in Minnesota,					
34.21	any other s	any other state or territory of the United States, or any other country;					
34.22	(3) if the applicant is a corporation, copies of its articles of incorporation and bylaws						
34.23	and any amendments to its articles of incorporation or bylaws;						
34.24	(4) copies of any partnership agreement, operating agreement, or shareholder agreement;						
34.25	(5) copies of any promissory notes, security instruments, or other similar agreements;						
34.26	(6) explanation detailing the funding sources used to finance the business;						
34.27	<u>(7) a lis</u>	t of operating and inves	tment accounts	for the business, inclu	ding any applicable		
34.28	financial in	financial institution and account number; and					
34.29	<u>(8) a lis</u>	t of each outstanding loa	n and financial	obligation obtained for	r use in the business,		
34.30	including t	he loan amount, loan te	erms, and name	and address of the cre	editor.		
34.31	<u>(c)</u> An a	application may include	2:				

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35.1	(1) proof that the applicant is a social equity applicant;					
25.2						
35.2	(2) a diversity plan that establishes a goal of diversity in ownership, management,					
35.3	employment, and	u contracting;				
35.4	(3) a descript	ion of the training an	d education that w	vill be provided to a	any employee;	
35.5	or					
35.6	(4) a copy of business policies governing operations to ensure compliance with this					
35.7	chapter.					
35.8	(d) Commitm	nents made by an app	licant in its applic	ation, including bu	t not limited to	
35.9	the maintenance	of a labor peace agre	ement, shall be ar	ongoing material	condition of	
35.10	maintaining and	renewing the license.				
35.11	(e) An applic	ation on behalf of a c	orporation or asso	ociation shall be sig	ined by at least	
35.12	two officers or managing agents of that entity.					
35.13	Subd. 2. App	olication; process. (a)	An applicant mu	st submit all requir	ed information	
35.14	to the office on t	he forms and in the m	nanner prescribed	by the office.		
35.15	(b) If the offi	ce receives an applica	ation that fails to p	provide the required	l information,	
35.16	the office shall is	ssue a deficiency noti	ce to the applican	t. The applicant sha	all have ten	
35.17	business days fro	om the date of the def	iciency notice to s	submit the required	information.	
35.18	(c) Failure by	an applicant to submi	t all required infor	mation will result in	n the application	
35.19	being rejected.					
35.20	(d) Upon rec	eipt of a completed ap	plication and fee	, the office shall for	ward a copy of	
35.21	the application to	o the local unit of gov	ernment in which	the business opera	tes or intends to	
35.22	operate with a form for certification as to whether a proposed cannabis business complies					
35.23	with local zoning	g ordinances and, if a	pplicable, whether	r the proposed busi	ness complies	
35.24	with the state fire	e code and building c	ode.			
35.25	<u>(e)</u> Within 90	days of receiving a c	completed applica	tion, the office shal	l issue the	
35.26	appropriate licen	use or send the application	ant a notice of reje	ection setting forth	specific reasons	
35.27	that the office di	d not approve the app	lication.			
35.28	Subd. 3. Cri	minal history check.	A license applicar	nt or, in the case of a	business entity,	
35.29	every cooperativ	e member or director	, manager, and ge	neral partner of the	business entity,	
35.30	must submit a co	mpleted criminal histo	ry records check c	onsent form, a full s	et of classifiable	
35.31	fingerprints, and	the required fees to the	ne office. Upon re	ceipt of this inform	ation, the office	
35.32	must submit the c	completed criminal his	tory records check	consent form, full s	et of classifiable	

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36.1	fingerprints, an	d required fees to	the Bureau of Crir	ninal Apprehension	After receiving this	
36.2				criminal history re		
36.3	license applica	nt. The bureau ma	y exchange a lice	nse applicant's fing	erprints with the	
36.4	Federal Bureau	of Investigation	to obtain the appli	cant's national crim	inal history record	
36.5	information. Th	e bureau must retu	urn the results of th	e Minnesota and fee	deral criminal history	
36.6	records checks	to the director to	determine if the a	pplicant is disqualif	fied under section	
36.7	<u>342.20.</u>					
36.8	<u>Subd. 4.</u> Ap	plication; fees. 7	The office may cha	arge a nonrefundabl	e fee, not to exceed	
36.9	\$250, to cover	the costs associate	ed with reviewing	and processing app	olications.	
36.10	Sec. 15. [342.	.16] SOCIAL EQ	DUITY APPLIC A	ANTS.		
36.11	An individu	al qualifies as a s	ocial equity applie	cant if the individua	ıl is:	
36.12	(1) a military veteran who lost honorable status due to a cannabis-related offense;					
36.13	(2) a resident for the last five years of one or more subareas, such as census tracts or					
36.14	neighborhoods,	that experienced	a disproportionate	ly large amount of c	annabis enforcement	
36.15	as determined b	as determined by the study conducted by the office pursuant to section 342.04, paragraph				
36.16	(b), and reported in the preliminary report, final report, or both; or					
36.17	(3) a resider	nt for the last five	years of one or m	ore census tracts w	here, as reported in	
36.18	the most recently completed decennial census published by the United States Bureau of the					
36.19	Census, either:					
36.20	(i) the pove	rty rate was 20 pe	ercent or more; or			
36.21	(ii) the med	ian family income	e did not exceed 8	0 percent of statew	ide median family	
36.22	income or, if in a metropolitan area, did not exceed the greater of 80 percent of the statewide					
36.23	median family	income or 80 perc	cent of the mediar	family income for	that metropolitan	
36.24	area.					
36.25	Sec. 16. [342	.17] LICENSE S	ELECTION CR	ITERIA.		
36.26	Subdivision	1. Market stabil	ity. The office sha	ll issue the necessar	ry number of licenses	
36.27	in order to ensu	re the sufficient su	upply of cannabis	flower and cannabir	noid products to meet	
36.28	demand, provid	le market stability	y, and limit the sal	e of unregulated car	nnabis flower and	
36.29	cannabinoid pro	oducts.				

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37.1	Subd. 2	. Craft cultivation pr	iority. (a) The o	ffice shall prioritize is	ssuance of
37.2		ess licenses with an end			
37.3	licenses.				
37.4	<u>(b)</u> Unle	ess the office determine	es that the issuan	ce of bulk cultivator l	icenses is necessary
37.5	to ensure a	sufficient supply of ca	nnabis flower a	nd cannabinoid produ	cts, the office shall
37.6	not issue a	bulk cultivator license	before July 1, 2	.028.	
37.7	Subd. 3	. Vertical integration	prohibited; exc	eptions. (a) Except as	otherwise provided
37.8	in this subd	livision, the office shal	ll not issue licen	ses to a single applica	nt that would result
37.9	in the appli	cant being vertically in	ntegrated in viol	ation of the provision	s of this chapter.
37.10	<u>(b) Notl</u>	hing in this section pro	hibits or limits t	he issuance of microl	ousiness licenses.
37.11	<u>(c) If th</u>	e office determines that	at the issuance o	f multiple licenses res	sulting in a single
37.12	applicant b	eing vertically integrat	ted is necessary	to ensure a sufficient	supply of cannabis
37.13	flower and	cannabinoid products	during the first of	calendar year in which	h cannabis flower
37.14	and cannab	inoid products are law	fully sold to cus	stomers, the office ma	y authorize one or
37.15	more applie	cants to be fully vertica	ally integrated. I	Regardless of when th	e licenses were
37.16	issued, lice	nses issued under the t	terms of this par	agraph expire one yea	ar after the first day
37.17	on which ca	annabis flower and can	nabinoid produ	cts are lawfully sold to	o customers and the
37.18	office may	not issue multiple lice	nses resulting in	a single applicant be	ing vertically
37.19	integrated a	after that date.			
37.20	Subd. 4	. Application score; li	icense priority.	(a) The office shall a	ward points to each
37.21	completed	application in the follo	wing categories	<u>:</u>	
37.22	(1) statu	is as a social equity ap	plicant or as an	applicant who is subs	tantially similar to
37.23	a social equ	uity applicant as descri	bed in paragrap	h (c);	
37.24	<u>(2) statu</u>	us as a veteran applicar	nt;		
37.25	<u>(3) secu</u>	rity and record keepin	<u>g;</u>		
37.26	<u>(4) emp</u>	loyee training plan;			
37.27	<u>(5) busi</u>	ness plan and financia	l situation;		
37.28	<u>(6) dive</u>	ersity plan;			
37.29	<u>(7)</u> labo	r and employment pra	ctices;		
37.30	<u>(8) knov</u>	wledge and experience	e; and		
37.31	<u>(9) envi</u>	ronmental plan.			

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(b) The office may award additional points to an application if the license holder would
 expand service to an underrepresented market including but not limited to participation in
 the medical cannabis program.

(c) The office shall establish application materials permitting individual applicants to
 demonstrate the impact that cannabis prohibition has had on that applicant including but
 not limited to the arrest or imprisonment of the applicant or a member of the applicant's
 immediate family, and the office may award points to such applicants in the same manner
 as points are awarded to social equity applicants.

38.9 (d) The office shall establish policies and guidelines, which shall be made available to
 38.10 the public, regarding the number of points available in each category and the basis for

38.11 awarding those points. Status as a social equity applicant must account for at least 20 percent

38.12 of the total available points. In determining the number of points to award to a cooperative

38.13 or business applying as a social equity applicant, the office shall consider the number or

38.14 ownership percentage of cooperative members, officers, directors, managers, and general

- 38.15 partners who qualify as social equity applicants.
- 38.16 (e) Consistent with the goals identified in subdivision 1, the office shall issue licenses

in each license category, giving priority to applicants who receive the highest score under

38.18 paragraphs (a) and (b). If there are insufficient licenses available for entities that receive

38.19 identical scores, the office shall utilize a lottery to randomly select license recipients from
38.20 among those entities.

38.21 Sec. 17. [342.18] INSPECTION; LICENSE VIOLATIONS; PENALTIES.

38.22 <u>Subdivision 1.</u> Authority to inspect. (a) In order to carry out the purposes of this chapter,

the office, upon presenting appropriate credentials to the owner, operator, or agent in charge,
is authorized to:

38.25 (1) enter any cannabis business without delay and at reasonable times;

38.26 (2) inspect and investigate during regular working hours and at other reasonable times,

38.27 within reasonable limits and in a reasonable manner, any cannabis business and all relevant

- 38.28 conditions, equipment, records, and materials therein; and
- 38.29 (3) question privately any employer, owner, operator, agent, or employee of a cannabis
 38.30 business.
- 38.31 (b) An employer, owner, operator, agent, or employee must not refuse the office entry
 38.32 or otherwise deter or prohibit the office from taking action under paragraph (a).

Subd. 2. Powers of office. (a) In making inspections and investigations under this chapter, 39.1 the office shall have the power to administer oaths, certify as to official acts, take and cause 39.2 39.3 to be taken depositions of witnesses, issue subpoenas, and compel the attendance of witnesses and production of papers, books, documents, records, and testimony. In case of failure of 39.4 any person to comply with any subpoena lawfully issued, or on the refusal of any witness 39.5 to produce evidence or to testify to any matter regarding which the person may be lawfully 39.6 interrogated, the district court shall, upon application of the office, compel obedience 39.7 39.8 proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued by the court or a refusal to testify therein. 39.9 (b) If the office finds probable cause to believe that any cannabis plant, cannabis flower, 39.10 synthetically derived cannabinoid, or cannabinoid product is being distributed in violation 39.11 of this chapter or rules adopted under this chapter, the office shall affix to the cannabis plant, 39.12 cannabis flower, synthetically derived cannabinoid, or cannabinoid product a tag, withdrawal 39.13 from distribution order, or other appropriate marking providing notice that the cannabis 39.14 plant, cannabis flower, synthetically derived cannabinoid, or cannabinoid product is, or is 39.15 suspected of being, distributed in violation of this chapter, and has been detained or 39.16 embargoed, and warning all persons not to remove or dispose of the cannabis plant, cannabis 39.17 flower, synthetically derived cannabinoid, or cannabinoid product by sale or otherwise until 39.18 permission for removal or disposal is given by the office or the court. It is unlawful for a 39.19 person to remove or dispose of detained or embargoed cannabis plant, cannabis flower, 39.20 synthetically derived cannabinoid, or cannabinoid product by sale or otherwise without the 39.21 office's or a court's permission and each transaction is a separate violation of this section. 39.22 (c) If any cannabis plant, cannabis flower, synthetically derived cannabinoid, or 39.23 cannabinoid product has been found by the office to be in violation of this chapter, the office 39.24 shall petition the district court in the county in which the cannabis plant, cannabis flower, 39.25 synthetically derived cannabinoid, or cannabinoid product is detained or embargoed for an 39.26 order and decree for the condemnation of the cannabis plant, cannabis flower, synthetically 39.27 derived cannabinoid, or cannabinoid product. The office shall release the cannabis plant, 39.28 39.29 cannabis flower, synthetically derived cannabinoid, or cannabinoid product when this chapter and rules adopted under this chapter have been complied with or the cannabis plant, cannabis 39.30 flower, synthetically derived cannabinoid, or cannabinoid product is found not to be in 39.31 violation of this chapter or rules adopted under this chapter. 39.32

(d) If the court finds that detained or embargoed cannabis plant, cannabis flower, 39.33

synthetically derived cannabinoid, or cannabinoid product is in violation of this chapter or 39.34

rules adopted under this chapter, the following remedies are available: 39.35

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(1) after entering a decree, the cannabis plant, cannabis flower, synthetically derived 40.1 cannabinoid, or cannabinoid product may be destroyed at the expense of the claimant under 40.2 the supervision of the office, and all court costs, fees, storage, and other proper expenses 40.3 must be assessed against the claimant of the cannabis plant, cannabis flower, synthetically 40.4 derived cannabinoid, or cannabinoid product or the claimant's agent; and 40.5 40.6 (2) if the violation can be corrected by proper labeling or processing of the cannabis plant, cannabis flower, synthetically derived cannabinoid, or cannabinoid product, the court, 40.7 40.8 after entry of the decree and after costs, fees, and expenses have been paid, and a good and sufficient bond conditioned that the cannabis plant, cannabis flower, synthetically derived 40.9 cannabinoid, or cannabinoid product must be properly labeled or processed has been 40.10 executed, may by order direct that the cannabis plant, cannabis flower, synthetically derived 40.11 cannabinoid, or cannabinoid product be delivered to the claimant for proper labeling or 40.12 processing under the supervision of the office. The office's supervision expenses must be 40.13 paid by the claimant. The cannabis plant, cannabis flower, synthetically derived cannabinoid, 40.14 or cannabinoid product must be returned to the claimant and the bond must be discharged 40.15 on representation to the court by the office that the cannabis plant, cannabis flower, 40.16 synthetically derived cannabinoid, or cannabinoid product is no longer in violation and that 40.17 the office's supervision expenses have been paid. 40.18 (e) If the office finds in any room, building, piece of equipment, vehicle of transportation, 40.19 or other structure any cannabis plant, cannabis flower, synthetically derived cannabinoid, 40.20 or cannabinoid product that is unsound or contains any filthy, decomposed, or putrid 40.21 substance, or that may be poisonous or deleterious to health or otherwise unsafe, the office 40.22 shall condemn or destroy the item or in any other manner render the item as unsalable, and 40.23 no one has any cause of action against the office on account of the office's action. 40.24 (f) The office may enter into an agreement with the commissioner of agriculture to 40.25 analyze and examine samples or other articles furnished by the office for the purpose of 40.26 40.27 determining whether the sample or article violates this chapter or rules adopted under this chapter. A copy of the examination or analysis report for any such article, duly authenticated 40.28 40.29 under oath by the laboratory analyst making the determination or examination, shall be prima facie evidence in all courts of the matters and facts contained in the report. 40.30 40.31 Subd. 3. Aiding of inspection. Subject to rules issued by the office, a representative of 40.32

40.32 <u>a cannabis business shall be given an opportunity to accompany the office during the physical</u>
40.33 inspection of any cannabis business for the purpose of aiding such inspection.

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41.1	Subd. 4.	<u>Complaints and rep</u>	orts; priority (of inspection. (a) The	office may conduct
41.2		of any licensed cannal			
41.3	ownership a	and operation requirem	nents of this cha	apter.	
41.4	(b) Any	person may report a s	uspected violat	ion of a safety or heal	th standard. If upon
41.5	receipt of su	ich notification the offi	ce determines t	hat there are reasonab	le grounds to believe
41.6	that such vi	olation or danger exist	s, the office sha	all make a special ins	pection as soon as
41.7	practicable	to determine if such da	anger or violati	on exists.	
41.8	(c) The	office shall prioritize i	nspections of c	annabis businesses w	here there are
41.9	reasonable	grounds to believe that	t a violation po	ses imminent danger	to the public or
41.10	customers.				
41.11	<u>(d)</u> The o	office shall promptly in	spect cannabis l	businesses that are the	subject of complaint
41.12	<u>by a local u</u>	nit of government.			
41.13	<u>Subd. 5.</u>	<u>Violations; administ</u>	rative orders a	and penalties. (a) The	e office may issue an
41.14	administrati	ive order to any license	ed cannabis bus	siness that the office of	letermines has
41.15	committed a	a violation of this chap	oter or rules add	opted pursuant to this	chapter. The
41.16	administrati	ive order may require t	he business to	correct the violation of	or to cease and desist
41.17	from comm	itting the violation. Th	ne order must st	tate the deficiencies the	nat constitute the
41.18	violation an	nd the time by which th	ne violation mu	st be corrected. If the	business believes
41.19	that the info	ormation in the admini	strative order is	in error, the person r	nay ask the office to
41.20	consider the	e parts of the order that	are alleged to b	be in error. The reques	t must be in writing,
41.21	delivered to	the office by certified	l mail within se	ven days after receipt	of the order, and
41.22	provide doc	cumentation to support	the allegation	of error. The office m	ust respond to a
41.23	request for	reconsideration within	15 days after r	eceiving the request.	A request for
41.24	reconsidera	tion does not stay the	correction orde	r unless the office iss	ues a supplemental
41.25	order granti	ing additional time. Th	e office's dispo	sition of a request for	reconsideration is
41.26	<u>final.</u>				
41.27	<u>(b)</u> For e	each violation of this cl	napter or rules a	adopted pursuant to th	is chapter, the office
41.28	may issue to	o each business a mon	etary penalty of	f up to \$10,000, an ar	nount that deprives
41.29	the business	s of any economic adv	antage gained b	by the violation, or bo	<u>th.</u>
41.30	<u>(c)</u> An a	dministrative penalty r	may be recovered	ed in a civil action in	the name of the state
41.31	brought in t	the district court of the	county where	the violation is allege	d to have occurred
41.32	or the distri	ct court where the offi	ce is housed.		
41.33	<u>(d)</u> In ac	ldition to penalties list	ed in this subdi	vision, a person or bu	siness who violates
41.34	the provisio	ons of this chapter is su	bject to any ap	plicable criminal pen	alty.

Article 1 Sec. 17.

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42.1	Subd. 6. N	onpublic data. (a)	The following d	ata collected, created	. or maintained by
42.2				d in section 13.02, s	
42.3				3.02, subdivision 12	
				ois business license,	_
42.4	<u>~~</u> /	• • •		ors business neerise, (Suler than the
42.5	applicant's nai	me and designated a	address;		
42.6	(2) the iden	ntity of a complaina	ant who has made	e a report concerning	a license holder or
42.7	applicant that	appears in inactive	complaint data u	inless the complainar	nt consents to the
42.8	disclosure;				
42.9	(3) the nat	ure or content of un	substantiated con	mplaints when the in	formation is not
42.10	maintained in	anticipation of lega	ll action;		
42.11	(4) the rece	ord of any disciplin	ary proceeding e	xcept as limited by p	aragraph (b);
42.12	<u>(5)</u> data ide	entifying retail or w	vholesale custom	ers of a cannabis bus	iness; and
42.13	<u>(6)</u> data ide	entifying cannabis	workers.		
42.14	(b) Minute	es, application data of	on license holders	s except nondesignate	ed addresses, orders
42.15	for hearing, fi	ndings of fact, conc	clusions of law, a	nd specification of th	ne final disciplinary
42.16	action contain	ed in the record of t	he disciplinary a	ction are classified as	s public, pursuant to
42.17	section 13.02,	subdivision 15. If the	nere is a public he	earing concerning the	disciplinary action,
42.18	the entire reco	ord concerning the c	lisciplinary proce	eding is public data	pursuant to section
42.19	13.02, subdivi	ision 15. If the licer	use holder and the	e office agree to reso	lve a complaint
42.20	without a hear	ing, the agreement	and the specific r	easons for the agreen	nent are public data.
42.21	(c) The off	ice must establish w	ritten procedures	to ensure that only in	dividuals authorized
42.22	by law may er	nter, update, or acce	ess the data classi	fied as nonpublic or	private data on
42.23	individuals in	this subdivision. An	n authorized indi	vidual's ability to ent	er, update, or access
42.24	data in the sys	stem must correspon	nd to the official	duties or training lev	el of the individual
42.25	and to the statu	utory authorization	granting access fo	or that purpose. All qu	eries and responses,
42.26	and all actions	s in which not publi	c data are entere	d, updated, accessed,	shared, or
42.27	disseminated,	must be recorded in	n a data audit trai	I. Data contained in	the audit trail have
42.28	the same class	sification as the und	erlying data trac	ked by the audit trail	<u>.</u>
42.29	(d) The off	fice must not share	data classified as	private under this su	ubdivision or other
42.30	data identifyir	ng an individual app	olicant or license	holder with any fede	eral agency, federal
42.31	department, or	r federal entity unle	ss specifically or	dered to do so by a st	ate or federal court.

43.1	Sec. 18. [342.19] LICENSE SUSPENSION OR REVOCATION; HEARING.
43.2	Subdivision 1. License revocation and nonrenewal. The office may revoke or not
43.3	renew a license when the office has cause to believe that a cannabis business has violated
43.4	an ownership or operational requirement in this chapter or rules adopted pursuant to this
43.5	chapter. The office must notify the license holder in writing, specifying the grounds for
43.6	revocation or nonrenewal and fixing a time of at least 20 days thereafter for a hearing on
43.7	the matter.
43.8	Subd. 2. Hearing; written findings. (a) Before the office revokes or does not renew a
43.9	license, the office must provide the license holder with a statement of the complaints made
43.10	against the license holder, and the office must hold a hearing to determine whether the office
43.11	should revoke the license or deny renewal of the license. The license holder shall receive
43.12	notice at least 20 days before the date of the hearing and notice may be served either by
43.13	certified mail addressed to the address of the license holder as shown in the license
43.14	application or in the manner provided by law for the service of a summons. At the time and
43.15	place fixed for the hearing, the office, or any office employee or agent authorized by the
43.16	office to conduct the hearing, shall receive evidence, administer oaths, and examine witnesses.
43.17	(b) After the hearing held pursuant to paragraph (a), or upon the failure of the license
43.18	holder to appear at the hearing, the office must take action as is deemed advisable and issue
43.19	written findings that the office must mail to the license holder. An action of the office under
43.20	this paragraph is subject to judicial review pursuant to chapter 14.
43.21	Subd. 3. Temporary suspension. The office may temporarily, without hearing, suspend
43.22	the license and operating privilege of any business licensed under this chapter for up to 90
43.23	days if continuing the operation of the business would threaten the health or safety of any
43.24	person. The office may extend the period for an additional 90 days if the office notified the
43.25	business that the office intends to revoke or not renew a license and the hearing required
43.26	under subdivision 2 has not taken place.

43.27 Sec. 19. [342.20] ADULT-USE CANNABIS BUSINESS; GENERAL OWNERSHIP 43.28 DISQUALIFICATIONS AND REQUIREMENTS.

43.29 <u>Subdivision 1. Criminal history check.</u> Every license applicant and prospective cannabis
43.30 worker must submit a completed criminal history records check consent form, a full set of
43.31 classifiable fingerprints, and the required fees to the office. Upon receipt of this information,
43.32 the office must submit the completed criminal history records check consent form, full set
43.33 of classifiable fingerprints, and required fees to the Bureau of Criminal Apprehension. After
43.34 receiving this information, the bureau must conduct a Minnesota criminal history records

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44.1 check of the license applicant. The bureau may exchange a license applicant's fingerprints
44.2 with the Federal Bureau of Investigation to obtain the applicant's national criminal history
44.3 record information. The bureau must return the results of the Minnesota and federal criminal
44.4 history records checks to the director to determine if the applicant is disqualified under this
44.5 section.

44.6 Subd. 2. Criminal offenses; disqualifications. (a) No person may hold or receive a
44.7 license issued under this chapter or work for a cannabis business if the person has been
44.8 convicted of, or received a stay of adjudication for, a violation of a state or federal controlled
44.9 substance law that is a felony under Minnesota law or would be a felony if committed in
44.10 Minnesota, regardless of the sentence imposed, unless the office determines that the person's
44.11 conviction was for the possession or sale of cannabis.

(b) A person who has been convicted of, or received a stay of adjudication for, a violation
of Minnesota Statutes 2022, section 152.023, subdivision 1, clause (3), or a state or federal
law in conformity with that provision, for the sale of cannabis to a person under the age of
18 may hold or receive a license issued under this chapter, or work for a cannabis business,
if 20 years have passed since the date the person was convicted or adjudication was stayed.

44.17 (c) Except as provided in paragraph (a), (b), or (d), a person who has been convicted of,
44.18 or received a stay of adjudication for, a violation of a state or federal law that is a felony
44.19 under Minnesota law or would be a felony if committed in Minnesota, regardless of the
44.20 sentence imposed, may hold or receive a license issued under this chapter, or work for a
44.21 cannabis business, if five years have passed since the discharge of the sentence.

(d) No license holder or applicant may hold or receive a license issued under this chapter,
or work for a cannabis business, if the person has been convicted of a sale of cannabis in
the first degree under section 152.0264, subdivision 2.

(e) A person who has been convicted of sale of cannabis in the second degree under
 section 152.0264, subdivision 3, may hold or receive a license issued under this chapter or

44.27 work for a cannabis business if ten years have passed since the discharge of the sentence.

44.28 (f) A person who has been convicted of sale of cannabis in the third degree under section

44.29 <u>152.0264</u>, subdivision 4, may hold or receive a license issued under this chapter or work

44.30 for a cannabis business if five years have passed since the discharge of the sentence.

44.31 (g) A person who has been convicted of sale of cannabis in the fourth degree under

44.32 section 152.0264, subdivision 5, may hold or receive a license issued under this chapter or

44.33 work for a cannabis business if one year has passed since the discharge of the sentence.

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45.1	(h) If the lice	ense holder or applic	cant is a bus	iness entity, the disqualific	cations under this
45.2	<u>.</u>			or every director, manage	
45.3	partner of the bu				<u>v</u>
45.4	Subd. 3. Ris	k of harm; set asid	le. The offic	e may set aside a disquali	fication under
45.5	subdivision 2 if	the office finds that	the person	has submitted sufficient in	nformation to
45.6	demonstrate that	t the person does no	ot pose a risk	c of harm to any person se	erved by the
45.7	applicant, licens	se holder, or other en	ntities as pro	ovided in this chapter.	
45.8	Subd. 4. Ger	neral requirements	s. <u>(a)</u> A licer	se holder or applicant mu	st meet each of
45.9	the following re	quirements, if appli	cable, to ho	ld or receive a license issu	ed under this
45.10	chapter:				
45.11	(1) be at least	st 21 years of age;			
45.12	(2) have con	pleted an application	on for licens	ure or application for rend	ewal;
45.13	(3) have paid	d the applicable app	lication fee;		
45.14	(4) reside in	the state;			
45.15	(5) if the app	olicant or license ho	lder is a bus	iness entity, be incorporat	ed in the state or
45.16	otherwise forme	ed or organized unde	er the laws o	of the state;	
45.17	(6) if the app	licant or license hold	der is a busin	ess entity, at least 75 perce	ent of the business
45.18	must be owned	by Minnesota reside	ents;		
45.19	(7) not be en	nployed by the offic	e or any sta	te agency with regulatory	authority under
45.20	this chapter or t	he rules adopted put	rsuant to this	s chapter;	
45.21	<u>(8) not be a l</u>	icensed peace office	r, as defined	in section 626.84, subdivi	sion 1, paragraph
45.22	<u>(c);</u>				
45.23	(9) never hav	ve had a license prev	viously issu	ed under this chapter revo	ked;
45.24	<u>(10) have fil</u>	ed any previously re	equired tax 1	eturns for a cannabis busi	ness;
45.25	(11) have part	id and remitted any b	ousiness taxe	es, gross receipts taxes, int	erest, or penalties
45.26	due relating to t	he operation of a ca	nnabis busir	ness;	
45.27	(12) have ful	ly and truthfully con	nplied with a	Ill information requests of	the office relating
45.28	to license applic	cation and renewal;			
45.29	(13) not be c	lisqualified under su	ubdivision 2	<u>.</u> 2	
45.30	<u>(14) not emp</u>	oloy an individual w	ho is disqua	lified from working for a c	annabis business
45.31	under this chapt	er; and			

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46.1	(15) meet	the ownership and o	operational requ	irements for the type	of license and, if	
46.2	<u> </u>	ndorsement sought o	•	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~		
46.3	(b) If the license holder or applicant is a business entity, every officer, director, manager,					
46.4				et each of the requirem		
			•			
46.5	Sec. 20. [34	2.21] CANNABIS	BUSINESS; G	ENERAL OPERATI	ONAL	
46.6	REQUIREM	IENTS AND PROF	HBITIONS.			
46.7	Subdivisi	on 1. <mark>Individuals u</mark> r	nder 21 years o	f age. (a) A cannabis	business may not	
46.8	employ an in	dividual under 21 ye	ars of age and n	nay not contract with	an individual under	
46.9	21 years of ag	ge if the individual's	scope of work i	nvolves the handling	of cannabis plants,	
46.10	<u>cannabis</u> flow	ver, synthetically der	ived cannabino	ds, or cannabinoid pr	oducts.	
46.11	(b) A can	nabis business may n	ot permit an inc	lividual under 21 year	s of age to enter the	
46.12	business pren	nises other than entry	into an area that	solely dispenses med	ical cannabis flower	
46.13	or medical ca	nnabinoid products.				
46.14	(c) A can	nabis business may r	not sell or give c	annabis flower or can	nabinoid products	
46.15	to an individu	al under 21 years of a	age unless the in	dividual is a patient; re	egistered designated	
46.16	caregiver; or a	a parent, legal guardi	an, or spouse of	a patient who is author	ized to use, possess,	
46.17	or transport n	nedical cannabis or 1	nedical cannabi	noid products.		
46.18	<u>Subd. 2.</u>	J se of cannabis flow	er and cannabii	noid products within	a licensed cannabis	
46.19	<u>business.</u> (a)	A cannabis business	may not permi	t an individual who is	not an employee to	
46.20	consume can	nabis flower or cann	abinoid product	s within its licensed p	remises unless the	
46.21	business is lic	ensed to permit on-si	te consumption	or the business has an	on-site endorsement	
46.22	to a license a	uthorizing the sale o	f lower potency	edible products.		
46.23	(b) Excep	t as otherwise provid	ed in this subdiv	rision, a cannabis busi	ness may not permit	
46.24	an employee t	o consume cannabis	flower or cannab	inoid products within	ts licensed premises	
46.25	or while the e	employee is otherwis	e engaged in ac	tivities within the cou	rse and scope of	
46.26	employment.					
46.27	<u>(c)</u> A can	nabis business may p	ermit an emplo	yee to use medical ca	nnabis flower and	
46.28	medical cann	abinoid products if t	hat individual is	a patient.		
46.29	(d) For qu	ality control, employ	vees of a license	d cannabis business m	ay sample cannabis	
46.30	flower or can	nabinoid products. E	Employees may	not interact directly w	ith customers for at	
46.31		•		yees may not consum		
46.32		· ~	•	ist be recorded in the s		
46.33	system.					
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47.1	Subd. 3. Restricted access. (a) Except as otherwise provided in this subdivision, a
47.2	cannabis business may not permit any individual to enter a restricted area unless the cannabis
47.3	business records the individual's name, time of entry, time of exit, and authorization to enter
47.4	the restricted area through use of an electronic or manual entry log and the individual:
47.5	(1) is a cannabis worker employed by or contracted with the cannabis business;
47.6	(2) is an employee of the office or another enforcement agency;
47.7	(3) is a contractor of the cannabis business, including but not limited to an electrician,
47.8	a plumber, an engineer, or an alarm technician, whose scope of work will not involve the
47.9	handling of cannabis flower or cannabinoid products and, if the individual is working in an
47.10	area with immediate access to cannabis flower or cannabinoid products, the individual is
47.11	supervised at all times by a cannabis worker employed by or contracted with the cannabis
47.12	business; or
47.13	(4) has explicit authorization from the office to enter a restricted area and, if the individual
47.14	is in an area with immediate access to cannabis flower or cannabinoid products, the individual
47.15	is supervised at all times by a cannabis worker employed by or contracted with the cannabis
47.16	business.
47.17	(b) A cannabis business shall ensure that all areas of entry to restricted areas within its
47.18	licensed premises are conspicuously marked and cannot be entered without recording the
47.19	individual's name, time of entry, time of exit, and authorization to enter the restricted area.
47.20	Subd. 4. Ventilation and filtration. A cannabis business must maintain a ventilation
47.21	and filtration system sufficient to meet the requirements for odor control established by the
47.22	office.
47.23	Subd. 5. Records. (a) A cannabis business must retain financial records for the current
47.24	and previous tax year at the primary business location and must make those records available
47.25	for inspection by the office at any time during regular business hours.
47.26	(b) When applicable, a cannabis business must maintain financial records for the previous
47.27	ten tax years and must make those records available for inspection within one business day
47.28	of receiving a request for inspection by the office.
47.29	(c) The office may require a cannabis business to submit to an audit of its business
47.30	records. The office may select or approve the auditor and the cannabis business must provide
47.31	the auditor with access to all business records. The cost of the audit must be paid by the
47.32	cannabis business.

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48.1	Subd. 6.	Diversity report. A	cannabis busine	ss shall provide an ar	nual report on the
48.2		versity in the business of			
48.3		ne business contracts.			
48.4	Subd. 7.	Use of statewide mo	nitoring system	n. (a) A cannabis bus	iness must use the
48.5		nonitoring system for i			
48.6		annabis plants, cannab			
48.7		ls the cannabis busine			
48.8	or sale.		k	k	<u>, , , , , , , , , , , , , , , , , </u>
48.9	<u>(b)</u> For t	he purposes of this su	bdivision, a can	nabis business posses	sses the cannabis
48.10	plants and c	cannabis flower that th	e business culti	vates from seed or im	nmature plant, if
48.11	applicable,	or receives from anoth	er cannabis bus	iness, possesses the s	ynthetically derived
48.12	cannabinoid	ls that the business cre	eates or receives	from another cannab	ois business, and
48.13	possesses th	e cannabinoid product	ts that the busine	ess manufactures or re	eceives from another
48.14	<u>cannabis bu</u>	siness.			
48.15	(c) Sale	and transfer of cannab	ois plants, canna	bis flower, cannabing	oid products, and
48.16	syntheticall	y derived cannabinoid	s must be record	ded in the statewide r	nonitoring system
48.17	within the t	ime established by rul	<u>e.</u>		
48.18	<u>Subd. 8.</u>	Disposal; loss docum	entation. (a) A c	annabis business mus	t dispose of cannabis
48.19	plants, cann	abis flower, cannabine	oid products, an	d synthetically derive	ed cannabinoids that
48.20	are damage	d, have a broken seal,	have been conta	minated, or have not	t been sold by the
48.21	expiration d	late on the label.			
48.22	(b) Disp	osal must be conducte	ed in a manner a	pproved by the office	2.
48.23	(c) Disp	osed products must be	e documented in	the statewide monitor	oring system.
48.24	(d) Any	lost or stolen products	must be reporte	d to local law enforce	ment and a cannabis
48.25	business mu	ust log any lost or stole	en products in th	ne statewide monitori	ng system as soon
48.26	as the loss i	s discovered.			
48.27	<u>Subd. 9.</u>	Sale of approved pro	ducts. A cannal	ois business may only	sell cannabis plants,
48.28	cannabis flo	ower, cannabinoid pro	ducts, and synth	etically derived cann	abinoids that are
48.29	approved by	y the office and that co	mply with this o	chapter and rules ado	pted pursuant to this
48.30	chapter rega	arding the testing, pacl	kaging, and labe	ling of cannabis plar	nts, cannabis flower,
48.31	cannabinoid	l products, and synthe	tically derived c	annabinoids.	
48.32	Subd. 10). Security. A cannabi	s business must	maintain and follow	a security plan to
48.33	deter and pr	revent the theft or dive	ersion of cannab	is plants, cannabis flo	ower, cannabinoid

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49.1	products, ar	nd synthetically derive	ed cannabinoids,	unauthorized entry i	nto the cannabis
49.2	business, ar	nd the theft of currency	<u>y.</u>		
49.3	Subd. 11	I. Financial relations	hip. (a) Except 1	for the lawful sale of	cannabis plants,
49.4	cannabis flo	wer, cannabinoid prod	ucts, and synthet	ically derived cannabi	noids in the ordinary
49.5	course of bu	usiness and as otherwise	se provided in th	is subdivision, no ca	nnabis business may
49.6	offer, give,	accept, receive, or bor	row money or a	nything else of value	or accept or receive
49.7	credit from	any other cannabis bu	siness. This prol	hibition applies to of	fering or receiving a
49.8	benefit in ex	xchange for preferenti	al placement by	a cannabis retailer, ir	cluding preferential
49.9	placement of	on the cannabis retaile	r's shelves, displ	ay cases, or website.	This prohibition
49.10	applies to e	very cooperative mem	ber or every dir	ector, manager, and g	general partner of a
49.11	cannabis bu	siness.			
49.12	(b) This	prohibition does not a	apply to merchar	ndising credit in the o	ordinary course of
49.13	business for	a period not to excee	ed 30 days.		
49.14	(c) This	prohibition does not a	apply to free sam	ples of useable cann	abis flower or
49.15	cannabinoic	l products packaged in	n a sample jar pr	otected by a plastic o	r metal mesh screen
49.16	to allow cus	stomers to smell the ca	annabis flower o	r cannabinoid produ	ct before purchase.
49.17	A sample ja	r may not contain mor	e than eight gram	ns of useable cannabis	s flower, eight grams
49.18	of a cannab	is concentrate, or an ed	dible cannabinoi	d product infused wi	th 100 milligrams of
49.19	tetrahydroca	annabinol.			
49.20	<u>(d)</u> This	prohibition does not a	apply to free sam	ples of cannabis flow	wer or cannabinoid
49.21	products pro	ovided to a cannabis r	etailer or cannab	ois wholesaler for the	purposes of quality
49.22	control and	to allow cannabis reta	ailers to determin	ne whether to offer a	product for sale. A
49.23	sample prov	vided for these purpos	es may not conta	ain more than eight g	grams of useable
49.24	cannabis flo	ower, eight grams of a	cannabis concer	ntrate, or an edible ca	annabinoid product
49.25	infused with	h 100 milligrams of te	trahydrocannabi	<u>nol.</u>	
49.26	(e) This	prohibition does not a	apply to any fee	charged by a licensed	d cannabis event
49.27	organizer to	a cannabis business t	for participation	in a cannabis event.	
49.28	<u>Subd. 12</u>	2. <u>Customer privacy.</u>	A cannabis bus	iness must not share	data on retail or
49.29	wholesale c	ustomers with any fee	leral agency, fed	eral department, or f	ederal entity unless
49.30	specifically	ordered by a state or	federal court.		
49.31	Sec. 21. [342.22] CANNABIS	CULTIVATOR	LICENSING.	
49.32	Subdivis	sion 1. Authorized ac	tions. (a) A canr	nabis cultivator licens	e entitles the license
49.33	holder to gr	ow cannabis plants wi	thin the approve	d amount of space fro	om seed or immature

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50.1	plant to mature plant, harvest cannabis flower from a mature plant, package and label
50.2	cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis
50.3	manufacturer located on the same premises, and perform other actions approved by the
50.4	office.
50.5	(b) The office may issue an applicant either of the following types of cultivator licenses:
50.6	(1) a craft cultivator license, which allows cultivation by a license holder of not more
50.7	than 10,000 square feet of plant canopy unless the office, by rule, increases that limit; or
50.8	(2) a bulk cultivator license, which allows cultivation by a license holder of not more
50.9	than 30,000 square feet of plant canopy.
50.10	(c) The office may, by rule, increase the limit on craft cultivator plant canopy to no more
50.11	than 15,000 square feet if the office determines that expansion is consistent with the goals
50.12	identified in section 342.02, subdivision 1.
50.13	Subd. 2. Additional information required. In addition to the information required to
50.14	be submitted under section 342.15, subdivision 1, and rules adopted pursuant to that section,
50.15	a person, cooperative, or business seeking a cannabis cultivator license must submit the
50.16	following information in a form approved by the office:
50.17	(1) an operating plan demonstrating the proposed size and layout of the cultivation
50.18	facility; plans for wastewater and waste disposal for the cultivation facility; plans for
50.19	providing electricity, water, and other utilities necessary for the normal operation of the
50.20	cultivation facility; and plans for compliance with the applicable building code and federal
50.21	and state environmental and workplace safety requirements;
50.22	(2) a cultivation plan demonstrating the proposed size and layout of the cultivation
50.23	facility that will be used exclusively for cultivation including the total amount of plant
50.24	canopy; and
50.25	(3) evidence that the business will comply with the applicable operation requirements
50.26	for the license being sought.
50.27	Subd. 3. Multiple licenses; limits. (a) A person, cooperative, or business holding a
50.28	cannabis cultivator license may also hold a cannabis manufacturing license, medical cannabis
50.29	cultivator license, medical cannabis producer license, license to grow industrial hemp, and
50.30	cannabis event organizer license.
50.31	(b) Except as provided in paragraph (a), no person, cooperative, or business holding a
50.32	cannabis cultivator license may own or operate any other cannabis business. This prohibition
50.33	does not prevent the transportation of cannabis flower from a cannabis cultivator to a cannabis

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51.1	manufacture	er licensed to the same	e person, coopera	tive, or business and	located on the same
51.2	premises.				
51.3	(c) The o	office by rule may lin	nit the number of	cannabis cultivator l	icenses a person,
51.4	cooperative	, or business may hol	<u>d.</u>		
51.5	(d) For p	ourposes of this subdi	vision, a restricti	on on the number or	type of license a
51.6		y hold applies to even			
51.7	general part	ner of a cannabis bus	iness.		
51.8	<u>Subd. 4.</u>	Limitations on heal	th care practitio	oners. A health care p	practitioner who
51.9	certifies qua	lifying medical cond	itions for patient	s is prohibited from:	
51.10	<u>(1) holdi</u>	ing a direct or indirec	t economic intere	est in a cannabis culti	vator;
51.11	<u>(2)</u> servi	ng as a cooperative m	nember, director,	manager, general par	rtner, or employee
51.12	of a cannab	is cultivator; or			
51.13	<u>(3)</u> adve	rtising with a cannabi	s cultivator in an	y way.	
51.14	<u>Subd. 5.</u>	Remuneration. A ca	annabis cultivato	r is prohibited from:	
51.15	<u>(1) acce</u>	oting or soliciting any	form of remuner	ation from a health ca	are practitioner who
51.16	certifies qua	alifying medical cond	itions for patients	s; or	
51.17	(2) offer	ing any form of remun	eration to a health	a care practitioner who	o certifies qualifying
51.18	medical con	ditions for patients.			
51.19	Sec. 22. [3	342.23] CANNABIS	CULTIVATOR	OPERATIONS.	
51.20	Subdivis	sion 1. Cultivation re	cords A cannah	is cultivator must pre	enare a cultivation
51.20		ach batch of cannabis			-
51.22		nust maintain each reo	-		
51.23		quantity and timing, v			
51.24	amendment	, or plant amendment	used to cultivate t	he batch, as well as ar	ny other information
51.25	required by	the office in rule. A l	icensed cultivato	r must present cultiv	ation records to the
51.26	office, the c	ommissioner of agric	ulture, or the cor	nmissioner of health	upon request.
51.27	<u>Subd. 2.</u>	Agricultural chemi	cals and other ir	puts. A cannabis cul	ltivator is subject to
51.28	rules promu	lgated by the office in	consultation with	the commissioner of	fagriculture, subject
51.29	to subdivisi	on 4, governing the u	se of pesticides,	fertilizers, soil amend	lments, plant
51.30	amendment	s, and other inputs to	cultivate cannab	IS.	

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52.1	Subd. 3. C	ultivation plan. A	cannabis cultiva	tor must prepare, mai	ntain, and execute
52.2				by the office in rule,	
52.3	but is not limi	ted to:			
52.4	<u>(1) water u</u>	isage;			
52.5	(2) recyclin	ng;			
52.6	(3) solid w	vaste disposal; and			
52.7	<u>(4) a pest n</u>	nanagement protoco	ol that incorporate	es integrated pest man	agement principles
52.8	to control or p	prevent the introduc	tion of pests to th	ne cultivation site.	
52.9	Subd. 4. A	gricultural chemi	cals and other ir	puts; pollinator pro	tection. (a) A
52.10	cannabis culti	vator must comply	with chapters 18	B, 18C, 18D, and any	other pesticide,
52.11	fertilizer, soil a	mendment, and pla	nt amendment law	vs and rules enforced b	y the commissioner
52.12	of agriculture.				
52.13	(b) A canna	abis cultivator must	t not apply pestici	des when pollinators a	are present or allow
52.14	pesticides to d	rift to flowering pl	ants that are attra	ctive to pollinators.	
52.15	<u>Subd. 5.</u> A	dulteration prohi	bited. A cannabis	s cultivator must not t	reat or otherwise
52.16	adulterate can	nabis plants or can	nabis flower with	any substance or con	npound that has the
52.17	effect or inten	t of altering the col	or, appearance, w	veight, or smell of the	cannabis.
52.18	<u>Subd. 6.</u> Ir	1door, outdoor cul	tivation authoriz	zed; security. A cann	abis cultivator may
52.19	cultivate cann	abis plants indoors	or outdoors, subj	ect to the security, fer	ncing, lighting, and
52.20	any other requ	irements imposed	by the office in r	ıle.	
52.21	<u>Subd. 7.</u>	eed permit. The co	ommissioner of ag	griculture may issue a	genetically
52.22	engineered ag	riculturally related	organism permit	under chapter 18F for	r cannabis seed or
52.23	cannabis plant	<u>ts.</u>			
52.24	Sec. 23. [34]	2.24] CANNABIS	MANUFACTU	RER LICENSING.	
52.25	Subdivisio	<u>n 1.</u> Authorized ad	ctions. A cannabi	is manufacturer licens	se, consistent with
52.26	the specific lic	ense endorsement	or endorsements,	, entitles the license h	older to:
52.27	(1) purchas	se cannabis flower,	cannabinoid prod	ucts, hemp plant parts	, hemp concentrate,
52.28	and synthetica	ally derived cannab	inoids from cann	abis cultivators, other	cannabis
52.29	manufacturers	, cannabis microbu	sinesses, and ind	ustrial hemp growers	· <u>·</u>

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53.1	(2) accept c	annabis from unlig	censed persons v	who are at least 21 yea	rs of age provided
53.2	that the cannab	is manufacturer do	bes not accept m	ore than two ounces f	rom an individual
53.3	on a single occ	asion;			
53.4	<u>(3) make ca</u>	nnabis concentrate	e;		
53.5	<u>(4) make he</u>	emp concentrate, ir	ncluding hemp c	concentrate with a delt	<u>a-9</u>
53.6	tetrahydrocann	abinol concentration	on of more than	0.3 percent as measur	ed by weight;
53.7	(5) manufao	cture synthetically	derived cannabi	noids;	
53.8	<u>(6)</u> manufae	ture cannabinoid j	products and her	mp-derived consumer	products for public
53.9	consumption;				
53.10	(7) package	and label cannabi	noid products a	nd hemp-derived cons	umer products for
53.11	sale to other ca	nnabis businesses;			
53.12	<u>(8) sell can</u>	nabis concentrate,	hemp concentra	te, synthetically derive	ed cannabinoids,
53.13	cannabinoid pr	oducts, and hemp-	derived consum	er products to other ca	annabis businesses;
53.14	and				
53.15	(9) perform	other actions appr	roved by the offi	ice.	
53.16	<u>Subd. 2.</u> Ac	Iditional informa	tion required. I	n addition to the infor	mation required to
53.17	be submitted un	nder section 342.15	, subdivision 1,	and rules adopted purs	uant to that section,
53.18	a person, coope	erative, or business	seeking a canna	bis manufacturer licer	use must submit the
53.19	following infor	rmation in a form a	approved by the	office:	
53.20	<u>(1) an opera</u>	ating plan demonst	trating the propo	osed layout of the facil	ity, including a
53.21	diagram of ven	tilation and filtrati	on systems; plai	ns for wastewater and	waste disposal for
53.22	the manufactur	ing facility; plans f	or providing elec	ctricity, water, and othe	r utilities necessary
53.23	for the normal	operation of the m	anufacturing fac	cility; and plans for co	mpliance with
53.24	applicable buil	ding code and fede	eral and state env	vironmental and work	place safety
53.25	requirements; a	and			
53.26	(2) evidenc	e that the business	will comply wit	th the applicable opera	ation requirements
53.27	for the endorse	ment being sought	<u>.</u>		
53.28	<u>Subd. 3.</u> M	ultiple licenses; li	mits. (a) A perso	on, cooperative, or bus	siness holding a
53.29	cannabis manut	facturer license may	y also hold a canr	nabis cultivator license,	, a medical cannabis
53.30	cultivator licen	se, a medical cann	abis processor l	icense, and a cannabis	event organizer
53.31	license.				

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54.1	(b) Except a	s provided in para	graph (a), no pe	rson, cooperative, or	business holding a
54.2	cannabis manuf	acturer license ma	y own or operat	te any other cannabis	business. This
54.3	prohibition does	s not prevent trans	portation of can	nabis flower from a c	cannabis cultivator
54.4	to a cannabis ma	nufacturer license	d to the same pe	rson, cooperative, or l	ousiness and located
54.5	on the same pre	mises.			
54.6	(c) The offic	e by rule may lim	it the number of	f cannabis manufactu	rer licenses that a
54.7	person or busine	ess may hold.			
54.8	(d) For purp	oses of this subdiv	vision, a restricti	ion on the number or	type of license that
54.9	a business may	hold applies to eve	ery cooperative	member or every dire	ector, manager, and
54.10	general partner	of a cannabis busi	ness.		
54.11	<u>Subd. 4.</u> Lin	nitations on healt	h care practitio	oners. A health care p	practitioner who
54.12	certifies qualify	ing medical condi	tions for patient	s is prohibited from:	
54.13	(1) holding a	a direct or indirect	economic inter	est in a cannabis man	ufacturer;
54.14	(2) serving a	as a cooperative m	ember, director,	manager, general par	rtner, or employee
54.15	of a cannabis m	anufacturer; or			
54.16	(3) advertisi	ng with a cannabis	s manufacturer i	n any way.	
54.17	Subd. 5. Rei	muneration. A ca	nnabis manufac	turer is prohibited fro	om:
54.18	(1) accepting	g or soliciting any	form of remuner	ration from a health ca	are practitioner who
54.19	certifies qualify	ing medical condi	tions for patient	s; or	
54.20	(2) offering a	any form of remune	eration to a healt	h care practitioner who	o certifies qualifying
54.21	medical condition	ons for patients.			
54.22	Sec. 24. [342.]	25] CANNABIS M	MANUFACTU	RER OPERATION	<u>S.</u>
54.23	Subdivision	1. All manufactu	rer operations.	<u>(a) Cannabis manufa</u>	acturing must take
54.24	place in an encl	osed, locked facili	ty that is used e	xclusively for the ma	nufacture of
54.25	cannabinoid pro	oducts, creation of	hemp concentra	ate, or creation of syn	thetically derived
54.26	cannabinoids ex	cept that a busines	s that also holds	a cannabis cultivator	license may operate
54.27	in a facility that	shares general off	fice space, bathr	ooms, entryways, and	d walkways.
54.28	(b) Cannabis	s manufacturing m	ust take place o	n equipment that is u	sed exclusively for
54.29	the manufacture	e of cannabinoid p	roducts, creation	n of hemp concentrate	e, or creation of
54.30	synthetically de	rived cannabinoid	<u>s.</u>		

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55.1	(c) A ca	nnabis manufacturer m	nust comply wi	th all applicable packa	aging, labeling, and
55.2		safety requirements.		••	
55.3	Subd. 2.	. Extraction and conc	entration. (a) A	A cannabis manufactu	rer that creates
55.4		oncentrate, hemp concer			
55.5	an endorser	ment from the office.			
55.6	(b) A ca	nnabis manufacturer m	nust inform the	office of all methods	of extraction and
55.7	concentratio	on that the manufacture	er intends to us	e and identify the vola	atile chemicals, if
55.8	any, that wi	ill be involved in the cr	eation of canna	bis concentrate or her	mp concentrate. A
55.9	cannabis m	anufacturer may not us	e a method of	extraction and concent	tration or a volatile
55.10	chemical w	ithout approval by the	office.		
55.11	<u>(c)</u> A ca	nnabis manufacturer m	nust inform the	office of all methods	of conversion that
55.12	the manufac	cturer will use, including	g any specific c	atalysts that the manuf	acturer will employ,
55.13	to create sy	nthetically derived can	nabinoids and	the molecular nomenc	elature of all
55.14	cannabinoid	ds or other chemical co	mpound that the	e manufacturer will c	reate. A cannabis
55.15	manufactur	er may not use a metho	od of conversio	n or a catalyst without	t approval by the
55.16	office.				
55.17	<u>(d)</u> A ca	nnabis manufacturer m	ust obtain a cer	tification from an inde	pendent third-party
55.18	industrial h	ygienist or professiona	l engineer appr	oving:	
55.19	<u>(1) all e</u>	lectrical, gas, fire supp	ression, and ex	haust systems; and	
55.20	(2) the p	olan for safe storage and	d disposal of h	azardous substances, i	ncluding but not
55.21	limited to a	ny volatile chemicals.			
55.22	<u>(e)</u> A ca	unnabis manufacturer th	nat manufacture	es cannabis concentrat	e from cannabis
55.23	flower rece	ived from an unlicensed	d person who is	at least 21 years of ag	e must comply with
55.24	all health ar	nd safety requirements	established by	the office. At a minim	um, the office shall
55.25	require a ca	nnabis manufacturer to	<u>):</u>		
55.26	<u>(1)</u> store	e the cannabis flower in	an area that is s	egregated from cannal	ois flower and hemp
55.27	plant parts	received from a license	ed cannabis bus	iness;	
55.28	<u>(2) perfe</u>	orm the extraction and	concentration of	on equipment that is u	sed exclusively for
55.29	extraction of	or concentration of cam	nabis flower re	ceived from unlicense	d individuals;
55.30	(3) store	e any cannabis concentra	ate in an area th	at is segregated from ca	annabis concentrate,
55.31	hemp conce	entrate, or synthetically	derived canna	binoids derived or ma	nufactured from
55.32	cannabis flo	ower or hemp plant par	ts received from	n a licensed cannabis	business; and

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56.1	<u>(</u> 4) provid	le any cannabis conce	entrate only to	the person who provid	ded the cannabis.
56.2	(f) Upon	the sale of cannabis c	oncentrate, her	np concentrate, or syr	nthetically derived
56.3	cannabinoids	to any person, coope	rative, or busine	ess, a cannabis manufa	acturer must provide
56.4	a statement to	o the buyer that disclo	oses the method	d of extraction and co	ncentration or
56.5	conversion us	sed and any solvents, §	gases, or catalys	ts, including but not li	mited to any volatile
56.6	chemicals, in	volved in that metho	<u>d.</u>		
56.7	Subd. 3. 1	Production of consur	ner products.	(a) A cannabis manufa	acturer that produces
56.8	edible cannab	pinoid products must c	btain an edible	cannabinoid product h	nandler endorsement
56.9	from the offi	ce.			
56.10	<u>(b) A can</u>	nabis manufacturer m	nust obtain an e	endorsement from the	office to produce:
56.11	<u>(1)</u> canna	binoid products other	than edible ca	nnabinoid products; o	<u>r</u>
56.12	<u>(2) hemp</u>	-derived consumer pr	oducts other th	an hemp-derived topi	cal products.
56.13	(c) All ar	eas within the license	d premises of a	a cannabis manufactur	er producing
56.14	cannabinoid	products or hemp-der	ived consumer	products must meet th	e sanitary standards
56.15	specified in r	rules adopted by the o	office.		
56.16	<u>(d)</u> A can	nabis manufacturer m	nay only add ch	emicals or compound	ls approved by the
56.17	office to cam	nabis concentrate, her	np concentrate	, or synthetically deriv	ved cannabinoids.
56.18	(e) Upon	the sale of any canna	binoid product	or hemp-derived con	sumer product to a
56.19	cannabis bus	iness, a cannabis mar	ufacturer must	provide a statement t	to the buyer that
56.20	discloses the	product's ingredients,	including but r	ot limited to any chem	nicals or compounds
56.21	and any majo	or food allergens decl	ared by name.		
56.22	(f) A can	nabis manufacturer sh	nall not add any	v cannabis flower, can	nabis concentrate,
56.23	synthetically	derived cannabinoid,	hemp plant par	rt, or hemp concentrat	e to a product where
56.24	the manufact	urer of the product he	olds a trademar	k to the product's nam	ne, except that a
56.25	cannabis mai	nufacturer may use a	trademarked fo	od product if the man	ufacturer uses the
56.26	product as a	component or as part	of a recipe and	where the cannabis r	nanufacturer does
56.27	not state or ac	lvertise to the custome	er that the final r	etail cannabinoid prod	luct or hemp-derived
56.28	consumer pro	oduct contains a trade	marked food p	roduct.	
56.29	Sec. 25. [3 4	42.26] CANNABIS H	RETAILER LI	CENSING.	
56.30	Subdivisi	on 1. Authorized act	ions. A cannabi	is retailer license entitl	es the license holder

56.31 <u>to:</u>

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57.1	(1) pur	chase immature cannab	is plants and see	edlings, cannabis flov	wer, cannabinoid
57.2	products,	and hemp-derived consu	umer products fi	rom cannabis cultivat	tors, cannabis
57.3	manufactu	rers, cannabis microbusi	nesses, cannabis	wholesalers, and indu	strial hemp growers;
57.4	(2) sell	l immature cannabis pla	nts and seedling	s, adult-use cannabis	s flower, adult-use
57.5	cannabino	id products, hemp-deriv	ved consumer pr	oducts, and other pro	ducts authorized by
57.6	law to cus	tomers; and			
57.7	<u>(3) per</u>	form other actions appr	oved by the offi	<u>ce.</u>	
57.8	Subd.	2. Additional informat	i on required. It	n addition to the info	rmation required to
57.9	be submitt	ed under section 342.15	, subdivision 1, a	and rules adopted pur	suant to that section,
57.10	a person, c	cooperative, or business s	seeking a cannab	is retail license must	submit the following
57.11	informatic	on in a form approved by	y the office:		
57.12	<u>(1) a li</u>	st of every retail license	held by the app	blicant and, if the app	licant is a business,
57.13	every reta	il license held, either as	an individual or	as part of another but	usiness, by each
57.14	officer, di	rector, manager, and ger	neral partner of t	the cannabis business	<u>;</u>
57.15	(2) an	operating plan demonst	rating the propo	sed layout of the faci	lity, including a
57.16	diagram o	f ventilation and filtration	on systems; poli	cies to avoid sales to	individuals who are
57.17	under 21 y	years of age; identificati	on of a restricted	d area for storage; an	d plans to prevent
57.18	the visibili	ty of cannabis flower, ca	nnabinoid produ	cts, and hemp-derived	d consumer products
57.19	to individu	uals outside the retail lo	cation; and		
57.20	<u>(</u> 3) evi	dence that the business	will comply wit	h the applicable oper	ration requirements
57.21	for the lice	ense being sought.			
57.22	Subd.	3. Multiple licenses; lin	nits. (a) A perso	on, cooperative, or bu	usiness holding a
57.23	cannabis re	etailer license may also h	old a cannabis d	elivery service license	e, a medical cannabis
57.24	retailer lic	ense, and a cannabis ev	ent organizer lic	eense.	
57.25	<u>(b) Exc</u>	cept as provided in para	graph (a), no pe	rson, cooperative, or	business holding a
57.26	cannabis r	etailer license may own	or operate any	other cannabis busin	ess.
57.27	<u>(c)</u> No	person, cooperative, or	business may he	old a license to own o	or operate more than
57.28	one canna	bis retail business in on	e city or county.		
57.29	(d) The	e office by rule may lim	it the number of	f cannabis retailer lic	enses a person,
57 30	<u> </u>	ve or business may hold			

57.30 <u>cooperative</u>, or business may hold.

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58.1	(e) For pur	poses of this subdiv	vision, a restrictio	on on the number or ty	pe of license a	
58.2	business may	hold applies to ever	y cooperative me	ember or every director	r, manager, and	
58.3	general partne	r of a cannabis busi	ness.			
58.4	<u>Subd. 4.</u> M	unicipal or county	cannabis store	A city or county may	establish, own,	
58.5	and operate a	nunicipal cannabis	store subject to t	he restrictions in this c	hapter.	
58.6	<u>Subd. 5.</u>	imitations on healt	h care practitio	ners. A health care pra	actitioner who	
58.7	certifies qualif	ying medical condi	tions for patients	is prohibited from:		
58.8	(1) holding	; a direct or indirect	economic intere	st in a cannabis retaile	r <u>;</u>	
58.9	(2) serving	as a cooperative m	ember, director,	manager, general partn	er, or employee	
58.10	of a cannabis 1	etailer; or				
58.11	(3) advertis	sing with a cannabis	s retailer in any v	vay.		
58.12	<u>Subd. 6.</u> R	emuneration. <u>A</u> ca	nnabis retailer is	prohibited from:		
58.13	(1) acceptin	ng or soliciting any	form of remuner	ation from a health care	practitioner who	
58.14	certifies qualifying medical conditions for patients; or					
58.15	(2) offering any form of remuneration to a health care practitioner who certifies qualifying					
58.16	medical condi	tions for patients.				
58.17	Sec. 26. [342	2.27] CANNABIS I	RETAILER OP	ERATIONS.		
58.18	Subdivisio	n 1. <mark>Sale of cannab</mark>	is and cannabin	noid products. (a) A ca	annabis retailer	
58.19	may only sell i	mmature cannabis	plants and seedlin	ngs, adult-use cannabis	flower, adult-use	
58.20	cannabinoid p	roducts, and hemp-o	lerived consume	r products to individual	ls who are at least	
58.21	21 years of ag	<u>e.</u>				
58.22	(b) A cann	abis retailer may se	ll immature cann	abis plants and seedlin	gs, adult-use	
58.23				and hemp-derived cons	umer products	
58.24	other than hen	np-derived topical p	roducts that:			
58.25	<u>(1) are obta</u>	ained from a license	d Minnesota can	nabis cultivator, canna	bis manufacturer,	
58.26	cannabis micro	obusiness, or cannal	bis wholesaler; a	nd		
58.27	<u>(2) meet al</u>	l applicable packag	ing and labeling	requirements.		
58.28	(c) A canna	abis retailer may se	ll up to two ounc	es of adult-use cannab	is flower, eight	
58.29	-			e cannabinoid products		
58.30	milligrams of	tetrahydrocannabin	ol during a single	e transaction to a custo	mer.	

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59.1	(d) Edit	ble cannabinoid produc	ets may not inc	lude more than ten m	illigrams per serving
59.2	and a single	e package may not incl	lude more than	a total of 100 milligr	ams of
59.3	tetrahydroc	annabinol. A package	may contain m	ultiple servings of ter	n milligrams of
59.4	tetrahydroc	annabinol provided that	at each serving	is indicated by scorin	g, wrapping, or other
59.5	indicators of	lesignating the individ	ual serving siz	<u>e.</u>	
59.6	Subd. 2	<u>.</u> Sale of other produc	ts. (a) A cannal	ois retailer may sell ca	nnabis paraphernalia,
59.7	including b	ut not limited to childp	proof packagin	g containers and othe	r devices designed to
59.8	ensure the	safe storage and monite	oring of cannal	ois flower and cannab	inoid products in the
59.9	home to pro	event access by individ	luals under 21	years of age.	
59.10	<u>(b)</u> A ca	annabis retailer may se	ll hemp-derive	d topical products.	
59.11	(c) A ca	nnabis retailer may se	ll the following	g products that do not	contain cannabis
59.12	flower, can	nabis concentrate, hen	np concentrate,	synthetically derived	l cannabinoids, or
59.13	tetrahydroc	annabinol:			
59.14	<u>(1) drin</u>	ks that do not contain a	alcohol and are	packaged in sealed c	ontainers labeled for
59.15	retail sale;				
59.16	(2) bool	ks and videos on the cu	ultivation and u	use of cannabis flower	r and cannabinoid
59.17	products;				
59.18	<u>(3) mag</u>	azines and other public	cations published	ed primarily for inform	mation and education
59.19	on cannabi	s plants, cannabis flow	er, and cannab	inoid products;	
59.20	<u>(4) mul</u>	tiple-use bags designed	l to carry purcl	nased items;	
59.21	(5) clot	ning marked with the s	pecific name,	orand, or identifying	logo of the cannabis
59.22	retailer; and	<u>d</u>			
59.23	<u>(6)</u> hem	p fiber products and p	roducts that co	ntain hemp grain.	
59.24	Subd. 3	<u>Age verification. (a)</u>	Prior to initiatii	ng a sale, an employee	of a cannabis retailer
59.25	must verify	that the customer is a	t least 21 years	of age.	
59.26	<u>(b) Proc</u>	of of age may be establ	ished only by	one of the following:	
59.27	<u>(1) a va</u>	lid driver's license or i	dentification ca	ard issued by Minnes	ota, another state, or
59.28	a province	of Canada, and includin	ng the photogra	ph and date of birth o	f the licensed person;
59.29	<u>(2)</u> a va	lid Tribal identification	n card as define	ed in section 171.072	, paragraph (b);
59.30	(3) a va	lid passport issued by	the United Stat	es;	

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(4) a valid instructional permit issued under section 171.05 to a person of legal age to
purchase adult-use cannabis or adult-use cannabinoid products, which includes a photograph
and the date of birth of the person issued the permit; or
(5) in the case of a foreign national, by a valid passport.
(c) A cannabis retailer may seize a form of identification listed under paragraph (b) if
the cannabis retailer has reasonable grounds to believe that the form of identification has
been altered or falsified or is being used to violate any law. A cannabis retailer that seizes
a form of identification as authorized under this paragraph must deliver it to a law
enforcement agency within 24 hours of seizing it.
Subd. 4. Display of cannabis flower and cannabinoid products. (a) A cannabis retailer
must designate a retail area where customers are permitted. The retail area shall include the
portion of the premises where samples of cannabis flower and cannabinoid products available
for sale are displayed. All other cannabis flower and cannabinoid products must be stored
in the secure storage area.
(b) A cannabis retailer may display one sample of each type of cannabis flower or
cannabinoid product available for sale. Samples of cannabis flower and cannabinoid products
must be stored in a sample jar or display case and be accompanied by a label or notice
containing the information required to be affixed to the packaging or container containing
cannabis flower and cannabinoid products sold to customers. A sample may not consist of
nore than eight grams of adult-use cannabis flower or adult-use cannabis concentrate or an
edible cannabinoid product infused with more than 100 milligrams of tetrahydrocannabinol.
A cannabis retailer may allow customers to smell the cannabis flower or cannabinoid product
pefore purchase.
(c) A cannabis retailer may not sell cannabis flower or cannabinoid products used as a
sample for display.
Subd. 5. Posting of notices. A cannabis retailer must post all notices as required by the
office, including but not limited to:
(1) information about any product recall;
(2) a statement that operating a motor vehicle under the influence of intoxicating
cannabinoids is illegal; and
(3) a statement that cannabis flower, cannabinoid products, and hemp-derived consumer
products are only intended for consumption by individuals who are at least 21 years of age.

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61.1	Subd. 6. Hours of operation. (a) Except as provided by paragraph (b), a cannabis retailer
61.2	may not sell cannabis flower, cannabinoid products, or hemp-derived consumer products:
61.3	(1) on Sundays, except between the hours of 11:00 a.m. and 6:00 p.m.;
61.4	(2) before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday;
61.5	(3) on Thanksgiving Day;
61.6	(4) on Christmas Day, December 25; or
61.7	(5) after 8:00 p.m. on Christmas Eve, December 24.
61.8	(b) A city or county may adopt an ordinance to permit sales between 10:00 p.m. and
61.9	8:00 a.m. on the days of Monday through Saturday, or between 6:00 p.m. and 11:00 a.m.
61.10	on Sunday.
61.11	Subd. 7. Building conditions. (a) A cannabis retailer shall maintain compliance with
61.12	state and local building, fire, and zoning requirements or regulations.
61.13	(b) A cannabis retailer shall ensure that the licensed premises is maintained in a clean
61.14	and sanitary condition, free from infestation by insects, rodents, or other pests.
61.15	Subd. 8. Security. A cannabis retailer shall maintain compliance with security
61.16	requirements established by the office including but not limited to requirements for
61.17	maintaining video surveillance records, use of specific locking mechanisms, establishment
61.18	of secure entries, and the number of employees working at all times.
61.19	Subd. 9. Lighting. A cannabis retailer must keep all lighting outside and inside the
61.20	dispensary in good working order and wattage sufficient for security cameras.
61.21	Subd. 10. Deliveries. Cannabis retailers may only accept deliveries of cannabis flower,
61.22	cannabinoid products, and hemp-derived consumer products into a limited access area.
61.23	Deliveries may not be accepted through the public access areas unless otherwise approved
61.24	by the office.
61.25	Subd. 11. Prohibitions. A cannabis retailer shall not:
61.26	(1) sell cannabis flower or cannabinoid products to a person who is visibly intoxicated;
61.27	(2) knowingly sell more cannabis flower or cannabinoid products than a customer is
61.28	legally permitted to possess;
61.29	(3) give away immature cannabis plants or seedlings, cannabis flower, cannabinoid
61.30	products, or hemp-derived consumer products;
61.31	(4) operate a drive-through window;

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62.1	(5) allow for the dispensing of cannabis plants, cannabis flower, cannabinoid products,
62.2	or hemp-derived consumer products in vending machines; or
62.3	(6) sell cannabis plants, cannabis flower, or cannabinoid products if the cannabis retailer
62.4	knows that any required security or statewide monitoring systems are not operational.
62.5	Subd. 12. Retail location; physical separation required. (a) A licensed cannabis retailer
62.6	that is also a licensed medical cannabis retailer may sell medical cannabis flower and medical
62.7	cannabinoid products on a portion of its premises.
62.8	(b) The portion of the premises in which medical cannabis flower and medical
62.9	cannabinoid products are sold must be definite and distinct from all other areas of the
62.10	cannabis retailer, must be accessed through a distinct entrance, and must provide an
62.11	appropriate space for a pharmacist employee of the medical cannabis retailer to consult with
62.12	the patient to determine the proper type of medical cannabis flower and medical cannabinoid
62.13	products and proper dosage for the patient.
62.14	Sec. 27. [342.28] CANNABIS WHOLESALER LICENSING.
62.15	Subdivision 1. Authorized actions. A cannabis wholesaler license entitles the license
62.16	holder to:
62.17	(1) purchase immature cannabis plants and seedlings, cannabis flower, cannabinoid
62.18	products, and hemp-derived consumer products from cannabis cultivators, cannabis
62.19	manufacturers, cannabis microbusinesses, and industrial hemp growers;
62.20	(2) sell immature cannabis plants and seedlings, cannabis flower, cannabinoid products,
62.21	and hemp-derived consumer products to cannabis manufacturers and cannabis retailers;
62.22	(3) import hemp-derived consumer products and lower potency edible products that
62.23	contain hemp concentrate or synthetically derived cannabinoids that are derived from hemp
62.24	plants or hemp plant parts; and
62.25	(4) perform other actions approved by the office.
62.26	Subd. 2. Additional information required. In addition to the information required to
62.27	be submitted under section 342.15, subdivision 1, and rules adopted pursuant to that section,
62.28	a person, cooperative, or business seeking a cannabis wholesaler license must submit the
62.29	following information in a form approved by the office:
62.30	(1) an operating plan demonstrating the proposed layout of the facility including a
62.31	diagram of ventilation and filtration systems and policies to avoid sales to unlicensed
62.32	cannabis businesses; and

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63.1	(2) evidenc	e that the business	will comply wi	th the applicable opera	tion requirements	
63.2	for the license	being sought.				
63.3	Subd. 3. Multiple licenses; limits. (a) A person, cooperative, or business holding a					
63.4	cannabis whole	esaler license may al	so hold a canna	bis transporter license,	a cannabis delivery	
63.5	service license	e, and a cannabis eve	ent organizer li	cense.		
63.6	(b) Except	as provided in parag	graph (a), no p	erson, cooperative, or b	ousiness holding a	
63.7	cannabis whol	esaler license may c	own or operate	any other cannabis bus	siness.	
63.8	(c) The off	ice by rule may limi	t the number of	f cannabis wholesaler 1	icenses a person or	
63.9	business may	nold.				
63.10	(d) For pur	poses of this subdiv	vision, a restrict	ion on the number or t	ype of license a	
63.11	business may l	hold applies to every	y cooperative r	nember or every direct	or, manager, and	
63.12	general partne	r of a cannabis busin	ness.			
63.13	Sec. 28. [34 2	2.29] CANNABIS V	WHOLESALI	CR OPERATIONS.		
(2.14					many that as making	
63.14				nabis wholesaler must e s are physically separa		
63.15 63.16	• · ·		•	lucts, in a manner that		
63.17	cross-contamin	<u> </u>	consumer proc	iucis, in a manner mai	prevents any	
03.17						
63.18				olesaler must maintain		
63.19				to cannabis plants, car	nnabis flower,	
63.20	cannabinoid p	roducts, and hemp-c	lerived consum	er products.		
63.21	Subd. 3. B	uilding conditions.	(a) A cannabis	wholesaler shall main	tain compliance	
63.22	with state and	local building, fire,	and zoning rec	uirements or regulation	ns.	
63.23	(b) A canna	abis wholesaler shal	l ensure that th	e licensed premises is	maintained in a	
63.24	clean and sani	tary condition, free	from infestatio	n by insects, rodents, o	r other pests.	
63.25	<u>Subd. 4.</u> Sa	ale of other produc	ts. A cannabis	wholesaler may purcha	ase and sell other	
63.26	products or ite	ms for which the ca	nnabis wholes	aler has a license or aut	thorization or that	
63.27	do not require	a license or authoriz	zation. Product	s for which no license	or authorization is	
63.28	required inclue	le but are not limited	l to industrial h	emp products, products	s that contain hemp	
63.29	grain, and can	nabis paraphernalia,	including but	not limited to childpro	of packaging	
63.30	containers and	other devices design	ned to ensure th	e safe storage and mon	itoring of cannabis	
63.31	flower and car	mabinoid products i	n the home to	prevent access by indiv	viduals under 21	
63.32	years of age.					

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64.1	Subd. 5. Importation of hemp-derived products. (a) A cannabis wholesaler that imports
64.2	lower potency edible products or hemp-derived consumer products, other than hemp-derived
64.3	topical products, that are manufactured outside the boundaries of the state of Minnesota
64.4	with the intent to sell the products to a cannabis retailer or lower potency edible product
64.5	retailer must obtain a hemp-derived product importer endorsement from the office.
64.6	(b) A cannabis wholesaler with a hemp-derived product importer endorsement may sell
64.7	products manufactured outside the boundaries of the state of Minnesota if:
0117	
64.8	(1) the manufacturer is licensed in another jurisdiction and subject to regulations designed
64.9	to protect the health and safety of consumers that the office determines are substantially
64.10	similar to the regulations in this state; or
64.11	(2) the cannabis wholesaler establishes, to the satisfaction of the office, that the
64.12	manufacturer engages in practices that are substantially similar to the practices required for
64.13	licensure of manufacturers in this state.
64.14	(c) The cannabis wholesaler must enter all relevant information regarding an imported
64.15	product into the statewide monitoring system before the product may be distributed to a
64.16	licensed cannabis retailer or lower potency edible product retailer. Relevant information
64.17	includes information regarding the cultivation, processing, and testing of the industrial hemp
64.18	used in the manufacture of the product and information regarding the testing of the lower
64.19	potency edible product or hemp-derived consumer product. If information regarding the
64.20	industrial hemp, lower potency edible product, or hemp-derived consumer product was
64.21	submitted to a statewide monitoring system used in another state, the office may require
64.22	submission of any information provided to that statewide monitoring system and shall assist
64.23	in the transfer of data from another state as needed and in compliance with any data
64.24	classification established by either state.
64.25	(d) The office may suspend, revoke, or cancel the endorsement of a distributor who is
64.26	prohibited from distributing products containing cannabinoids in any other jurisdiction,
64.27	convicted of an offense involving the distribution of products containing cannabinoids in
64.28	any other jurisdiction, or found liable for distributing any product that injured customers in
64.29	any other jurisdiction. A cannabis wholesaler shall disclose all relevant information related
64.30	to actions in another jurisdiction. Failure to disclose relevant information may result in
64.31	disciplinary action by the office, including the suspension, revocation, or cancellation of
64.32	an endorsement or license.

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65.1	(e) Notv	vithstanding any law to	o the contrary, i	t shall not be a defens	e in any civil or	
65.2		tion that a licensed whe				
65.3		rovided by a manufact				
		-				
65.4	Sec. 29. [.	342.30] CANNABIS 7	FRANSPORT	ER LICENSING.		
65.5	Subdivis	sion 1. Authorized act	tions. <u>A</u> cannal	ois transporter license	entitles the license	
65.6	holder to tra	ansport immature cann	abis plants and	seedlings, cannabis fl	ower, cannabinoid	
65.7	products, sy	inthetically derived can	nnabinoids, hei	np plant parts, hemp c	oncentrate, and	
65.8	hemp-derive	ed consumer products fr	om cannabis cu	ltivators, cannabis man	ufacturers, cannabis	
65.9	wholesalers	s, cannabis microbusin	esses, medical	cannabis retailers, mec	lical cannabis	
65.10	processors,	and industrial hemp gro	wers to cannabi	s manufacturers, canna	bis testing facilities,	
65.11	cannabis wl	holesalers, cannabis re	tailers, lower p	otency edible product	retailers, medical	
65.12	cannabis pre	ocessors, and medical	cannabis retaile	ers and perform other a	ctions approved by	
65.13	the office.					
65.14	Subd. 2.	Additional informat	ion required.	n addition to the infor	mation required to	
65.15	be submitte	d under section 342.15,	, subdivision 1,	and rules adopted purs	uant to that section,	
65.16	a person, cooperative, or business seeking a cannabis transporter license must submit the					
65.17	following in	nformation in a form a	pproved by the	office:		
65.18	<u>(1) an ap</u>	opropriate surety bond	, certificate of i	nsurance, qualification	ns as a self-insurer,	
65.19	or other sec	urities or agreements,	in the amount of	of not less than \$300,0	00, for loss of or	
65.20	damage to c	cargo;				
65.21	<u>(2)</u> an ap	opropriate surety bond	, certificate of i	nsurance, qualification	ns as a self-insurer,	
65.22	or other sec	urities or agreements,	in the amount of	of not less than \$1,000	,000, for injury to	
65.23	one or more	e persons in any one ac	cident and, if a	in accident has resulted	<u>d in injury to or</u>	
65.24	destruction	of property, of not less	s than \$100,000) because of such injur	y to or destruction	
65.25	of property	of others in any one ad	ccident;			
65.26	(3) the n	umber and type of equ	ipment the bus	iness will use to transp	ort cannabis flower	
65.27	and cannab	inoid products;				
65.28	<u>(4) a loa</u>	ding, transporting, and	l unloading pla	<u>n;</u>		
65.29	<u>(5)</u> a des	scription of the applica	nt's experience	in the distribution or	security business;	
65.30	and					
65.31	<u>(6)</u> evide	ence that the business	will comply wi	th the applicable opera	ation requirements	
65.32	for the licer	nse being sought.				

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66.1	Subd. 3. Mu	ıltiple licenses; lin	nits. (a) A person	n, cooperative, or bus	siness holding a	
66.2	cannabis transp	orter license may als	so hold a cannab	is wholesaler license,	a cannabis delivery	
66.3	service license,	and a cannabis eve	nt organizer lice	ense.		
66.4	(b) Except a	s provided in parag	graph (a), no per	son, cooperative, or b	ousiness holding a	
66.5	cannabis transp	orter license may o	wn or operate a	ny other cannabis bus	siness.	
66.6	(c) The offic	ce by rule may limit	the number of o	cannabis transporter l	icenses a person or	
66.7	business may h	old.				
66.8	(d) For purp	oses of this subdiv	sion, restriction	s on the number or ty	pe of license a	
66.9	business may h	old apply to every o	cooperative men	nber or every director	, manager, and	
66.10	general partner	of a cannabis busir	less.			
66.11	Sec. 30. [342.	31] CANNABIS T	RANSPORTE	R OPERATIONS.		
66.12	Subdivision	1. Manifest requi	red. Before tran	sporting cannabis pla	nts and seedlings,	
66.13	cannabis flower	r, cannabinoid prod	ucts, synthetical	ly derived cannabino	ids, hemp plant	
66.14	parts, or hemp-	derived consumer p	products, a canna	abis transporter shall	obtain a shipping	
66.15	manifest on a form established by the office. The manifest must be kept with the products					
66.16	at all times and	the cannabis transp	orter must main	tain a copy of the mar	nifest in its records.	
66.17	<u>Subd. 2.</u> Re	cords of transport	ation. Records	of transportation mus	t be kept for a	
66.18	minimum of the	ree years at the cam	nabis transporter	r's place of business a	and are subject to	
66.19	inspection upon	request by the offic	e, the commissio	ner of transportation,	or law enforcement	
66.20	agency. Record	s of transportation	nclude the follo	wing:		
66.21	<u>(1) copies o</u>	f transportation ma	nifests for all de	liveries;		
66.22	(2) a transpo	ortation log docume	enting the chain	of custody for each d	elivery, including	
66.23	every employed	e and vehicle used o	luring transporta	ation; and		
66.24	(3) financia	l records showing p	ayment for trans	sportation services.		
66.25	<u>Subd. 3.</u> Sto	orage compartmen	t. Cannabis plaı	nts and seedlings, can	nabis flower,	
66.26	cannabinoid pro	oducts, syntheticall	y derived cannal	binoids, hemp plant p	oarts, and	
66.27	hemp-derived c	consumer products 1	nust be transpor	ted in a locked, safe,	and secure storage	
66.28	compartment th	nat is part of the mo	tor vehicle or in	a locked storage con	tainer that has a	
66.29	separate key or o	combination pad. Ca	nnabis plants an	d seedlings, cannabis f	flower, cannabinoid	
66.30	products, synthe	etically derived can	nabinoids, hemp	plant parts, and hemp	-derived consumer	
66.31	products may n	ot be visible from o	outside the moto	r vehicle.		

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Subd. 4. Identifying logos or business names prohibited. No vehicle or trailer may
contain an image depicting the types of items being transported, including but not limited
to an image depicting a cannabis or hemp leaf, or a name suggesting that the vehicle is used
n transporting cannabis plants and seedlings, cannabis flower, cannabinoid products,
ynthetically derived cannabinoids, hemp plant parts, or hemp-derived consumer products.
Subd. 5. Randomized deliveries. A cannabis transporter shall ensure that all delivery
imes and routes are randomized.
Subd. 6. Multiple employees. All cannabis transporter vehicles transporting cannabis
lants and seedlings, cannabis flower, cannabinoid products, synthetically derived
annabinoids, hemp plant parts, or hemp-derived consumer products must be staffed with
minimum of two employees. At least one delivery team member shall remain with the
notor vehicle at all times that the motor vehicle contains cannabis plants and seedlings,
cannabis flower, cannabinoid products, synthetically derived cannabinoids, hemp plant
parts, or hemp-derived consumer products.
Subd. 7. Nonemployee passengers prohibited. Only a cannabis worker employed by
or contracted with the cannabis transporter and who is at least 21 years of age may transport
cannabis plants and seedlings, cannabis flower, cannabinoid products, synthetically derived
annabinoids, hemp plant parts, or hemp-derived consumer products. All passengers in a
vehicle must be cannabis workers employed by or contracted with the cannabis transporter.
Subd. 8. Drivers license required. All drivers must carry a valid driver's license with
he proper endorsements when operating a vehicle transporting cannabis plants and seedlings,
annabis flower, or cannabinoid products.
Subd. 9. Vehicles subject to inspection. Any vehicle assigned for the purposes of
transporting cannabis plants and seedlings is subject to inspection and may be stopped or
nspected at any licensed cannabis business or while en route during transportation.
Sec. 31. [342.32] CANNABIS TESTING FACILITY LICENSING.
Subdivision 1. Authorized actions. A cannabis testing facility license entitles the license
nolder to obtain and test immature cannabis plants and seedlings, cannabis flower,
cannabinoid products, hemp plant parts, hemp concentrate, synthetically derived
cannabinoids, and hemp-derived consumer products from cannabis cultivators, cannabis
nanufacturers, cannabis wholesalers, cannabis microbusinesses, medical cannabis cultivators,

67.32 medical cannabis processors, and industrial hemp growers.

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68.1	<u>Subd. 2.</u> A	dditional informat	ion required.	In addition to the infor	mation required to
68.2	be submitted u	nder section 342.15.	, subdivision 1,	and rules adopted purs	suant to that section,
68.3	a person, coop	erative, or business	seeking a can	nabis testing facility lic	ense must submit
68.4	the following i	information in a for	m approved by	the office:	
68.5	<u>(1)</u> an oper	ating plan demonst	rating the prop	osed layout of the facil	lity, including a
68.6	diagram of ver	ntilation and filtration	on systems and	policies to avoid sales	s to unlicensed
68.7	businesses;				
68.8	(2) proof of	f accreditation by a l	aboratory accre	editing organization ap	proved by the office
68.9	that, at a minir	num, requires a labo	oratory to oper	ate formal managemen	t systems under the
68.10	International C	Organization for Sta	ndardization; a	und	
68.11	(3) evidence	that the business	will comply w	ith the applicable operation	ation requirements
68.12	for the license	being sought.			
68.13	<u>Subd. 3.</u> M	ultiple licenses; lir	nits. (a) A pers	son, cooperative, or bu	siness holding a
68.14	cannabis testin	ig facility license m	ay not own or	operate, or be employe	ed by, any other
68.15	cannabis busin	less.			
68.16	(b) The off	ice by rule may limi	t the number of	f cannabis testing facili	ty licenses a person
68.17	or business ma	ıy hold.			
68.18	(c) For pur	poses of this subdiv	rision, a restric	tion on the number of	licenses a business
68.19	may hold appl	ies to every coopera	ative member of	or every director, mana	ger, and general
68.20	partner of a ca	nnabis business.			
68.21	Sec 32 [3/1	231 CANNARIS	FESTING FA	CILITY OPERATIO	NS
00.21	500. 52. [342				
68.22				testing facility shall pr	
68.23	testing service	s required under sec	ction 342.60 ar	nd rules adopted pursua	ant to that section.
68.24	<u>Subd. 2.</u> Te	esting protocols. <u>A</u>	cannabis testin	g facility shall follow a	Ill testing protocols,
68.25	standards, and	criteria adopted by	rule by the off	ice for the testing of d	ifferent forms of
68.26	cannabis flowe	r and cannabinoid p	roducts; determ	ining batch size; sampl	ing; testing validity;
68.27	and approval a	und disapproval of to	ested cannabis	plants and seedlings, c	annabis flower,
68.28	cannabinoid pr	roducts, hemp plant	parts, hemp co	oncentrate, synthetical	ly derived
68.29	cannabinoids,	and hemp-derived c	consumer prod	ucts.	
68.30	<u>Subd. 3.</u> R	ecords. Records of	all business tra	insactions and testing i	esults; records
68.31	required to be 1	naintained pursuant	to any applicat	ble standards for accred	litation; and records
68.32	relevant to test	ing protocols, stand	lards, and crite	ria adopted by the offi	ce must be kept for

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69.1	a minimur	n of three years at the c	annabis testing	facility's place of busi	ness and are subject	
69.2	a minimum of three years at the cannabis testing facility's place of business and are subject to inspection upon request by the office or law enforcement agency.					
69.3	Subd. 4. Disposal of cannabis flower and cannabinoid products. A testing facility					
69.4						
69.5	^	shall dispose of or destroy used, unused, and waste cannabis plants and seedlings, cannabis flower, cannabinoid products, hemp plant parts, hemp concentrate, synthetically derived				
69.6		ids, and hemp-derived of				
69.7	Sec. 33.	[342.34] CANNABIS	MICROBUSIN	IESS LICENSING.		
69.8	Subdiv	vision 1. Authorized ac	tions. A cannab	ois microbusiness lice	ense, consistent with	
69.9	the specifi	c license endorsement c	or endorsements	, entitles the license he	older to perform any	
69.10	or all of th	e following:				
69.11	(1) gro	w cannabis plants from	seed or immatu	re plant to mature pla	nt, harvest cannabis	
69.12	flower from	m a mature plant and pa	ckage and label	cannabis flower for sa	ale to other cannabis	
69.13	businesses	<u>;</u>				
69.14	<u>(2) cre</u>	ate cannabis concentrat	<u>e;</u>			
69.15	<u>(3) ma</u>	nufacture cannabinoid	products for put	olic consumption;		
69.16	<u>(4) pur</u>	chase cannabis concent	rate and hemp c	oncentrate from a can	nabis manufacturer,	
69.17	<u>cannabis</u> w	wholesaler, or licensed he	emp grower for u	se in manufacturing ca	annabinoid products;	
69.18	(5) sell	l immature cannabis pla	ints and seedling	gs, adult-use cannabis	s flower, adult-use	
69.19	<u>cannabino</u>	id products, hemp-deriv	ved consumer p	roducts, and other pro	oducts authorized by	
69.20	law to cus	tomers;				
69.21	<u>(6)</u> оре	erate an establishment t	hat permits on-s	ite consumption of ec	lible cannabinoid	
69.22	products;	and				
69.23	<u>(7) per</u>	form other actions appr	oved by the off	ice.		
69.24	Subd. 2	2. Additional information	tion required. I	n addition to the info	rmation required to	
69.25	be submitt	ed under section 342.15	, subdivision 1,	and rules adopted pur	suant to that section,	
69.26	a person, o	cooperative, or business	s seeking a cann	abis microbusiness li	cense must submit	
69.27	the follow	ing information in a for	rm approved by	the office:		
69.28	(1) an	operating plan demonst	rating the prope	osed layout of the faci	lity, including a	
69.29	diagram o	f ventilation and filtrati	on systems; pla	ns for wastewater and	l waste disposal for	
69.30	any cultiva	ation or manufacturing	activities; plans	for providing electric	tity, water, and other	
69.31	utilities ne	ecessary for the normal	operation of any	y cultivation or manu	facturing activities;	
69.32	plans for c	compliance with applica	ble building cod	le and federal and stat	e environmental and	

70.1	workplace safety requirements and policies; and plans to avoid sales to unlicensed cannabis			
70.2	businesses and individuals under 21 years of age;			
70.3	(2) if the applicant is seeking an endorsement to cultivate cannabis plants and harvest			
70.4	cannabis flower, a cultivation plan demonstrating the proposed size and layout of the			
70.5	cultivation facility that will be used exclusively for cultivation including the total amount			
70.6	of plant canopy;			
70.7	(3) if the applicant is seeking an endorsement to create cannabis concentrate, information			
70.8	identifying all methods of extraction and concentration that the applicant intends to use and			
70.9	the volatile chemicals, if any, that will be involved in extraction or concentration; and			
70.10	(4) evidence that the applicant will comply with the applicable operation requirements			
70.11	for the license being sought.			
70.12	Subd. 3. Multiple licenses; limits. (a) A person, cooperative, or business holding a			
70.13	cannabis microbusiness license may also hold a cannabis event organizer license.			
70.14				
70.14 70.15	(b) Except as provided in paragraph (a), no person, cooperative, or business holding a cannabis microbusiness license may own or operate any other cannabis business.			
/0.15				
70.16	(c) The office by rule may limit the number of cannabis microbusiness licenses that a			
70.17	person or business may hold.			
70.18	(d) For purposes of this subdivision, a restriction on the number or type of license that			
70.19	a business may hold applies to every cooperative member or every director, manager, and			
70.20	general partner of a cannabis business.			
70.21	Sec. 34. [342.35] CANNABIS MICROBUSINESS OPERATIONS.			
70.21				
70.22	Subdivision 1. Cultivation endorsement. (a) A cannabis microbusiness that cultivates			
70.23	cannabis plants and harvests cannabis flower must comply with the requirements in section			
70.24	<u>342.23.</u>			
70.25	(b) A cannabis microbusiness that cultivates cannabis may cultivate not more than 2,000			
70.26	square feet of plant canopy unless the office, by rule, increases that limit. The office may,			
70.27	by rule, increase the limit on plant canopy to no more than 5,000 square feet if the office			
70.28	determines that expansion is consistent with the goals identified in section 342.02, subdivision			
70.29	<u>1.</u>			
70.30	Subd. 2. Extraction and concentration endorsement. A cannabis microbusiness that			
70.31	creates cannabis concentrate must comply with the requirements in section 342.25,			
70.32	subdivisions 1 and 2.			

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71.1	Subd. 3	<u>B.</u> Production of custor	ner products e	ndorsement. <u>A canna</u>	abis microbusiness		
71.2	that manufacturers edible cannabinoid products must comply with the requirements in						
71.3	section 342	section 342.25, subdivisions 1 and 3.					
71.4	Subd. 4	Subd. 4. Retail operations endorsement. A cannabis microbusiness that operates a					
71.5	retail locati	retail location must comply with the requirements in section 342.27.					
71.6	Subd. 5	Subd. 5. On-site consumption endorsement. (a) A cannabis microbusiness may permit					
71.7	on-site con	sumption of edible can	nabinoid produ	cts on a portion of its	premises.		
71.8	<u>(b) The</u>	(b) The portion of the premises in which on-site consumption is permitted must be					
71.9	definite and distinct from all other areas of the microbusiness and must be accessed through						
71.10	a distinct e	a distinct entrance.					
71.11	<u>(c)</u> Edit	ble cannabinoid produc	ts sold for on-si	te consumption must	comply with this		
71.12	chapter and	d rules adopted pursuan	t to this chapter	regarding the testing	, packaging, and		
71.13	labeling of cannabinoid products.						
71.14	(d) Edible cannabinoid products sold for on-site consumption must be served in the						
71.15	required packaging, but may be removed from the products' packaging by customers and						
71.16	consumed	consumed on site.					
71.17	<u>(e)</u> Foo	d and beverages not oth	nerwise prohibit	ed by this subdivisior	n may be prepared		
71.18	and sold or	and sold on site provided that the cannabis microbusiness complies with all relevant state					
71.19	and local la	aws, ordinances, licensi	ng requirement	s, and zoning requirer	nents.		
71.20	<u>(f)</u> A ca	nnabis microbusiness sl	nall ensure that	he display and consum	nption of any edible		
71.21	<u>cannabinoi</u>	cannabinoid product is not visible from outside of the licensed premises of the business.					
71.22	<u>(g)</u> A ca	(g) A cannabis microbusiness may offer recorded or live entertainment provided that					
71.23	the cannabis microbusiness complies with all relevant state and local laws, ordinances,						
71.24	licensing re	licensing requirements, and zoning requirements.					
71.25	<u>(h) A ca</u>	annabis microbusiness	may not:				
71.26	<u>(1) sell</u>	edible cannabinoid pro	ducts to an indi	vidual who is under 2	1 years of age;		
71.27	<u>(2) perr</u>	nit an individual who is	s under 21 years	s of age to enter the pr	remises;		
71.28	<u>(3) sell</u>	more than one single so	erving of an edi	ble cannabinoid produ	uct to a customer;		
71.29	<u>(4) sell</u>	an edible cannabinoid	product to a per	son who is visibly int	oxicated;		
71.30	<u>(5) sell</u>	or allow the sale or cor	nsumption of al	cohol or tobacco on th	ie premises;		

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72.1	(6) sell pro	oducts that are intended	ed to be eaten or c	consumed as a drink, ot	her than packaged		
72.2	and labeled edible cannabinoid products, that contain cannabis flower or hemp plant parts						
72.3	or are infused	d with cannabis conce	entrate, hemp co	ncentrate, or synthetica	ally derived		
72.4	cannabinoids	cannabinoids;					
72.5	(7) permit edible cannabinoid products sold in the portion of the area designated for						
72.6	on-site consumption to be removed from that area;						
72.7	(8) permit adult-use cannabis flower, adult-use cannabinoid products, or tobacco to be						
72.8	consumed through smoking or a vaporized delivery method on the premises; or						
72.9							
72.10	(9) distribute or allow free samples of adult-use cannabis flower, adult-use cannabinoid products, or hemp-derived consumer products.						
, 2.10	<u>products</u> , or 1						
72.11	Sec. 35. [34	12.36] CANNABIS I	EVENT ORGA	NIZER LICENSING	<u>.</u>		
72.12	Subdivisi	on 1. Authorized ac	tions. <u>A</u> cannabi	s event organizer licen	se entitles the		
72.13	license holde	r to organize a tempo	orary cannabis ev	vent lasting no more the	an four days.		
72.14	Subd. 2. Additional information required. (a) In addition to the information required						
72.15	to be submitt	ed under section 342	.15, subdivision	1, and rules adopted p	ursuant to that		
72.16	section, a person, cooperative, or business seeking a cannabis event organizer license must						
72.17	submit the following information in a form approved by the office:						
72.18	(1) the type	pe and number of any	other cannabis	business license held b	y the applicant;		
72.19	(2) the ad	dress and location w	here the tempora	ry cannabis event will	take place;		
72.20	(3) the na	me of the temporary	cannabis event;				
72.21	<u>(4) a diag</u>	ram of the physical la	yout of the temp	orary cannabis event sl	nowing where the		
72.22	event will tak	te place on the ground	ls, all entrances a	and exits that will be use	ed by participants		
72.23	during the ev	ent, all cannabis con	sumption areas, a	all cannabis retail areas	s where cannabis		
72.24	flower and cannabinoid products will be sold, the location where cannabis waste will be						
72.25	stored, and an	ny location where car	nnabis flower an	d cannabinoid products	s will be stored;		
72.26	<u>(5) a list c</u>	of the name, number,	and type of canr	nabis businesses that w	ill sell cannabis		
72.27	plants, adult-	use cannabis flower,	adult-use cannab	pinoid products, and he	mp-derived		
72.28	consumer pro	oducts at the event, w	which may be sup	plemented or amended	l within 72 hours		
72.29	of the time at	t which the cannabis	event begins;				

- 72.30 (6) the dates and hours during which the cannabis event will take place;
- 72.31 (7) proof of local approval for the cannabis event; and

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73.1	(8) evid	lence that the business	will comply w	ith the applicable opera	tion requirements
73.2		nse being sought.			i
73.3	(b) A pe	erson, cooperative, or l	ousiness seekir	ng a cannabis event orga	anizer license may
73.4	<u> </u>	· · · · · · · · · · · · · · · · · · ·		director, manager, and g	
73.5		usiness is serving or ha			<u>, 1</u>
73.6				son, cooperative, or bus	siness holding a
73.7				cannabis testing facility	
73.8				of cannabis event licens	ses that a person of
73.9	business m	ay noid.			
73.10	(c) For	purposes of this subdiv	vision, restriction	ons on the number or ty	pe of license that a
73.11	business m	ay hold apply to every	cooperative m	ember or every director	c, manager, and
73.12	general par	tner of a cannabis busi	ness.		
73.13	Sec. 36. [342.37] CANNABIS	EVENT ORG	ANIZER OPERATIO	NS.
73.14	Subdivi	sion 1. Local approva	I. A cannabis e	vent organizer must reco	eive local approval.
73.15				enses issued by a local u	
73.16	U	ling a cannabis event.	1		
73.17	Subd. 2	. Charging fees. (a) A	cannabis ever	t organizer may charge	an entrance fee to
73.18	a cannabis				
73.19	(b) A ca	annabis event organize	r may charge a	fee to a cannabis busine	ess in exchange for
73.20	space to dis	splay and sell cannabis	flower and ca	nnabinoid products. An	y fee paid for
73.21	participatio	on in a cannabis event s	hall not be bas	ed on or tied to the sale	of cannabis plants,
73.22	adult-use ca	annabis flower, adult-ı	ise cannabinoi	d products, or hemp-der	rived consumer
73.23	products.				
73.24	Subd. 3	. Security. A cannabis	event organize	r must hire or contract fo	or licensed security
73.25	personnel t	o provide security serv	ices at the can	nabis event. All security	personnel hired or
73.26	contracted	for shall be at least 21	years of age a	nd present on the license	ed event premises
73.27	at all times	that cannabinoid prod	ucts are availa	ble for sale or consump	tion of adult-use
73.28	cannabis flo	ower or adult-use cann	abinoid produc	ets is allowed. The secu	rity personnel shall
73.29	not consum	ne cannabis flower or c	annabinoid pro	ducts for at least 24 hou	irs before the event
73.30	or during th	ne event.			
73.31	Subd. 4	<u>. Limited access to ev</u>	ent. <u>A cannab</u>	is event organizer shall	ensure that access
73.32	to an event	is limited to individua	ls who are at le	east 21 years of age. At	or near each public

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74.1	entrance to any area where the sale or consumption of adult-use cannabis flower or adult-use
74.2	cannabinoid products is allowed, a cannabis event organizer shall maintain a clearly visible
74.3	and legible sign consisting of the following statement: No persons under 21 allowed. The
74.4	lettering of the sign shall be not less than one inch in height.
74.5	Subd. 5. Cannabis waste. A cannabis event organizer shall ensure that all used, unused,
74.6	and waste cannabis plants, cannabis flower, cannabinoid products, and hemp-derived
74.7	consumer products that are not removed by a customer or cannabis business are disposed
74.8	of in a manner approved by the office.
74.9	Subd. 6. Transportation of cannabis plants, flower, and products. All transportation
74.10	of cannabis plants, adult-use cannabis flower, adult-use cannabinoid products, and
74.11	hemp-derived consumer products intended for display or sale and all cannabis plants,
74.12	adult-use cannabis flower, adult-use cannabinoid products, and hemp-derived consumer
74.13	products used for display or not sold during the cannabis event must be transported to and
74.14	from the cannabis event by a licensed cannabis transporter.
74.15	Subd. 7. Cannabis event sales. (a) Licensed cannabis retailers and licensed cannabis
74.16	microbusinesses with an endorsement to sell cannabis plants, adult-use cannabis flower,
74.17	adult-use cannabinoid products, and hemp-derived consumer products to customers, including
74.18	the cannabis event organizer, may sell cannabis plants, adult-use cannabis flower, adult-use
74.19	cannabinoid products, and hemp-derived consumer products to customers at a cannabis
74.20	event.
74.21	(b) All sales of cannabis plants, adult-use cannabis flower, adult-use cannabinoid
74.22	products, and hemp-derived consumer products at a cannabis event must take place in a
74.23	retail area as designated in the premises diagram.
74.24	(c) Licensed cannabis retailers and licensed cannabis microbusinesses may only conduct
74.25	sales within their specifically assigned area.
74.26	(d) Licensed cannabis retailers and licensed cannabis microbusinesses must verify the
74.27	age of all customers pursuant to section 342.27, subdivision 3, before completing a sale and
74.28	may not sell cannabis flower or cannabinoid products to an individual under 21 years of
74.29	age.
74.30	(e) Licensed cannabis retailers and licensed cannabis microbusinesses may display one
74.31	sample of each type of cannabis plant, adult-use cannabis flower, adult-use cannabinoid
74.32	product, and hemp-derived consumer product available for sale. Samples of adult-use
74.33	cannabis and adult-use cannabinoid products must be stored in a sample jar or display case
74.34	and be accompanied by a label or notice containing the information required to be affixed

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75.1	to the packag	ing or container conta	aining adult-use o	cannabis flower and a	adult-use cannabinoid
75.2	products sold	l to customers. A sam	ple may not con	sist of more than eig	ht grams of adult-use
75.3	cannabis flow	wer or adult-use cann	abis concentrate,	, or an edible cannab	inoid product infused
75.4	with more th	an 100 milligrams o	f tetrahydrocann	abinol. A cannabis r	etailer may allow
75.5	customers to	smell the adult-use	cannabis flower	or adult-use cannabi	noid product before
75.6	purchase.				
75.7	(f) The ne	otice requirements u	nder section 342	.27, subdivision 5, a	pply to licensed
75.8	cannabis reta	ilers and licensed car	nabis microbusi	nesses offering cann	abis plants, adult-use
75.9	cannabis flow	wer, adult-use cannab	pinoid products,	and hemp-derived co	onsumer products for
75.10	sale at a cam	nabis event.			
75.11	(g) Licen	sed cannabis retailer	s and licensed ca	annabis microbusine	esses may not:
75.12	<u>(1) sell a</u>	dult-use cannabis flo	wer or adult-use	cannabinoid produc	ets to a person who is
75.13	visibly intox	icated;			
75.14	<u>(2) know</u>	ingly sell more adult	-use cannabis flo	ower or adult-use ca	nnabinoid products
75.15	than a custor	ner is legally permitt	ed to possess;		
75.16	<u>(3) sell m</u>	nedical cannabis flow	ver or medical ca	nnabinoid products;	<u>.</u>
75.17	(4) give a	way cannabis plants	, cannabis flower	r, cannabinoid produ	icts, or hemp-derived
75.18	consumer pr	oducts; or			
75.19	<u>(</u> 5) allow	for the dispensing of	f cannabis plants	s, cannabis flower, c	annabinoid products,
75.20	or hemp-der	ived consumer produ	cts in vending n	nachines.	
75.21	(h) Excep	ot for samples of adul	t-use cannabis fl	ower and adult-use c	annabinoid products,
75.22	all adult-use	cannabis flower and a	adult-use cannab	inoid products for sa	le at a cannabis event
75.23	must be store	ed in a secure, locked	l container that i	s not accessible to the	ne public. Adult-use
75.24	cannabis flov	wer and adult-use car	nabinoid produ	cts being stored at a	cannabis event shall
75.25	not be left ur	nattended.			
75.26	(i) All ca	nnabis plants, adult-u	use cannabis flov	wer, adult-use canna	binoid products, or
75.27	hemp-derive	d consumer products	for sale at a can	nabis event must con	nply with this chapter
75.28	and rules add	opted pursuant to this	chapter regardi	ng the testing, packa	ging, and labeling of
75.29	those items.				
75.30	(j) All ca	nnabis plants, adult-u	use cannabis flov	wer, and adult-use ca	annabinoid products
75.31	sold, damage	ed, or destroyed at a ca	nnabis event mu	ist be recorded in the	statewide monitoring
75.32	system.				

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76.1	<u>Subd. 8.</u>	Cannabis event on-s	site consumptio	o n. (a) If approved by	the local unit of
76.2	government	, a cannabis event may	y designate an ar	ea for consumption o	f adult-use cannabis
76.3	flower, adul	t-use cannabinoid pro	oducts, or both.		
76.4	<u>(b) Acce</u>	ess to areas where con	sumption of adu	Ilt-use cannabis flow	er or adult-use
76.5	cannabinoid	l products is allowed s	shall be restricte	d to individuals who	are at least 21 years
76.6	of age.				
76.7	<u>(c)</u> The c	cannabis event organiz	zer shall ensure	that consumption of	adult-use cannabis
76.8	flower or ad	ult-use cannabinoid pr	oducts within a	designated consumpti	on area is not visible
76.9	from any pu	ıblic place.			
76.10	(d) The	cannabis event organi	zer shall not per	mit consumption of a	alcohol or tobacco.
76.11	<u>(e)</u> The c	cannabis event organiz	er shall not perm	nit smoking, according	g to section 144.413,
76.12	of adult-use	cannabis flower or ca	annabinoid prod	ucts at any location w	here smoking is not
76.13	permitted un	nder sections 144.413	to 144.417. No	thing in this section p	prohibits a statutory
76.14	or home rul	e charter city or count	ty from enacting	and enforcing more	stringent measures
76.15	to protect in	dividuals from second	dhand smoke or	involuntary exposure	e to aerosol or vapor
76.16	form electro	onic delivery devices.			
76.17	Sec. 37. [3	342.38] CANNABIS	DELIVERY SI	ERVICE LICENSIN	NG.
76.18	Subdivis	sion 1. Authorized ac	tions. A cannab	is delivery service li	cense entitles the
76.19	license hold	ler to purchase cannab	ois flower, canna	binoid products, and	hemp-derived
76.20	consumer pr	roducts from licensed	cannabis retailer	s, licensed cannabis n	nicrobusinesses with
76.21	an endorsen	nent to sell adult-use o	cannabis flower	and adult-use cannab	pinoid products to
76.22	customers, a	and medical cannabis re	etailers; transpor	t and deliver cannabis	flower, cannabinoid
76.23	products, ar	nd hemp-derived const	umable products	s to customers; and p	erform other actions
76.24	approved by	the office.			
76.25	<u>Subd. 2.</u>	Additional informat	tion required. I	n addition to the info	rmation required to
76.26	be submitted	d under section 342.15	, subdivision 1,	and rules adopted pur	suant to that section,
76.27	<u>a person, co</u>	operative, or business	s seeking a cann	abis delivery service	license must submit
76.28	the followin	ng information in a for	rm approved by	the office:	
76.29	<u>(1) a list</u>	of all vehicles to be u	used in the deliv	ery of cannabis flowe	er, cannabinoid
76.30	products, ar	nd hemp-derived const	umer products in	ncluding:	
76.31	(i) the ve	ehicle make, model, a	nd color;		
76.32	(ii) the v	wehicle identification r	number; and		

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77.1	(iii) the l	icense plate number;			
77.2	<u>(2) proof</u>	fof insurance for each	vehicle;		
77.3	<u>(3) a busi</u>	ness plan demonstratio	ng policies to av	void sales of cannabis	flower, cannabinoid
77.4	products, and	d hemp-derived consu	mer products t	o individuals who are	e under 21 years of
77.5	age and plan	is to prevent the visibi	lity of cannabis	s flower, cannabinoid	products, and
77.6	hemp-derive	ed consumer products	to individuals o	outside the delivery v	ehicle; and
77.7	<u>(4) evide</u>	nce that the business y	will comply wi	th the applicable oper	ration requirements
77.8	for the licens	se being sought.			
77.9	Subd. 3.	Multiple licenses; lin	nits. (a) A pers	on, cooperative, or bu	usiness holding a
77.10	cannabis del	ivery service license r	nay also hold a	cannabis retailer lice	ense, a cannabis
77.11	wholesaler li	icense, a cannabis tran	nsporter license	, a cannabis event org	ganizer license, and
77.12	a medical ca	nnabis retailer license	subject to the	ownership limitations	s that apply to those
77.13	licenses.				
77.14	<u>(b)</u> Excep	pt as provided in parag	graph (a), no pe	erson, cooperative, or	business holding a
77.15	<u>cannabis del</u>	ivery service license r	nay own or ope	erate any other cannal	bis business.
77.16	<u>(c)</u> The o	office by rule may limi	t the number of	f cannabis delivery se	ervice licenses that a
77.17	person or bu	siness may hold.			
77.18	<u>(d)</u> For p	urposes of this subdiv	ision, a restrict	ion on the number or	type of license that
77.19	<u>a business m</u>	ay hold applies to eve	ery cooperative	member or every dir	ector, manager, and
77.20	general partr	ner of a cannabis busir	ness.		
77.21	Sec. 38. [3	42.39] CANNABIS I	DELIVERY SI	ERVICE OPERATI	<u>ONS.</u>
77.22	Subdivis	ion 1. Age or registry	verification.	Prior to completing a	delivery, a cannabis
77.23	delivery serv	vice shall verify that th	e customer is a	t least 21 years of age	e or is enrolled in the
77.24	registry prog	gram. Section 342.27,	subdivision 3,	applies to the verifica	ntion of a customer's
77.25	age. Registry	y verification issued by	y the Division	of Medical Cannabis	may be considered
77.26	evidence that	t the person is enrolled	d in the registry	y program.	
77.27	Subd. 2.	Records. The office b	y rule shall est	ablish record-keeping	g requirements for a
77.28	cannabis del	ivery service, includin	ig but not limite	ed to proof of deliver	y to individuals who
77.29	are at least 2	1 years of age or enro	lled in the regi	stry program.	
77.30	Subd. 3.	Amount to be transp	oorted. The off	ice by rule shall estab	blish limits on the
77.31	amount of ca	annabis flower, cannab	pinoid products	s, and hemp-derived c	consumer products
77.32	that a cannal	bis delivery service ma	ay transport.		

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78.1	Subd. 4	. Statewide monitorin	g system. Rece	pipt of cannabis flowe	er and cannabinoid
78.2	products by	y the cannabis delivery	service and a d	elivery to a customer	must be recorded in
78.3	the statewi	de monitoring system v	within the time	established by rule.	
78.4	Subd. 5	. <u>Storage compartme</u>	nt. Cannabis flo	wer, cannabinoid pro	oducts, and
78.5	hemp-deriv	ved consumer products	must be transpo	orted in a locked, safe	e, and secure storage
78.6	compartme	ent that is part of the car	nnabis delivery	service vehicle or in	a locked storage
78.7	container th	nat has a separate key or	combination pa	d. Cannabis flower, ca	annabinoid products,
78.8	and hemp-o	derived consumer produ	ucts may not be	visible from outside t	he cannabis delivery
78.9	service veh	nicle.			
78.10	Subd. 6	. Identifying logos or k	ousiness names	prohibited. No cann	abis delivery service
78.11	vehicle or	trailer may contain an i	mage depicting	the types of items be	ing transported,
78.12	including b	ut not limited to an imag	ge depicting a ca	nnabis or hemp leaf, o	or a name suggesting
78.13	that the car	nnabis delivery service	vehicle is used	for transporting cann	abis flower,
78.14	<u>cannabinoi</u>	d products, or hemp-de	erived consumer	products.	
78.15	Subd. 7	. Nonemployee passer	igers prohibite	d. Only a cannabis w	vorker employed by
78.16	or contract	ed with the cannabis de	elivery service a	nd who is at least 21	years of age may
78.17	transport c	annabis flower, cannab	inoid products,	or hemp-derived con	sumer products. All
78.18	passengers	in a cannabis delivery	service vehicle	must be cannabis wo	orkers employed by
78.19	or contract	ed with the cannabis de	elivery service.		
78.20	Subd. 8	. Vehicles subject to in	spection. Any c	annabis delivery serv	ice vehicle is subject
78.21	to inspection	on and may be stopped	or inspected at	any licensed cannabi	s business or while
78.22	en route du	ring transportation.			
78.23	Sec. 39. [.	342.40] LOWER POTI	ENCY EDIBLE	E PRODUCT RETAI	LER LICENSING.
78.24	Subdivi	ision 1. Authorized ac	tions. A lower	potency edible produ	ct retailer license
78.25	entitles the	license holder to:			
78.26	(1) pure	chase lower potency ed	ible products fr	om cannabis manufae	cturers, cannabis
78.27	wholesaler	s, and cannabis microb	usinesses;		
78.28	<u>(2) sell</u>	lower potency edible p	roducts to custo	omers; and	
78.29	(3) perf	form other actions appro	oved by the off	ce.	
78.30	Subd. 2	. Licensing exceptions	s; requirements	s. (a) Except as other	wise provided in this
78 31	subdivision	the provisions of this	chanter relating	to license annlicatio	ns license selection

78.31 subdivision, the provisions of this chapter relating to license applications, license selection

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79.1	criteria, general	ownership disqu	alifications and re	equirements, and gen	eral operational
79.2				le product license or	
79.3	(b) A license	e applicant or, in	the case of a busi	ness entity, every coo	perative member
79.4	or director, man	ager and general	partner of the bus	siness entity must sub	omit a completed
79.5	criminal history	records check co	onsent form, a ful	l set of classifiable fi	ngerprints, and the
79.6	required fees to	the office. Upon	receipt of this inf	formation, the office 1	nust submit the
79.7	completed crimi	nal history record	ds check consent	form, full set of class	ifiable fingerprints,
79.8	and required fee	s to the Bureau of	Criminal Appreh	ension. After receivin	ng this information,
79.9	the bureau must	conduct a Minnes	sota criminal histo	ory records check of th	e license applicant.
79.10	The bureau may	exchange a licer	nse applicant's fin	gerprints with the Fe	deral Bureau of
79.11	Investigation to	obtain the applic	ant's national crir	ninal history record i	nformation. The
79.12	bureau must retu	arn the results of	the Minnesota and	d federal criminal his	tory records checks
79.13	to the director to	determine if the	applicant is disq	ualified under sectior	<u>n 342.20.</u>
79.14	(c) The offic	e may issue a lov	ver potency edibl	e products license to	an applicant who:
79.15	(1) is at least	21 years of age;			
79.16	<u>(2) has comp</u>	oleted an applicat	ion for licensure	or application for ren	ewal and has fully
79.17	and truthfully co	omplied with all i	information reque	ests relating to license	e application and
79.18	renewal;				
79.19	(3) registers	with the statewid	le monitoring sys	tem;	
79.20	(4) is not em	ployed by the off	ice or any state ag	gency with regulatory	authority over this
79.21	chapter; and				
79.22	<u>(5) is not dis</u>	qualified under s	ection 342.20, su	bdivision 2.	
79.23	(d) Licenses	must be renewed	l annually. The of	fice may charge an a	pplication fee not
79.24	to exceed \$250	to cover the costs	associated with	reviewing and proces	sing applications
79.25	but must not cha	arge a licensing for	ee.		
79.26	(e) Licenses	may not be trans	ferred.		
79.27	<u>Subd. 3.</u> Mu	ltiple licenses; li	mits. (a) A perso	n, cooperative, or bu	siness holding a
79.28	lower potency e	dible product lice	ense may not owr	, operate, or be empl	oyed by any other
79.29	cannabis busine	SS.			
79.30	(b) A person	, cooperative, or	business holding	a lower potency edib	le product license
79.31	may hold an off	-sale or on-sale li	cense for the sale	of 3.2 percent malt l	iquor, an on-sale

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80.1	intoxicating liq	uor license, an of	f-sale intoxicating	liquor license, or a c	combination off-sale
80.2		oxicating liquor li			
80.3	Sec. 40. [342.	.41] LOWER PC	DTENCY EDIBL	E PRODUCT RET	<u>'AILER</u>
80.4	OPERATION	<u>S.</u>			
80.5	Subdivision	1. Sale of lower	potency edible p	oroducts. (a) A lowe	r potency edible
80.6	product retailer	may only sell low	wer potency edible	e products to individu	uals who are at least
80.7	21 years of age	<u>.</u>			
80.8	(b) A lower	potency edible pr	oduct retailer may	y sell lower potency e	edible products that:
80.9	(1) are obtain	ined from a licens	sed Minnesota car	nnabis manufacturer,	cannabis
80.10	microbusiness,	or cannabis whol	esaler; and		
80.11	<u>(2) meet all</u>	applicable packa	ging and labeling	requirements.	
80.12	Subd. 2. Sal	le of other produ	ets. A lower pote	ncy edible product re	tailer may sell other
80.13	products or iter	ns for which the l	lower potency edi	ble product retailer h	as a license or
80.14	authorization of	r that do not requ	ire a license or au	thorization.	
80.15	Subd. 3. Ag	ge verification. Pr	rior to initiating a	sale, an employee of	f the lower potency
80.16	edible product	retailer must veri	fy that the custom	er is at least 21 years	s of age. Section
80.17	342.27, subdivi	sion 3, applies to	the verification of	f a customer's age.	
80.18	Subd. 4. Dis	splay and storag	e of lower poten	cy edible products.	A lower potency
80.19	edible product	retailer shall ensu	re that all lower p	otency edible produ	cts are displayed
80.20	behind a check	out counter where	e the public is not	permitted. All lower	potency edible
80.21	products that an	e not displayed n	nust be stored in a	secure area.	
80.22	<u>Subd. 5.</u> Co	mpliant product	t <mark>s.</mark> A lower potenc	y edible product reta	iler shall ensure that
80.23	all lower potent	cy edible products	s offered for sale c	comply with the limit	s on the amount and
80.24	types of cannab	pinoids that a low	er potency edible	product can contain,	including but not
80.25	limited to the re	equirement that lo	ower potency edib	le products:	
80.26	<u>(1)</u> be packa	aged in servings t	hat contain no mo	ore than five milligra	ms of delta-9
80.27	tetrahydrocanna	abinol per serving	g, 25 milligrams o	f cannabidiol per ser	ving, 25 milligrams
80.28	of cannabigerol	per serving, or a	ny combination of	those cannabinoids	that does not exceed
80.29	the identified an	mounts;			
80.30	<u>(2) do not co</u>	ontain more than a	combined total of	0.5 milligrams of all	other cannabinoids;
80.31	(3) do not c	ontain a synthetic	ally derived cann	abinoid other than de	elta-9
80.32	tetrahydrocanna	abinol; and			

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81.1	(4) if the r	backage contains mo	ore than one ser	ving, indicate each serv	ving by scoring.
81.2	<u> </u>			lower potency edible pr	
81.3	the individual		-11		00
81.4			n (a) A lower i	potency edible product	retailer that also
81.5				malt liquor, an on-sale	
81.6				coxicating liquor license	
81.7				onsumed as a beverage	
81.8	consumption.				
		-			
81.9		· · ·		-site consumption must	
81.10	chapter and ru	ules adopted pursuar	nt to this chapte	er regarding the testing,	packaging, and
81.11	labeling of ca	nnabinoid products.			
81.12	(c) lower	potency edible produ	ucts sold for on	-site consumption must	be served in the
81.13	required pack	aging, but may be re	emoved from th	ne products' packaging	by customers and
81.14	consumed on	site.			
81.15	<u>(d)</u> Food a	and beverages not ot	herwise prohib	ited by this subdivision	may be prepared
81.16	and sold on si	ite provided that the	lower potency	edible product retailer	complies with all
81.17	relevant state	and local laws, ordin	nances, licensir	ng requirements, and zo	ning requirements.
81.18	<u>(e)</u> A lowe	er potency edible pro	oduct retailer m	ay offer recorded or liv	e entertainment
81.19	provided that	the lower potency e	dible product r	etailer complies with all	l relevant state and
81.20	local laws, or	dinances, licensing	requirements, a	nd zoning requirements	<u>}.</u>
81.21	<u>(f)</u> A lowe	er potency edible pro	oduct retailer m	ay not:	
81.22	<u>(1) sell lov</u>	wer potency edible r	products to an i	ndividual who is under	21 years of age;
81.23	(2) sell lov	ver potency edible pr	oducts to a cust	omer who the lower pote	ency edible product
81.24	retailer knows	s or reasonably shou	lld know has co	onsumed alcohol sold or	r provided by the
81.25	lower potency	y edible product reta	iler within the	previous five hours;	
81.26	<u>(3) sell a l</u>	ower potency edible	e product to a p	erson who is visibly int	oxicated;
81.27	(4) sell can	nnabis flower, hemp	-derived consu	mer products, or any ca	nnabinoid product
81.28	other than low	ver potency edible p	roducts that are	e intended to be consum	ned as a beverage;
81.29	(5) permit	lower potency edib	le products that	t have been removed fro	om the products'
81.30	packaging to	be removed from the	e premises of t	ne lower potency edible	product retailer;
81.31	<u>(6) allow </u>	for the dispensing of	f lower potency	edible products in ven	ding machines;

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82.1	(7) sell lower	r potency edible r	products when th	e statewide monitorii	ng system is not
82.2	operational; or				
82.3	(8) distribute	or allow free sar	nples of lower po	otency edible product	<u>ts.</u>
82.4	Subd. 7. Stat	tewide monitorii	ng system. (a) A	lower potency edible	e product retailer
82.5	shall record all lo	ower potency edib	ble products it rec	eives in the statewide	monitoring system.
82.6	(b) A lower p	otency edible pro	duct retailer shall	l record all lower pote	ency edible products
82.7	sold, damaged, o	or destroyed in th	e statewide moni	toring system.	
82.8	Subd. 8. Post	ting of notices. <u>A</u>	lower potency ed	lible product retailer 1	must post all notices
82.9	as provided in se	ection 342.27, sub	odivision 5.		
82.10	<u>Subd. 9.</u> Bui	lding conditions.	(a) A lower pote	ncy edible product re	tailer shall maintain
82.11	compliance with	state and local b	uilding, fire, and	zoning requirements	s or regulations.
82.12	(b) A lower p	potency edible pr	oduct retailer sha	Ill ensure that the lice	ensed premises is
82.13	maintained in a	clean and sanitary	y condition, free	from infestation by in	nsects, rodents, or
82.14	other pests.				
82.15	<u>Subd. 10.</u> En	forcement. The	office shall inspe	ect lower potency can	nabinoid product
82.16	retailers and take	e enforcement act	tion as provided	in sections 342.18 an	<u>d 342.19.</u>
82.17	Sec. 41. [342. 4	2] MEDICAL (CANNABIS BUS	SINESS LICENSES	<u>}.</u>
82.18	Subdivision	1. License types.	(a) The office sh	nall issue the following	ng types of medical
82.19	cannabis busines	ss licenses:			
82.20	(1) medical c	cannabis cultivato	or;		
82.21	(2) medical c	cannabis processo	or; and		
82.22	(3) medical c	cannabis retailer.			
82.23	(b) The Divis	sion of Medical C	Cannabis may ove	ersee the licensing an	nd regulation of
82.24	medical cannabi	s businesses.			
82.25	<u>Subd. 2.</u> Mu	ltiple licenses; li	mits. (a) A perso	n, cooperative, or bu	siness holding:
82.26	(1) a medical	cannabis cultiva	tor license may a	also hold a medical ca	annabis processor
82.27	license, a cannab	ois cultivator licer	nse, a cannabis m	anufacturer license, a	nd a cannabis event
82.28	organizer license	e subject to the ov	wnership limitati	ons that apply to thos	se licenses;

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83.1	(2) a me	dical cannabis process	sor license may	also hold a medical c	annabis cultivator
83.2	license, a ca	nnabis cultivator licer	use, a cannabis m	anufacturer license, a	and a cannabis event
83.3	organizer lie	cense subject to the ov	wnership limitati	ons that apply to tho	se licenses; or
83.4	<u>(3) a mee</u>	lical cannabis retailer l	icense may also l	hold a cannabis retaile	er license, a cannabis
83.5	delivery ser	vice license, and a car	nnabis event org	anizer license subjec	t to the ownership
83.6	limitations t	hat apply to those lice	enses.		
83.7	(b) Exce	pt as provided in para	graph (a), no pe	rson, cooperative, or	business holding a
83.8	medical can	nabis license may ow	n or operate any	other cannabis busir	iess.
83.9	<u>(c)</u> The c	office by rule may lim	it the number of	medical cannabis bu	siness licenses that
83.10	a person or	business may hold.			
83.11	<u>(d)</u> For p	ourposes of this subdiv	vision, a restricti	on on the number of	licenses or type of
83.12	license that	a business may hold a	applies to every of	cooperative member	or every director,
83.13	manager, an	d general partner of a	medical cannab	is business.	
83.14	<u>Subd. 3.</u>	Registered medical	cannabis manu	facturers. As used in	n this subdivision,
83.15	"medical car	nnabis manufacturer"	means either of t	he two in-state manu	facturers of medical
83.16	cannabis reg	gistered with the com	nissioner of hea	lth pursuant to sectio	n 152.25 as of July
83.17	<u>1, 2023.</u>				
83.18	<u>Subd. 4.</u>	Limitations on heal	th care practition	oners. A health care	practitioner who
83.19	certifies qua	lifying medical condi	tions for patient	s is prohibited from:	
83.20	<u>(1) holdi</u>	ng a direct or indirect	economic intere	est in a medical cann	abis business;
83.21	<u>(2)</u> servi	ng on a board of direc	ctors or as an em	ployee of a medical	cannabis business;
83.22	or				
83.23	<u>(3)</u> adve	rtising with a medical	cannabis busine	ess in any way.	
83.24	<u>Subd. 5.</u>	Remuneration. A m	edical cannabis	business is prohibited	d from:
83.25	<u>(1) accep</u>	oting or soliciting any	form of remuner	ration from a health c	are practitioner who
83.26	certifies qua	lifying medical condi	tions for patient	s; or	
83.27	(2) offer	ng any form of remun	eration to a health	n care practitioner who	o certifies qualifying
83.28	medical con	ditions for patients.			
83.29	EFFEC	FIVE DATE. This se	ction is effective	e January 1, 2024.	

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84.1	Sec. 42. [342.43] MEDICAL C	CANNABIS BU	SINESS APPLICAT	TIONS.
84.2	Subdivis	sion 1. Information re	quired. In additi	on to information requ	uired to be submitted
84.3	under section	on 342.15, subdivision	1, and rules add	opted pursuant to that	section, a person,
84.4	cooperative	e, or business seeking a	a medical cannal	ois business license m	nust submit the
84.5	following in	nformation in a form a	pproved by the	office:	
84.6	<u>(1) for n</u>	nedical cannabis cultiv	vator license app	licants:	
84.7	<u>(i)</u> an op	erating plan demonstra	ting the proposed	d size and layout of the	e cultivation facility;
84.8	plans for w	astewater and waste di	sposal for the cu	ultivation facility; pla	ns for providing
84.9	electricity,	water, and other utilitie	es necessary for	the normal operation	of the cultivation
84.10	facility; and	l plans for compliance	with applicable	building code and fe	deral and state
84.11	environmer	ntal and workplace safe	ety requirements	<u>.</u>	
84.12	<u>(ii) a cu</u>	ltivation plan demonst	rating the propo	sed size and layout or	f the cultivation
84.13	facility that	will be used exclusive	ly for cultivation	n for medical cannabis	s, including the total
84.14	amount of p	olant canopy; and			
84.15	(iii) evic	dence that the business	will comply wi	th the applicable oper	ration requirements
84.16	for the licer	nse being sought;			
84.17	<u>(2) for n</u>	nedical cannabis proce	essor license app	licants:	
84.18	<u>(i)</u> an op	perating plan demonstr	ating the propos	ed layout of the facil	ity, including a
84.19	diagram of	ventilation and filtration	on systems; plar	ns for wastewater and	waste disposal for
84.20	the manufac	cturing facility; plans for	or providing elec	tricity, water, and othe	er utilities necessary
84.21	for the norm	nal operation of the ma	anufacturing fac	ility; and plans for co	ompliance with
84.22	applicable b	ouilding code and fede	eral and state env	vironmental and work	place safety
84.23	requiremen	<u>ts;</u>			
84.24	<u>(ii) all n</u>	nethods of extraction a	nd concentration	n that the applicant in	tends to use and the
84.25	volatile che	emicals, if any, that are	involved in ext	raction or concentrati	on;
84.26	<u>(iii) if th</u>	ne applicant is seeking	an endorsement	to manufacture prod	ucts infused with
84.27	cannabinoid	ds for consumption by	patients enrolle	d in the registry prog	ram, proof of an
84.28	edible cann	abinoid product handl	er endorsement	from the office; and	
84.29	(iv) evic	lence that the applican	t will comply w	ith the applicable ope	ration requirements
84.30	for the licer	nse being sought; or			
84.31	(3) for n	nedical cannabis retail	er license applic	eants:	

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85.1	(i) a list of every retail license held by the applicant and, if the applicant is a business,
85.2	every retail license held, either as an individual or as part of another business, by each
85.3	officer, director, manager, and general partner of the cannabis business;
85.4	(ii) an operating plan demonstrating the proposed layout of the facility including a
85.5	diagram of ventilation and filtration systems, policies to avoid sales to individuals who are
85.6	not authorized to receive the distribution of medical cannabis flower or medical cannabinoid
85.7	products, identification of a restricted area for storage, and plans to prevent the visibility of
85.8	cannabis flower and cannabinoid products;
85.9	(iii) if the applicant holds or is applying for a cannabis retailer license, a diagram showing
85.10	the portion of the premises in which medical cannabis flower and medical cannabinoid
85.11	products will be sold and distributed and identifying an area that is definite and distinct
85.12	from all other areas of the cannabis retailer, accessed through a distinct entrance, and contains
85.13	an appropriate space for a pharmacist employee of the medical cannabis retailer to consult
85.14	with the patient to determine the proper type of medical cannabis flower and medical
85.15	cannabinoid products and proper dosage for the patient; and
85.16	(iv) evidence that the applicant will comply with the applicable operation requirements
85.17	for the license being sought.
85.18	Subd. 2. Segregation of medical cannabis. A person, cooperative, or business seeking
85.19	a medical cannabis cultivator license or a medical cannabis processor license and any other
85.20	type of cannabis business license, other than a cannabis event organizer license, must identify
85.21	the methods that will be used to segregate medical cannabis flower and medical cannabinoid
85.22	products from other cannabis flower and cannabinoid products to avoid cross-contamination.
85.23	EFFECTIVE DATE. This section is effective January 1, 2024.
85.24	Sec. 43. [342.44] MEDICAL CANNABIS CULTIVATORS.
85.25	(a) A medical cannabis cultivator license entitles the license holder to grow cannabis
85.26	plants within the approved amount of space from seed or immature plant to mature plant,

85.27 <u>harvest cannabis flower from a mature plant, package and label cannabis flower as medical</u>

85.28 <u>cannabis flower, sell medical cannabis flower to medical cannabis processors and medical</u>

85.29 <u>cannabis retailers, transport medical cannabis flower to a medical cannabis processor located</u>

85.30 on the same premises, and perform other actions approved by the office.

85.31 (b) A medical cannabis cultivator license holder must comply with all requirements of
85.32 section 342.23.

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86.1	(c) A m	edical cannabis cultiva	ator license hold	er must verify that eve	ery batch of medical
86.2	cannabis flo	ower has passed safety	y, potency, and c	onsistency testing at a	a cannabis testing
86.3	facility app	roved by the office for	the testing of m	edical cannabis flower	r before the medical
86.4	cannabis cu	ultivator may package	, label, or sell the	e medical cannabis flo	ower to any other
86.5	entity.				
86.6	EFFEC	TIVE DATE. This se	ection is effectiv	e January 1, 2024.	
86.7	Sec. 44. [342.45] MEDICAL (CANNABIS PR	OCESSORS.	
86.8	<u>(a)</u> A me	edical cannabis process	sor license, consi	stent with the specific	license endorsement
86.9	or endorser	nents, entitles the lice	nse holder to:		
86.10	<u>(1) purc</u>	hase medical cannabia	s flower, medica	l cannabinoid product	s, hemp plant parts,
86.11	and hemp c	oncentrate from medic	al cannabis culti	vators, other medical c	annabis processors,
86.12	and industr	ial hemp growers;			
86.13	<u>(2) mak</u>	e cannabis concentrat	e from medical o	cannabis flower;	
86.14	<u>(</u> 3) mak	e hemp concentrate, i	ncluding hemp c	concentrate with a delt	ta-9
86.15	tetrahydroc	annabinol concentrati	on of more than	0.3 percent as measur	red by weight;
86.16	<u>(4) man</u>	ufacture medical canr	abinoid product	<u>s;</u>	
86.17	(5) pack	age and label medica	l cannabinoid pr	oducts for sale to othe	er medical cannabis
86.18	processors	and to medical cannal	ois retailers; and		
86.19	<u>(6) perf</u>	orm other actions app	roved by the off	ice.	
86.20	<u>(b)</u> A m	edical cannabis cultiv	ator license hold	ler must comply with	all requirements of
86.21	section 342	.23, including require	ments to obtain	specific license endor	sements.
86.22	<u>(c) A m</u>	edical cannabis proces	sor license hold	er must verify that eve	ery batch of medical
86.23	cannabinoi	d product has passed sa	afety, potency, ar	nd consistency testing	at a cannabis testing
86.24	facility app	roved by the office fo	r the testing of n	nedical cannabinoid p	roducts before the
86.25	medical car	nnabis processor may	package, label, c	or sell the medical can	nabinoid product to
86.26	any other e	ntity.			
86.27	EFFEC	TIVE DATE. This se	ection is effectiv	e January 1, 2024.	
86.28	Sec. 45. [342.46] MEDICAL (CANNABIS RE	TAILERS.	
86.29	<u>Subdivi</u>	sion 1. Authorized a	ctions. (a) A me	dical cannabis retailer	license entitles the
86.30	license hold	ler to purchase medica	l cannabis flowe	er and medical cannab	inoid products from

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87.1	medical car	mabis cultivators and i	nedical cannab	is processors and sell o	or distribute medical
87.2	cannabis flo	ower and medical can	nabinoid produc	ets to any person autho	orized to receive
87.3	distribution	<u>l.</u>			
87.4	<u>(</u> b) A m	edical cannabis retaile	er license holder	must verify that all m	nedical cannabis
87.5	flower and	medical cannabinoid j	products have p	assed safety, potency,	and consistency
87.6	testing at a c	cannabis testing facility	approved by th	e office for the testing	of medical cannabis
87.7	flower and	medical cannabinoid p	roducts before t	he medical cannabis re	tailer may distribute
87.8	the medical	cannabis flower or me	dical cannabis p	product to any person a	uthorized to receive
87.9	distribution	<u>l.</u>			
87.10	Subd. 2	. Distribution require	ments. (a) Prior	to distribution of med	ical cannabis flower
87.11	or medical	cannabinoid products,	a medical canr	abis retailer licensee r	<u>nust:</u>
87.12	<u>(1) revie</u>	ew and confirm the pa	tient's registry	verification;	
87.13	<u>(2) verit</u>	fy that the person requ	esting the distri	bution of medical can	nabis flower or
87.14	medical car	nnabinoid products is t	he patient, the	patient's registered des	signated caregiver,
87.15	or the patie	nt's parent, legal guard	lian, or spouse	using the procedures s	pecified in section
87.16	<u>152.11, sub</u>	odivision 2d;			
87.17	<u>(3)</u> ensu	re that a pharmacist en	mployee of the	medical cannabis retai	ler has consulted
87.18	with the par	tient if required accord	ling to subdivis	ion 3; and	
87.19	<u>(4) appl</u>	y a patient-specific lab	el on the medic	al cannabis flower or n	nedical cannabinoid
87.20	product tha	t includes recommend	ed dosage requi	rements and other info	rmation as required
87.21	by rules ad	opted by the office.			
87.22	<u>(b)</u> A m	edical cannabis retaile	er may not deliv	er medical cannabis fl	ower or medical
87.23	<u>cannabinoi</u>	d products unless the r	nedical cannab	is retailer also holds a	cannabis delivery
87.24	service lice	nse. Delivery of medic	al cannabis flor	wer and medical canna	binoid products are
87.25	subject to the	he provisions of section	n 342.39.		
87.26	Subd. 3	. Final approval for c	listribution of	medical cannabis flov	wer and medical
87.27	<u>cannabino</u>	id products. (a) A car	mabis worker v	who is employed by a r	nedical cannabis
87.28	retailer and	who is licensed as a pl	narmacist pursu	ant to chapter 151 shal	l be the only person
87.29	who may g	ive final approval for	the distribution	of medical cannabis fl	ower and medical
87.30	cannabinoi	d products. Prior to the	e distribution of	medical cannabis flow	wer or medical
87.31	cannabinoi	d products, a pharmaci	st employed by	the medical cannabis r	etailer must consult
87.32	with the pat	ient to determine the pr	oper type of me	dical cannabis flower, r	nedical cannabinoid
87.33	product, or	medical cannabis para	ohernalia and pi	oper dosage for the pat	tient after reviewing

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88.1	the range of che	emical compositio	ons of medical ca	nnabis flower or med	lical cannabinoid
88.2	product. For pu	rposes of this sub-	division, a consu	Iltation may be condu	cted remotely by
88.3	secure videocor	nference, telephon	e, or other remo	te means, as long as:	
88.4	(1) the pharm	macist engaging in	n the consultation	n is able to confirm th	ne identity of the
88.5	patient; and				
88.6	(2) the cons	ultation adheres to	patient privacy	requirements that app	ply to health care
88.7	services deliver	ed through teleme	edicine.		
88.8	(b) Notwith	standing paragrap	h (a), a pharmaci	st consultation is not	required prior to the
88.9	distribution of 1	nedical cannabis	flower or medica	ll cannabinoid produc	ts when a medical
88.10	cannabis retaile	r is distributing m	edical cannabis	flower or medical car	nabinoid products
88.11	to a patient acco	ording to a patient-	specific dosage p	lan established with th	at medical cannabis
88.12	retailer and is no	ot modifying the de	osage or product	being distributed unde	er that plan. Medical
88.13	cannabis flower	or medical canna	binoid products	distributed under this	s paragraph must be
88.14	distributed by a	pharmacy technic	cian employed b	y the medical cannab	is retailer.
88.15	<u>Subd. 4.</u> 90-	day supply. A m	edical cannabis r	etailer shall not distri	bute more than a
88.16	90-day supply of	of medical cannab	is flower or med	ical cannabinoid proc	lucts to a patient,
88.17	registered desig	nated caregiver, c	or parent, legal g	uardian, or spouse of	a patient according
88.18	to the dosages e	established for the	individual patie	nt.	
88.19	Subd. 5. Dis	stribution to recij	pient in a motor	vehicle. A medical ca	annabis retailer may
88.20	distribute medic	cal cannabis flowe	r and medical car	nnabinoid products to	a patient, registered
88.21	designated care	giver, or parent, le	gal guardian, or	spouse of a patient wl	no is at a dispensary
88.22	location but ren	nains in a motor v	ehicle, provided	that:	
88.23	(1) staff rece	vive payment and d	istribute medical	cannabis flower and r	nedical cannabinoid
88.24	products in a de	signated zone that	t is as close as fe	easible to the front do	or of the facility;
88.25	(2) the medi	cal cannabis retai	ler ensures that t	he receipt of payment	t and distribution of
88.26	medical cannab	is flower and med	lical cannabinoic	l products are visually	y recorded by a
88.27	closed-circuit te	elevision surveilla	nce camera and	provides any other ne	cessary security
88.28	safeguards;				
88.29	(3) the medi	cal cannabis retai	ler does not store	e medical cannabis flo	ower or medical
88.30	cannabinoid pro	oducts outside a re	estricted access a	rea and staff transpor	t medical cannabis
88.31	flower and med	lical cannabinoid	products from a	restricted access area	to the designated
88.32	zone for distrib	ution only after cc	onfirming that the	e patient, designated o	caregiver, or parent,
88.33	guardian, or spo	ouse has arrived in	the designated	zone;	

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89.1	(4) the particular (4)	ayment and distributi	on of medical ca	nnabis flower and m	edical cannabinoid
89.2	<u> </u>	e place only after a p			
89.3	subdivision				
80.4	(5) imme	diately following dist	ribution of medic	al cannabis flower or	medical cannabinoid
89.4 89.5		off enter the transaction			
09.5					
89.6	<u> </u>	ediately following dis			
89.7	cannabinoid	products, staff take t	he payment recei	ived into the facility.	
89.8	Subd. 6.	Physical separation	r equired. A medi	cal cannabis retailer t	hat is also a cannabis
89.9	retailer must	distribute medical ca	nnabis flower and	d medical cannabinoi	d products provided
89.10	that the port	ion of the premises in	which medical c	annabis flower and r	nedical cannabinoid
89.11	products are	sold is definite and o	listinct from all c	other areas of the can	nabis retailer, is
89.12	accessed thr	ough a distinct entra	nce, and provides	an appropriate spac	e for a pharmacist
89.13	employee of	the medical cannabis	retailer to consul	It with the patient to c	letermine the proper
89.14	type of med	ical cannabis flower a	and medical cann	abinoid products and	d proper dosage for
89.15	the patient.				
89.16	EFFEC	FIVE DATE. This se	ection is effective	January 1, 2024.	
89.17	Sec. 46. [3	42.461] TRIBAL M	EDICAL CAN	NABIS PROGRAM	<u>I.</u>
89.18	Subdivis	ion 1. Tribal medica	ll cannabis prog	ram manufacturer	transportation. (a)
89.19	A Tribal mee	dical cannabis progra	m manufacturer r	nay transport medica	l cannabis to testing
89.20	laboratories	in the state and to oth	ner Indian lands.		
89.21	(b) A Tri	bal medical cannabis	program manufa	cturer must staff a m	notor vehicle used to
89.22	transport me	dical cannabis with a	t least two employ	yees of the manufact	urer. Each employee
89.23	in the transpo	ort vehicle must carry			
89.24			identification spe	ecifying that the empl	loyee is an employee
	of the manu	facturer, and one emp			
89.25		facturer, and one empon manifest that inclu	ployee in the tran	sport vehicle must c	arry a detailed
89.25 89.26	transportatio	· · · · · ·	bloyee in the tran	sport vehicle must ca l time of departure, t	arry a detailed he address of the
	transportation,	on manifest that inclu	bloyee in the trandes the place and l count of the me	sport vehicle must ca l time of departure, t dical cannabis being	arry a detailed he address of the transported.
89.26	transportation destination, Subd. 2.	on manifest that inclu and a description and	bloyee in the tran des the place and l count of the me bal medical cann	sport vehicle must ca l time of departure, t dical cannabis being abis program patie	arry a detailed he address of the transported. ent. (a) A Tribal
89.26 89.27	transportation destination, Subd. 2. medical can	on manifest that inclu and a description and Distribution to Trib	bloyee in the tran des the place and l count of the me bal medical cann hay distribute med	sport vehicle must ca l time of departure, ta dical cannabis being abis program patie dical cannabis in acco	arry a detailed he address of the transported. ent. (a) A Tribal
89.26 89.27 89.28	transportation destination, Subd. 2. medical cann 342.46 to a 7	on manifest that inclu and a description and Distribution to Trib nabis manufacturer m	bloyee in the trand des the place and l count of the me bal medical cann hay distribute mec bis program patie	sport vehicle must ca l time of departure, t dical cannabis being abis program patie dical cannabis in acco	arry a detailed he address of the transported. ent. (a) A Tribal ordance with section

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(1) a valid medical cannabis registration verification card or equivalent document issued 90.1 by a Tribal medical cannabis program that indicates that the Tribal medical cannabis program 90.2 patient is authorized to use medical cannabis on Indian lands over which the Tribe has 90.3 jurisdiction; and 90.4 (2) a valid photographic identification card issued by the Tribal medical cannabis 90.5 program, a valid driver's license, or a valid state identification card. 90.6 (c) A manufacturer shall distribute medical cannabis to a Tribal medical cannabis program 90.7 patient only in a form allowed under section 342.47, subdivision 8. 90.8 Subd. 3. Use of statewide monitoring system. A Tribal medical cannabis manufacturer 90.9 must use the statewide monitoring system for the tracking of the sale or distribution of 90.10 medical cannabis to Tribal medical cannabis program patients. Sale or distribution of medical 90.11 cannabis by a Tribal medical cannabis manufacturer must be recorded in the statewide 90.12 monitoring system within the time established by rule. 90.13 90.14 Subd. 4. Limitations. All the limitations under section 342.51 apply to Tribal medical cannabis program patients. 90.15 Subd. 5. Protections for Tribal medical cannabis program participants. All the 90.16 protections under section 342.52 apply to Tribal medical cannabis program patients. 90.17 **EFFECTIVE DATE.** This section is effective January 1, 2024. 90.18 Sec. 47. [342.47] PATIENT REGISTRY PROGRAM. 90.19 Subdivision 1. Administration. The Division of Medical Cannabis must administer the 90.20 medical cannabis registry program. 90.21 Subd. 2. Application procedure for patients. (a) A patient seeking to enroll in the 90.22 registry program must submit to the Division of Medical Cannabis an application established 90.23 90.24 by the Division of Medical Cannabis and a copy of the certification specified in paragraph (b) or, if the patient is a veteran who receives care from the United States Department of 90.25 Veterans Affairs, the information required pursuant to subdivision 3. The patient must 90.26 provide at least the following information in the application: 90.27 (1) the patient's name, mailing address, and date of birth; 90.28 (2) the name, mailing address, and telephone number of the patient's health care 90.29

90.30 practitioner;

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91.1	(3) the nam	e, mailing address	, and date of birt	h of the patient's reg	istered designated
91.2					arent, legal guardian,
91.3		be acting as the pa			
91.4	(4) a disclos	sure signed by the	patient that inclu	ides:	
91.5	(i) a statem	ent that, notwithsta	anding any law to	o the contrary, the O	ffice of Cannabis
91.6	Management, t	he Division of Me	dical Cannabis, c	or an employee of th	e Office of Cannabis
91.7	Management o	r Division of Med	ical Cannabis ma	y not be held civilly	or criminally liable
91.8	for any injury, l	loss of property, pe	ersonal injury, or	death caused by an a	act or omission while
91.9	acting within the	ne employee's scor	be of office or en	ployment under thi	s section; and
91.10	(ii) the patie	ent's acknowledgr	nent that enrollme	ent in the registry pr	ogram is conditional
91.11	on the patient's	agreement to mee	t all other require	ements of this section	on; and
91.12	(5) all other	information requi	red by the Division	ion of Medical Canr	nabis.
91.13	(b) As part	of the application	under this subdiv	vision, a patient mus	t submit a copy of a
91.14	certification from	om the patient's he	alth care practition	oner that is dated wi	thin 90 days prior to
91.15	the submission	of the application	and that certifies	that the patient has	been diagnosed with
91.16	a qualifying me	edical condition.			
91.17	(c) A patien	t's health care prac	titioner may subr	nit a statement to the	Division of Medical
91.18	Cannabis decla	ring that the patien	nt is no longer di	agnosed with a qual	ifying medical
91.19	condition. With	iin 30 days after rec	ceipt of a statement	nt from a patient's he	alth care practitioner,
91.20	the Division of	Medical Cannabia	s must provide w	ritten notice to a pat	tient stating that the
91.21	patient's enroll	ment in the registr	y program will b	e revoked in 30 day	s unless the patient
91.22	submits a certif	ication from a hea	lth care practition	ner that the patient is	currently diagnosed
91.23	with a qualifying	ng medical conditi	on or, if the patie	ent is a veteran, the	patient submits
91.24	confirmation th	nat the patient is cu	urrently diagnose	d with a qualifying	medical condition in
91.25	a form and man	ner consistent with	the information	required for an appli	cation made pursuant
91.26	to subdivision	3. If the Division of	of Medical Canna	abis revokes a patier	nt's enrollment in the
91.27	registry progra	m pursuant to this	paragraph, the di	vision must provide	notice to the patient
91.28	and to the patie	ent's health care pr	actitioner.		
91.29	<u>Subd. 3.</u> Ap	oplication proced	ure for veterans	<u>. (a) The Division o</u>	f Medical Cannabis
91.30	shall establish a	an alternative certi	fication procedur	e for veterans who	receive care from the
91.31	United States D	Department of Veter	rans Affairs to co	nfirm that the vetera	n has been diagnosed
91.32	with a qualifying	ng medical conditi	on.		

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92.1	(b) A patient who is also a veteran and is seeking to enroll in the registry program must
92.2	submit to the Division of Medical Cannabis an application established by the Division of
92.3	Medical Cannabis that includes the information identified in subdivision 2, paragraph (a),
92.4	and the additional information required by the Division of Medical Cannabis to certify that
92.5	the patient has been diagnosed with a qualifying medical condition.
92.6	Subd. 4. Enrollment; denial of enrollment; revocation. (a) Within 30 days after the
92.7	receipt of an application and certification or other documentation of a diagnosis with a
92.8	qualifying medical condition, the Division of Medical Cannabis must approve or deny a
92.9	patient's enrollment in the registry program. If the Division of Medical Cannabis approves
92.10	a patient's enrollment in the registry program, the office must provide notice to the patient
92.11	and to the patient's health care practitioner.
92.12	(b) A patient's enrollment in the registry program must only be denied if the patient:
92.13	(1) does not submit a certification from a health care practitioner or, if the patient is a
92.14	veteran, the documentation required under subdivision 3 that the patient has been diagnosed
92.15	with a qualifying medical condition;
92.16	(2) has not signed the disclosure required in subdivision 2;
92.17	(3) does not provide the information required by the Division of Medical Cannabis;
92.18	(4) provided false information on the application; or
92.19	(5) at the time of application, is also enrolled in a federally approved clinical trial for
92.20	the treatment of a qualifying medical condition with medical cannabis.
92.21	(c) If the Division of Medical Cannabis denies a patient's enrollment in the registry
92.22	program, the Division of Medical Cannabis must provide written notice to a patient of all
92.23	reasons for denying enrollment. Denial of enrollment in the registry program is considered
92.24	a final decision of the office and is subject to judicial review under chapter 14.
92.25	(d) A patient's enrollment in the registry program may be revoked only:
92.26	(1) pursuant to subdivision 2, paragraph (c);
92.27	(2) upon the death of the patient;
92.28	(3) if the patient's certifying health care practitioner has filed a declaration under
92.29	subdivision 2, paragraph (c), that the patient's qualifying diagnosis no longer exists and the
92.30	patient does not submit another certification within 30 days;
92.31	(4) if the patient does not comply with subdivision 6; or

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93.1	(5) if the	patient intentionally	sells or diverts n	nedical cannabis flow	ver or medical
93.2	<u> </u>	products in violation			
93.3	If a patient's o	enrollment in the reg	gistry program ha	as been revoked due	to a violation of
93.4				nt 12 months after th	
93.5	patient's enro	llment was revoked.	The office must	process such an appli	cation in accordance
93.6	with this subo	division.			
93.7	<u>Subd. 5.</u>	Registry verification	n. When a patien	t is enrolled in the re	gistry program, the
93.8	Division of M	/ledical Cannabis mu	ist assign the pat	ient a patient registry	y number and must
93.9	issue the patie	ent and the patient's	registered design	ated caregiver, parer	nt, legal guardian, or
93.10	spouse, if app	olicable, a registry v	erification. The I	Division of Medical (Cannabis must also
93.11	make the regi	stry verification avail	able to medical c	annabis retailers. The	registry verification
93.12	must include:	<u>.</u>			
93.13	(1) the part	tient's name and date	e of birth;		
93.14	(2) the part	tient registry numbe	r assigned to the	patient; and	
93.15	(3) the nat	me and date of birth	of the patient's r	egistered designated	caregiver, if any, or
93.16	the name of t	he patient's parent, l	egal guardian, oi	spouse if the parent	, legal guardian, or
93.17	spouse will a	ct as a caregiver.			
93.18	Subd. 6. (Conditions of contir	ued enrollment	As conditions of co	ontinued enrollment,
93.19	a patient mus	<u>.t:</u>			
93.20	(1) contin	ue to receive regular	ly scheduled trea	tment for the patient's	s qualifying medical
93.21	condition from	m the patient's healt	n care practition	er; and	
93.22	(2) report	changes in the patie	nt's qualifying n	nedical condition to t	he patient's health
93.23	care practitio	ner.			
93.24	<u>Subd. 7.</u>	Enrollment period.	Enrollment in th	e registry program is	s permanent.
93.25	<u>Subd. 8.</u>	Medical cannabis fl	ower and medic	al cannabinoid pro	ducts; allowable
93.26	delivery met	hods. Medical cann	abis flower and 1	nedical cannabinoid	products may be
93.27	delivered in t	he form of:			
93.28	<u>(1) a liqui</u>	id, including but not	limited to oil;		
93.29	<u>(2) a pill;</u>				
93.30	<u>(3) a vapo</u>	orized delivery metho	od with the use of	of liquid or oil;	

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94.1	(4) a wate	er-soluble cannabino	id multiparticula	ate, including granules,	, powder, and
94.2	sprinkles;		I		
94.3	(5) an ora	lly dissolvable produ	uct_including lo	zenges, gum, mints, bu	accal tablets and
94.4	sublingual ta	v ,		2011203, 2011, 111110, 00	
	0	<u>`</u>	. . .	1 .1	
94.5	<u>(6) edible</u>	products in the form	n of gummles ar	id cnews;	
94.6	<u>(7) a topic</u>	cal formulation;			
94.7	<u>(8) combu</u>	ustion with the use o	f dried raw cann	abis; or	
94.8	(9) any ot	her method approve	d by the office.		
94.9	<u>Subd. 9.</u>	Registered designat	ed caregiver. (a) The Division of Medi	cal Cannabis must
94.10	register a desi	ignated caregiver for	a patient if the p	atient requires assistance	e in administering
94.11	medical cann	abis flower or medic	al cannabinoid p	products or in obtaining	g medical cannabis
94.12	flower, medic	cal cannabinoid proc	lucts, or medical	l cannabis paraphernali	a from a medical
94.13	cannabis reta	iler.			
94.14	<u>(b) In ord</u>	er to serve as a desig	gnated caregiver	, a person must:	
94.15	(1) be at 1	east 18 years of age	<u>.</u>		
94.16	(2) agree	to only possess the p	atient's medical	cannabis flower and me	edical cannabinoid
94.17	products for	purposes of assisting	the patient; and	1	
94.18	<u>(3) agree</u>	that if the application	n is approved, th	ne person will not serve	e as a registered
94.19	designated ca	aregiver for more that	n six registered	patients at one time. Pa	atients who reside
94.20	in the same re	esidence count as on	e patient.		
94.21	(c) The of	ffice shall conduct a	criminal backgr	ound check on the desi	ignated caregiver
94.22	prior to regist	tration to ensure that	the person does	not have a conviction	for a disqualifying
94.23	felony offens	e. Any cost of the ba	ackground check	shall be paid by the p	erson seeking
94.24	registration a	s a designated careg	iver. A designat	ed caregiver must have	the criminal
94.25	background c	check renewed every	two years.		
94.26	(d) Nothin	ng in this section shal	ll be construed to	prevent a registered de	signated caregiver
94.27	from being en	nrolled in the registr	y program as a p	patient and possessing a	and administering
94.28	medical cann	abis as a patient.			
94.29	Subd. 10.	Parents, legal guar	·dians, spouses.	A parent, legal guardi	an, or spouse of a
94.30	patient may a	act as the caregiver f	or a patient. The	parent, legal guardian	, or spouse who is
94.31	acting as a ca	regiver must follow	all requirements	for parents, legal guar	dians, and spouses

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95.1	under this cl	hapter. Nothing in this	s section limits a	any legal authority th	at a parent, legal
95.2	guardian, or	spouse may have for	the patient und	er any other law.	
95.3	Subd. 11	. Enrollment fee. (a)	The Division o	f Cannabis Managem	ent must collect an
95.4		fee of \$40 from a patie			
95.5	(b) Reve	nue collected under th	nis subdivision s	shall deposit to a dedi	cated account in the
95.6	special reve	nue fund. The balance	e of the account	shall be appropriated	l annually to the
95.7	administrato	or of the office for pro	gram operation	5.	
95.8	<u>Subd. 12</u>	. Notice of change of	f name or addr	ess. Patients and regi	stered designated
95.9	caregivers n	nust notify the Divisio	on of Medical C	annabis of any addre	ss or name change
95.10	within 30 da	sys of the change havi	ng occurred. A	patient or registered of	lesignated caregiver
95.11	is subject to	a \$100 fine for failure	e to notify the o	ffice of the change.	
95.12	EFFEC	FIVE DATE. This se	ction is effectiv	e January 1, 2024.	
95.13	Sec. 48. <u>[3</u>	42.48] DUTIES OF	OFFICE OF C	CANNABIS MANAC	<u>GEMENT;</u>
95.14	REGISTRY	Y PROGRAM.			
95.15	The offic	e may add an allowat	ole form of med	ical cannabinoid proc	luct, and may add or
95.16	modify a qua	alifying medical condi	tion upon its ow	n initiative, upon a pet	ition from a member
95.17	of the public	e or from the Cannabis	s Advisory Cour	ncil or as directed by	law. The office must
95.18	evaluate all	petitions and must ma	ake the addition	or modification if the	e office determines
95.19	that the addi	ition or modification i	s warranted by	the best available evi	dence and research.
95.20	If the office	wishes to add an allow	able form or add	or modify a qualifyin	g medical condition,
95.21	the office m	ust notify the chairs an	d ranking minor	ity members of the le	gislative committees
95.22	and division	s with jurisdiction ov	er health financ	e and policy by Janua	ary 15 of the year in
95.23	which the ch	ange becomes effectiv	e. In this notific	ation, the office must	specify the proposed
95.24	addition or n	nodification, the reaso	ns for the additi	on or modification, ar	ny written comments
95.25	received by	the office from the pu	blic about the ad	ldition or modification	n, and any guidance
95.26	received fro	m the Cannabis Advis	sory Council. A	n addition or modific	ation by the office
95.27	under this su	ubdivision becomes ef	ffective on Aug	ust 1 of that year unle	ess the legislature by
95.28	law provide	s otherwise.			
95.29	EFFEC	FIVE DATE. This se	ction is effectiv	e January 1, 2024.	

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96.1	Sec. 49. [342. 4	49] DUTIES OF	DIVISION OF	F MEDICAL CANN	ABIS; REGISTRY
96.2	PROGRAM.				
96.3	Subdivision	1. Duties related	to health care	practitioners. The I	Division of Medical
96.4	Cannabis must:				
96.5	(1) provide 1	notice of the regist	try program to l	health care practition	ers in the state;
96.6	(2) allow hea	alth care practition	ners to participa	ate in the registry pro	gram if they request
96.7	to participate an	d meet the progra	m's requiremen	<u>nts;</u>	
96.8	(3) provide e	explanatory inform	nation and assis	stance to health care	practitioners to
96.9	understand the r	nature of the thera	peutic use of m	edical cannabis with	in program
96.10	requirements;				
		•• • •			
96.11	<u> /</u>	• •	0	practitioners a certifi	
96.12	a health care pra	actitioner certifies	that a patient h	as a qualifying medi	cal condition; and
96.13	(5) supervise	the participation	of health care pr	ractitioners in the regi	stry reporting system
96.14	in which health	care practitioners	report patient t	reatment and health 1	ecords information
96.15	to the office in a	a manner that ensu	ires stringent se	ecurity and record kee	eping requirements
96.16	and that prevent	s the unauthorized	release of priva	te data on individuals	as defined in section
96.17	<u>13.02.</u>				
96.18	<u>Subd. 2.</u> Du	ties related to the	e registry prog	ram. The Division of	f Medical Cannabis
96.19	<u>must:</u>				
96.20	(1) administ	er the registry pro	gram according	g to section 342.47;	
96.21	(2) provide i	nformation to pat	ients enrolled in	n the registry program	n on the existence of
96.22	federally approv	ed clinical trials fo	r the treatment c	of the patient's qualify	ing medical condition
96.23	with medical car	mabis flower or m	edical cannabin	oid products as an alte	ernative to enrollment
96.24	in the registry p	rogram;			
96.25	(3) maintain	safety criteria with	which patients	must comply as a cone	dition of participation
96.26	in the registry p	rogram to prevent	patients from u	undertaking any task	under the influence
96.27	of medical canna	abis flower or med	ical cannabinoio	d products that would	constitute negligence
96.28	or professional	malpractice;			
96.29	(4) review an	nd publicly report	on existing med	dical and scientific lit	erature regarding the
96.30	range of recomn	nended dosages fo	r each qualifyin	g medical condition, t	the range of chemical
96.31	compositions of	medical cannabis	flower and me	dical cannabinoid pro	ducts that will likely
96.32	be medically be	neficial for each qu	ualifying medic	al condition, and any	risks of noncannabis

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97.1	drug interac	tions. This information	n must be update	ed by December 1 of	each year. The office		
97.2		with an independent	-				
97.3	in reporting	and updating this info	ormation; and				
97.4	<u>(</u> 5) annua	ally consult with canna	abis businesses a	bout medical cannab	is that the businesses		
97.5	cultivate, m	anufacture, and offer t	for sale and pos	t on the Division of	Medical Cannabis		
97.6	website a lis	t of the medical canna	abis flower and	medical cannabinoid	products offered for		
97.7	sale by each	medical cannabis reta	ailer.				
97.8	Subd. 3.	Research. (a) The Div	vision of Medic	al Cannabis must con	nduct or contract with		
97.9	a third party	to conduct research a	and studies using	g data from health re	cords submitted to		
97.10	the registry	program under section	n 342.50, subdiv	ision 2, and data sub	mitted to the registry		
97.11	program une	der section 342.47, su	bdivisions 2 and	13. If the division co	ontracts with a third		
97.12	party for res	earch and studies, the	third party mus	st provide the divisio	on with access to all		
97.13	research and	study results. The div	ision must subm	it reports on intermed	diate or final research		
97.14	results to the	e legislature and majo	r scientific jour	nals. All data used b	y the division or a		
97.15	third party u	nder this subdivision 1	must be used or	reported in an aggreg	gated nonidentifiable		
97.16	form as part	of a scientific peer-re	eviewed publica	tion of research or in	the creation of		
97.17	summary data, as defined in section 13.02, subdivision 19.						
97.18	<u>(b)</u> The l	Division of Medical C	annabis may su	bmit medical researc	ch based on the data		
97.19	collected un	der sections 342.50, s	ubdivision 2, ar	nd data collected thro	ough the statewide		
97.20	monitoring	system to any federal	agency with reg	gulatory or enforcem	ent authority over		
97.21	medical can	nabis to demonstrate t	the effectivenes	s of medical cannabi	s flower or medical		
97.22	cannabinoid	products for treating	or alleviating th	ne symptoms of a qua	alifying medical		
97.23	condition.						
97.24	EFFEC'	FIVE DATE. This se	ction is effectiv	e January 1, 2024.			
97.25	Sec. 50. [3	342.50] DUTIES OF	HEALTH CAF	RE PRACTITIONE	CRS; REGISTRY		
97.26	PROGRAM	<u>1.</u>					
97.27	Subdivis	ion 1. Health care pr	actitioner duti	es before patient en	rollment. Before a		
97.28	patient's enr	ollment in the registry	/ program, a hea	alth care practitioner	must:		
97.29	<u>(1)</u> deter	mine, in the health car	re practitioner's	medical judgment, v	whether a patient has		
97.30	a qualifying	medical condition and	l, if so determin	ed, provide the patien	nt with a certification		
97.31	of that diagr	<u>iosis;</u>					
97.32	<u>(2)</u> advis	e patients, registered	designated care	givers, and parents, l	egal guardians, and		
97.33	spouses acti	ng as caregivers of an	y nonprofit pati	ent support groups o	or organizations;		

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98.1	(3) prov	vide to patients explana	tory information	n from the Division of	Medical Cannabis,
98.2	including in	nformation about the e	xperimental nat	ure of the therapeutic	use of medical
98.3	cannabis fle	ower and medical cann	abinoid produc	ts; the possible risks,	benefits, and side
98.4	effects of th	ne proposed treatment;	and the applica	tion and other materia	als from the office;
98.5	(4) prov	vide to patients a Tennes	sen warning as	required under section	n 13.04 subdivision
98.6	2; and	ide to patients à Tenne.	ssen warning as	required under section	113.04, 300011131011
98.7	<u> </u>	e to continue treatment		qualifying medical con	ndition and to report
98.8	findings to	the Division of Medica	al Cannabis.		
98.9	Subd. 2	<u>.</u> Duties upon patient	's enrollment in	n registry program.	Upon receiving
98.10	notification	from the Division of M	Iedical Cannabi	s of the patient's enrol	lment in the registry
98.11	program, a	health care practitione	r must:		
98.12	<u>(1)</u> parti	cipate in the patient reg	sistry reporting s	ystem under the guida	nce and supervision
98.13	of the Divis	sion of Medical Canna	bis;		
98.14	<u>(2)</u> repo	ort to the Division of M	edical Cannabi	s patient health record	ls throughout the
98.15	patient's on	going treatment in a m	anner determin	ed by the office and in	n accordance with
98.16	subdivision	<u>14;</u>			
98.17	(3) dete	rmine on a yearly basis	s if the patient c	ontinues to have a qu	alifying medical
98.18	condition a	nd, if so, issue the pati	ent a new certif	ication of that diagno	sis. The patient
98.19	assessment	conducted under this o	clause may be c	onducted via telemed	icine, as defined in
98.20	section 62A	A.671, subdivision 9; a	nd		
98.21	(4) othe	rwise comply with req	uirements estab	lished by the Office of	of Cannabis
98.22	Manageme	nt and the Division of	Medical Cannal	ois.	
98.23	Subd. 3	. Participation not red	quired. Nothing	g in this section requir	es a health care
98.24	practitioner	to participate in the re	egistry program.	<u>.</u>	
98.25	Subd. 4	. Data. Data on patient	ts collected by a	health care practition	ner and reported to
98.26	the registry	program, including da	ita on patients w	who are veterans who	receive care from
98.27	the United	States Department of V	veterans Affairs,	are health records un	der section 144.291
98.28	and are priv	vate data on individual	s under section	13.02 but may be use	d or reported in an
98.29	aggregated	nonidentifiable form as	s part of a scient	ific peer-reviewed pul	olication of research
98.30	conducted	under section 342.49 o	r in the creation	of summary data, as	defined in section
98.31	13.02, subc	livision 19.			
98.32	Subd. 5	. Exception. The requi	rements of this	section do not apply t	to a patient who is a
08 33	veteran wh	o receives care from the	- United States I	Department of Veteran	s Affairs or a health

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99.1 care practitioner employed by the United States Department of Veterans Affairs. Such a

99.2 patient must meet the certification requirements developed pursuant to section 342.47,

- 99.3 subdivision 3, before the patient's enrollment in the registry program. The Division of
- 99.4 Medical Cannabis may establish policies and procedures to obtain medical records and other
- 99.5 relevant data from a health care practitioner employed by the United States Department of
- 99.6 Veterans Affairs, provided that those policies and procedures are consistent with this section.
- 99.7 **EFFECTIVE DATE.** This section is effective January 1, 2024.

99.8 Sec. 51. [342.51] LIMITATIONS.

99.9 Subdivision 1. Limitations on consumption; locations of consumption. Nothing in

- 99.10 sections 342.42 to 342.56 permits any person to engage in, and does not prevent the
- 99.11 imposition of any civil, criminal, or other penalties for:
- 99.12 (1) undertaking a task under the influence of medical cannabis that would constitute
- 99.13 <u>negligence or professional malpractice;</u>
- 99.14 (2) possessing or consuming medical cannabis:
- 99.15 (i) on a school bus or van; or
- 99.16 (ii) in a correctional facility;
- 99.17 (3) vaporizing or smoking medical cannabis:
- 99.18 (i) on any form of public transportation;
- 99.19 (ii) where the vapor would be inhaled by a nonpatient minor or where the smoke would
- 99.20 <u>be inhaled by a minor; or</u>
- 99.21 (iii) in any public place, including any indoor or outdoor area used by or open to the
- 99.22 general public or a place of employment, as defined in section 144.413, subdivision 1b; and
- 99.23 (4) operating, navigating, or being in actual physical control of a motor vehicle, aircraft,
- 99.24 train, or motorboat or working on transportation property, equipment, or facilities while
- 99.25 <u>under the influence of medical cannabis or a medical cannabis product.</u>
- 99.26 Subd. 2. Health care facilities. (a) Health care facilities licensed under chapter 144A;
- 99.27 hospice providers licensed under chapter 144A; boarding care homes or supervised living
- 99.28 facilities licensed under section 144.50; assisted living facilities under chapter 144G; facilities
- 99.29 owned, controlled, managed, or under common control with hospitals licensed under chapter
- 99.30 144; and other health care facilities licensed by the commissioner of health or the
- 99.31 <u>commissioner of human services may adopt reasonable restrictions on the use of medical</u>

cannabis flower or medical cannabinoid products by a patient enrolled in the registry program 100.1 100.2 who resides at or is actively receiving treatment or care at the facility. The restrictions may 100.3 include a provision that the facility must not store or maintain a patient's supply of medical cannabis flower or medical cannabinoid products on behalf of the patient; that a patient 100.4 store the patient's supply of medical cannabis flower or medicinal cannabinoid products in 100.5 a locked container accessible only to the patient, the patient's designated caregiver, or the 100.6 patient's parent, legal guardian, or spouse; that the facility is not responsible for providing 100.7 100.8 medical cannabis for patients; and that medical cannabis flower or medical cannabinoid products are used only in a location specified by the facility or provider. Nothing in this 100.9 subdivision requires facilities and providers listed in this subdivision to adopt such 100.10 restrictions. 100.11 (b) No facility or provider listed in this subdivision may unreasonably limit a patient's 100.12 access to or use of medical cannabis flower or medical cannabiniod products to the extent 100.13 that such use is authorized under sections 342.42 to 342.56. No facility or provider listed 100.14 in this subdivision may prohibit a patient access to or use of medical cannabis flower or 100.15 medical cannabinoid products due solely to the fact that cannabis is a Schedule I drug 100.16 100.17 pursuant to the federal Uniform Controlled Substances Act. If a federal regulatory agency, the United States Department of Justice, or the federal Centers for Medicare and Medicaid 100.18 Services takes one of the following actions, a facility or provider may suspend compliance 100.19 with this paragraph until the regulatory agency, the United States Department of Justice, or 100.20 the federal Centers for Medicare and Medicaid Services notifies the facility or provider that 100.21 it may resume permitting the use of medical cannabis flower or medical cannabinoid products 100.22 within the facility or in the provider's service setting: 100.23 100.24 (1) a federal regulatory agency or the United States Department of Justice initiates enforcement action against a facility or provider related to the facility's compliance with 100.25 the medical cannabis program; or 100.26 100.27 (2) a federal regulatory agency, the United States Department of Justice, or the federal Centers for Medicare and Medicaid Services issues a rule or otherwise provides notification 100.28 to the facility or provider that expressly prohibits the use of medical cannabis in health care 100.29 facilities or otherwise prohibits compliance with the medical cannabis program. 100.30 100.31 (c) An employee or agent of a facility or provider listed in this subdivision or a person licensed under chapter 144E is not violating this chapter or chapter 152 for the possession 100.32

100.33 of medical cannabis flower or medical cannabinoid products while carrying out employment

100.34 duties, including providing or supervising care to a patient enrolled in the registry program,

100.35 or distribution of medical cannabis flower or medical cannabinoid products to a patient

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101.1 enrolled in the registry program who resides at or is actively receiving treatment or care at
101.2 the facility or from the provider with which the employee or agent is affiliated.

101.3 Subd. 3. Child care facilities. A proprietor of a family or group family day care program

101.4 must disclose to parents or guardians of children cared for on the premises of the family or

101.5 group family day care program, if the proprietor permits the smoking or use of medical

101.6 cannabis on the premises, outside of its hours of operation. Disclosure must include posting

101.7 on the premises a conspicuous written notice and orally informing parents or guardians.

101.8 **EFFECTIVE DATE.** This section is effective January 1, 2024.

101.9 Sec. 52. [342.52] PROTECTIONS FOR REGISTRY PROGRAM PARTICIPANTS.

101.10 Subdivision 1. Presumption. There is a presumption that a patient enrolled in the registry

101.11 program is engaged in the authorized use of medical cannabis flower and medical cannabinoid

101.12 products. This presumption may be rebutted by evidence that the patient's use of medical

101.13 cannabis flower or medical cannabinoid products was not for the purpose of treating or

101.14 alleviating the patient's qualifying medical condition or symptoms associated with the

101.15 patient's qualifying medical condition.

101.16 Subd. 2. Criminal and civil protections. (a) Subject to section 342.51, the following
101.17 are not violations of this chapter or chapter 152:

101.18 (1) use or possession of medical cannabis flower, medical cannabinoid products, or

101.19 medical cannabis paraphernalia by a patient enrolled in the registry program or by a visiting

101.20 patient to whom medical cannabis is distributed under section 342.46, subdivision 5;

101.21 (2) possession of medical cannabis flower, medical cannabinoid products, or medical

101.22 cannabis paraphernalia by a registered designated caregiver or a parent, legal guardian, or

101.23 spouse of a patient enrolled in the registry program; or

(3) possession of medical cannabis flower, medical cannabinoid products, or medical
 cannabis paraphernalia by any person while carrying out duties required under sections
 342 42 to 342 56

101.26 <u>342.42 to 342.56.</u>

101.27 (b) The Office of Cannabis Management, members of the Cannabis Advisory Council,

101.28 Office of Cannabis Management employees, agents or contractors of the Office of Cannabis

101.29 Management, and health care practitioners participating in the registry program are not

- ^{101.30} subject to any civil penalties or disciplinary action by the Board of Medical Practice, the
- 101.31 Board of Nursing, or any business, occupational, or professional licensing board or entity
- 101.32 solely for participating in the registry program either in a professional capacity or as a
- 101.33 patient. A pharmacist licensed under chapter 151 is not subject to any civil penalties or

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102.1 disciplinary action by the Board of Pharmacy when acting in accordance with sections

102.2 342.42 to 342.56 either in a professional capacity or as a patient. Nothing in this section

102.3 prohibits a professional licensing board from taking action in response to a violation of law.

102.4 (c) Notwithstanding any law to the contrary, a Cannabis Advisory Council member, the 102.5 governor, or an employee of a state agency must not be held civilly or criminally liable for

any injury, loss of property, personal injury, or death caused by any act or omission while

acting within the scope of office or employment under sections 342.42 to 342.56.

102.8 (d) Federal, state, and local law enforcement authorities are prohibited from accessing

102.9 the registry except when acting pursuant to a valid search warrant. Notwithstanding section

- 102.10 <u>13.09</u>, a violation of this paragraph is a gross misdemeanor.
- 102.11 (e) Notwithstanding any law to the contrary, the office and employees of the office must

102.12 not release data or information about an individual contained in any report or document or

102.13 in the registry and must not release data or information obtained about a patient enrolled in

102.14 the registry program, except as provided in sections 342.42 to 342.56. Notwithstanding

102.15 section 13.09, a violation of this paragraph is a gross misdemeanor.

102.16 (f) No information contained in a report or document, contained in the registry, or

- 102.17 obtained from a patient under sections 342.42 to 342.56 may be admitted as evidence in a
- 102.18 criminal proceeding, unless:

102.19 (1) the information is independently obtained; or

102.20 (2) admission of the information is sought in a criminal proceeding involving a criminal

- 102.21 violation of sections 342.42 to 342.56.
- (g) Possession of a registry verification or an application for enrollment in the registry
 program:

102.24 (1) does not constitute probable cause or reasonable suspicion;

102.25 (2) must not be used to support a search of the person or property of the person with a 102.26 registry verification or application to enroll in the registry program; and

102.20 registry vermeation of application to enroll in the registry program, and

102.27 (3) must not subject the person or the property of the person to inspection by any

102.28 government agency.

102.29 Subd. 3. School enrollment; rental property. (a) No school may refuse to enroll a

102.30 patient as a pupil or otherwise penalize a patient solely because the patient is enrolled in

102.31 the registry program, unless failing to do so would violate federal law or regulations or

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103.1	cause the schoo	l to lose a moneta	ry or licensing-r	elated benefit under fe	deral law or
103.2	regulations.				
103.3	(b) No landl	ord may refuse to	lease to a patier	nt or otherwise penalize	e a patient solely
103.4	because the pati	ent is enrolled in t	he registry prog	ram, unless failing to d	o so would violate
103.5	federal law or re	egulations or caus	e the landlord to	lose a monetary or lic	ensing-related
103.6	benefit under fe	ederal law or regul	ations.		
103.7	<u>Subd. 4.</u> Me	e dical care. For pu	rposes of medic	cal care, including orga	n transplants, a
103.8	patient's use of	medical cannabis	according to sec	etions 342.42 to 342.56	is considered the
103.9	equivalent of th	e authorized use c	of a medication u	used at the discretion of	f a health care
103.10	practitioner and	does not disquali	fy a patient fron	n needed medical care.	
103.11	<u>Subd. 5.</u> Em	ployment. (a) Un	lless a failure to	do so would violate fe	deral or state law
103.12	or regulations o	r cause an employ	ver to lose a mor	netary or licensing-relat	ed benefit under
103.13	federal law or re	egulations, an emp	oloyer may not o	liscriminate against a p	erson in hiring,
103.14	termination, or	any term or condit	ion of employm	ent, or otherwise penal	ize a person, if the
103.15	discrimination i	s based on:			
103.16	(1) the perso	on's status as a pati	ient enrolled in	the registry program; or	<u>r</u>
103.17	(2) a patient	's positive drug tea	st for cannabis c	omponents or metaboli	ites, unless the
103.18	patient used, po	ssessed, sold, tran	sported, or was	impaired by medical ca	annabis flower or
103.19	<u>a medical canna</u>	binoid product on	work premises,	during working hours,	or while operating
103.20	an employer's n	nachinery, vehicle	, or equipment.		
103.21	(b) An empl	oyee who is a patie	ent and whose er	nployer requires the em	ployee to undergo
103.22	drug testing acc	cording to section	181.953 may pr	esent the employee's re	gistry verification
103.23	as part of the en	nployee's explanat	tion under section	on 181.953, subdivision	<u>ı 6.</u>
103.24	<u>Subd. 6.</u> Cu	stody; visitation;	parenting time	A person must not be	denied custody of
103.25	a minor child or	r visitation rights o	or parenting time	e with a minor child ba	sed solely on the
103.26	person's status a	as a patient enrolle	ed in the registry	program. There must b	e no presumption
103.27	of neglect or ch	ild endangerment	for conduct allo	wed under sections 342	2.42 to 342.56,
103.28	unless the perso	on's behavior creat	es an unreasona	ble danger to the safety	of the minor as
103.29	established by c	clear and convincin	ng evidence.		
103.30	Subd. 7. Act	tion for damages.	In addition to ar	ny other remedy provide	ed by law, a patient
103.31	may bring an ac	tion for damages	against any pers	on who violates subdiv	vision 3, 4, or 5. A
103.32	person who vio	lates subdivision 3	3, 4, or 5 is liabl	e to a patient injured by	the violation for

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104.1	the greater of th	e person's actual c	lamages or a civ	il penalty of \$100 and	d reasonable attorney
104.2	fees.				
104.3	EFFECTIV	E DATE. This so	ection is effectiv	ve January 1, 2024.	
				y	
104.4	Sec. 53. [342.	54] VIOLATION	BY HEALTH	CARE PRACTITIO	ONER; CRIMINAL
104.5	PENALTY.				
104.6	A health car	e practitioner who	howingly ref	ers patients to a medi	cal cannabis business
104.7	or to a designat	ed caregiver, who	advertises as a	retailer or producer of	of medical cannabis
104.8	flower or medic	al cannabinoid pro	ducts, or who is	sues certifications wh	ile holding a financial
104.9	interest in a car	mabis retailer or r	nedical cannabi	s business is guilty o	f a misdemeanor and
104.10	may be sentence	ed to imprisonme	nt for not more	than 90 days or to pa	yment of not more
104.11	than \$1,000, or	both.			
104.12	EFFECTIV	E DATE. This se	ection is effectiv	ve January 1, 2024.	
104.13	Sec. 54. [342.	.55] DATA PRAC	CTICES.		
104.14	Subdivision	1. Data classific:	ation. Patient h	ealth records maintai	ned by the Office of
104.15	Cannabis Mana	gement or the Div	vision of Medica	l Cannabis and gover	rnment data in patient
104.16	health records 1	naintained by a he	ealth care practi	tioner are classified a	as private data on
104.17	individuals, as	defined in section	13.02, subdivis	tion 12, or nonpublic	data, as defined in
104.18	section 13.02, s	subdivision 9.			
104.19	Subd. 2. All	lowable use; prol	nibited use. Da	ta specified in subdiv	rision 1 may be used
104.20	to comply with	chapter 13, to con	nply with a requ	est from the legislativ	ve auditor or the state
104.21	auditor in the p	erformance of off	icial duties, and	for purposes specifi	ed in sections 342.42
104.22	to 342.56. Data	specified in subd	ivision 1 and m	aintained by the Offi	ce of Cannabis
104.23	Management or	Division of Media	cal Cannabis mu	st not be used for any	purpose not specified
104.24	in sections 342	.42 to 342.56 and	must not be con	nbined or linked in a	ny manner with any
104.25	other list, datas	et, or database. Da	ata specified in	subdivision 1 must no	ot be shared with any
104.26	federal agency,	federal department	nt, or federal en	tity unless specificall	y ordered to do so by
104.27	a state or federa	al court.			
104.28	EFFECTIV	E DATE. This se	ection is effective	ve January 1, 2024.	
104.29	Sec. 55. [342.	.56] CLINICAL '	TRIALS.		
104.30	The Divisio	n of Medical Cann	abis may condu	ct, or award grants to	health care providers
104.31	or research org	anizations to cond	uct, clinical tria	lls on the safety and e	efficacy of using

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105.1	medical cannabi	s flower or medical car	nabinoid product	s to treat a specific h	nealth condition.

105.2 A health care provider or research organization receiving a grant under this section must

^{105.3} provide the office with access to all data collected in a clinical trial funded under this section.

105.4 The office may use data from clinical trials conducted or funded under this section as

105.5 evidence to approve additional qualifying medical conditions or additional allowable forms

105.6 of medical cannabis.

105.7 **EFFECTIVE DATE.** This section is effective January 1, 2024.

105.8 Sec. 56. [342.60] TESTING.

105.9 <u>Subdivision 1.</u> Testing required. A cannabis business shall not sell or offer for sale

105.10 cannabis flower, cannabinoid products, synthetically derived cannabinoids, or hemp-derived

105.11 consumer products to another cannabis business or to a customer or patient, or otherwise

105.12 transfer cannabis flower, cannabinoid products, synthetically derived cannabinoids, or

105.13 hemp-derived consumer products to another cannabis business, unless:

105.14 (1) a representative sample of the batch of cannabis flower, cannabinoid product,

105.15 synthetically derived cannabinoid, or hemp-derived consumer product has been tested

105.16 according to this section and rules adopted under this chapter;

105.17 (2) the testing was completed by a cannabis testing facility licensed under this chapter;
 105.18 and

105.19 (3) the tested sample of cannabis flower, cannabinoid product, synthetically derived

105.20 cannabinoid, or hemp-derived consumer product was found to meet testing standards

105.21 established by the office.

105.22 Subd. 2. Procedures and standards established by office. (a) The office shall by rule

105.23 establish procedures governing the sampling, handling, testing, storage, and transportation

105.24 of cannabis flower, cannabinoid products, synthetically derived cannabinoids, and

105.25 <u>hemp-derived consumer products tested under this section; the contaminants for which</u>

105.26 cannabis flower, cannabinoid products, synthetically derived cannabinoids, and hemp-derived

105.27 consumer products must be tested; standards for potency and homogeneity testing; and

105.28 procedures applicable to cannabis businesses and cannabis testing facilities regarding

105.29 cannabis flower, cannabinoid products, synthetically derived cannabinoids, and hemp-derived

105.30 consumer products that fail to meet the standards for allowable levels of contaminants

105.31 established by the office, that fail to meet the potency limits in this chapter or that do not

105.32 conform with the content of the cannabinoid profile listed on the label.

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(b) All testing required under this section must be performed in a manner that is consistent
 with general requirements for testing and calibration activities.

106.3 Subd. 3. Standards established by Office of Cannabis Management. The office shall
 106.4 by rule establish standards for allowable levels of contaminants in cannabis flower,

106.5 cannabinoid products, synthetically derived cannabinoids, hemp-derived consumer products,
 106.6 and growing media. Contaminants for which the office must establish allowable levels must
 106.7 include but are not limited to residual solvents, foreign material, microbiological

106.8 contaminants, heavy metals, pesticide residue, and mycotoxins.

106.9 Subd. 4. Testing of samples; disclosures. (a) On a schedule determined by the office, 106.10 every cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement to import products, cannabis microbusiness, or medical cannabis business shall make each 106.11 batch of cannabis flower, cannabinoid products, synthetically derived cannabinoids, or 106.12 hemp-derived consumer products grown, manufactured, or imported by the cannabis 106.13 cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement to import 106.14 products, cannabis microbusiness, or medical cannabis business available to a cannabis 106.15 testing facility. 106.16

106.17 (b) A cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an

106.18 endorsement to import products, cannabis microbusiness, or medical cannabis business

106.19 must disclose all known information regarding pesticides, fertilizers, solvents, or other

106.20 foreign materials, including but not limited to catalysts used in creating synthetically derived

106.21 cannabinoids, applied or added to the batch of cannabis flower, cannabinoid products,

106.22 synthetically derived cannabinoids, or hemp-derived consumer products subject to testing.

106.23 Disclosure must be made to the cannabis testing facility and must include information about

106.24 <u>all applications by any person, whether intentional or accidental.</u>

106.25 (c) The cannabis testing facility shall select one or more representative samples from 106.26 each batch, test the samples for the presence of contaminants, and test the samples for

106.27 potency and homogeneity and to allow the cannabis flower, cannabinoid product,

106.28 synthetically derived cannabinoid, or hemp-derived consumer product to be accurately

106.29 labeled with its cannabinoid profile. Testing for contaminants must include testing for

106.30 residual solvents, foreign material, microbiological contaminants, heavy metals, pesticide

106.31 residue, mycotoxins, and any items identified pursuant to paragraph (b), and may include

106.32 testing for other contaminants. A cannabis testing facility must destroy or return to the

106.33 cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement to

106.34 import products, cannabis microbusiness, or medical cannabis business any part of the

106.35 sample that remains after testing.

107.1 Subd. 5. Test results. (a) If a sample meets the applicable testing standards, a cannabis testing facility shall issue a certification to a cannabis cultivator, cannabis manufacturer, 107.2 107.3 cannabis wholesaler with an endorsement to import products, cannabis microbusiness, or medical cannabis business, and the cannabis cultivator, cannabis manufacturer, cannabis 107.4 wholesaler with an endorsement to import products, cannabis microbusiness, or medical 107.5 cannabis business may then sell or transfer the batch of cannabis flower, cannabinoid 107.6 products, synthetically derived cannabinoids, or hemp-derived consumer products from 107.7 107.8 which the sample was taken to another cannabis business or offer the cannabis flower, 107.9 cannabinoid products, or hemp-derived consumer products for sale to customers or patients. If a sample does not meet the applicable testing standards or if the testing facility is unable 107.10 to test for a substance identified pursuant to subdivision 4, paragraph (b), the batch from 107.11 which the sample was taken shall be subject to procedures established by the office for such 107.12 107.13 batches, including destruction, remediation, or retesting. A cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement to import products, cannabis 107.14 microbusiness, or medical cannabis business must maintain the test results for cannabis 107.15 flower, cannabinoid products, synthetically derived cannabinoids, or hemp-derived consumer 107.16 products grown, manufactured, or imported by that cannabis cultivator, cannabis 107.17 manufacturer, cannabis wholesaler with an endorsement to import products, cannabis 107.18 microbusiness, or medical cannabis business for at least five years after the date of testing. 107.19 (b) A cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an 107.20 endorsement to import products, cannabis microbusiness, or medical cannabis business 107.21 shall make test results maintained by that cannabis cultivator, cannabis manufacturer, 107.22 cannabis wholesaler with an endorsement to import products, cannabis microbusiness, or 107.23 medical cannabis business available for review by any member of the public, upon request. 107.24 107.25 Test results made available to the public must be in plain language. 107.26 Sec. 57. [342.62] PACKAGING.

Subdivision 1. General. All cannabis flower, cannabinoid products, and hemp-derived
 consumer products sold to customers or patients must be packaged as required by this section
 and rules adopted under this chapter.

Subd. 2. Packaging requirements. (a) Except as provided in paragraph (b), all cannabis
 flower, cannabinoid products, and hemp-derived consumer products sold to customers or
 patients must be:

107.33 (1) prepackaged in packaging or a container that is plain, child-resistant, tamper-evident,
 107.34 and opaque; or

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108.1 108.2	(2) placed in packaging or a container that is plain, child-resistant, tamper-evident, and opaque at the final point of sale to a customer.							
108.3	(b) The requirement that packaging be child-resistant does not apply to:							
108.4	(1) a hemp-derived topical product; or							
108.5	(2) a lower potency edible product that:							
108.6	(i) is intended to be consumed as a beverage;							
108.7	(ii) contains nonintoxicating cannabinoids;							
108.8	(iii) does not contain more than a combined total of 0.25 milligrams of intoxicating							
108.9	cannabinoids; and							
108.10	(iv) does n	ot contain a synthetic	cally derived	cannabinoid.				
108.11	(c) If a can	nabinoid product or a	hemp-derived	l consumer product is p	backaged in a manner			
108.12	that includes more than a single serving, each serving must be indicated by scoring, wrapping,							
108.13	or other indicators designating the individual serving size. If the item is a lower potency							
108.14	edible product, any indicator other than individual wrapping that designates the individual							
108.15	serving size must appear on the edible cannabinoid product.							
108.16	(d) An edible cannabinoid product containing more than a single serving must be							
108.17	prepackaged or placed at the final point of sale in packaging or a container that is resealable.							
108.18	Subd. 3. Packaging prohibitions. (a) Cannabis flower, cannabinoid products, or							
108.19	hemp-derived consumer products sold to customers or patients must not be packaged in a							
108.20	manner that:							
108.21	(1) bears a	reasonable resembla	nce to any co	mmercially available p	product that does not			
108.22	contain cannabinoids, whether the manufacturer of the product holds a registered trademark							
108.23	or has register	red the trade dress; or	<u>r</u>					
108.24	<u>(2) is desig</u>	gned to appeal to pers	sons under 21	years of age.				
108.25	(b) Packag	ing for cannabis flov	ver, cannabin	oid products, and hem	p-derived consumer			
108.26	products must not contain or be coated with any perfluoroalkyl substance.							
108.27	(c) Edible cannabinoid products must not be packaged in a material that is not approved							
108.28	by the United States Food and Drug Administration for use in packaging food.							

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109.1	Sec. 58. [342.64] LABELING.			
109.2	Subdivi	sion 1. General. All ca	nnabis flower.	cannabinoid product	s, and hemp-derived
109.3	consumer p	products sold to custome	ers or patients	must be labeled as req	uired by this section
109.4	and rules ad	dopted under this chapte	er.		
109.5	Subd. 2	<u>. Content of label; can</u>	nabis. All can	nabis flower and hem	p-derived consumer
109.6	products th	at consist of hemp plan	t parts sold to	customers or patients	must have affixed
109.7	on the pack	aging or container of th	e cannabis flc	ower or hemp-derived	consumer product a
109.8	label that co	ontains at least the follo	wing informa	tion:	
109.9	(1) the r	name and license number	er of the canna	abis cultivator, cannab	vis microbusiness,
109.10	medical car	nnabis cultivator, or ind	ustrial hemp g	rower where the cann	abis flower or hemp
109.11	plant part w	vas cultivated;			
109.12	(2) the r	net weight or volume of	f cannabis flov	ver or hemp plant part	ts in the package or
109.13	container;				
109.14	(3) the b	oatch number;			
109.15	(4) the c	cannabinoid profile;			
109.16	<u>(5)</u> a un	iversal symbol establish	ned by the officient	ce indicating that the	package or container
109.17	contains ca	nnabis flower, a cannab	ois product, or	a hemp-derived const	umer product;
109.18	<u>(6) verit</u>	fication that the cannabi	is flower or he	emp plant part was tes	ted according to
109.19	section 342	.60 and that the cannabi	s flower or he	mp plant part complie	s with the applicable
109.20	standards;				
109.21	(7) the r	naximum dose, quantity	y, or consumpt	ion that may be consid	dered medically safe
109.22	within a 24	-hour period;			
109.23	(8) the f	following statement: "K	eep this produ	ict out of reach of chi	ldren."; and
109.24	<u>(9)</u> any	other statements or info	ormation requi	red by the office.	
109.25	Subd. 3	. Content of label; can	nabinoid pro	ducts. (a) All cannab	inoid products and
109.26	hemp-deriv	ed consumer products of	other than pro-	ducts subject to the re	quirements under
109.27	subdivision	2 and hemp-derived to	pical products	s sold to customers or	patients must have
109.28	affixed to the	he packaging or contain	er of the cann	abis product a label th	nat contains at least
109.29	the following	ng information:			
109.30	(1) the r	name and license number	er of the canna	abis cultivator, cannab	vis microbusiness,
109.31	medical car	nnabis cultivator, or ind	ustrial hemp g	grower that cultivated	the cannabis flower
109.32	or hemp pla	ant parts used in the can	mabinoid proc	luct;	

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110.1	(2) the name	e and license numb	er of the cannabis	manufacturer, cannal	ois microbusiness,
110.2	<u>~ ~ ~</u>			e cannabis concentrate	<u> </u>
110.3	derived cannab	inoid and if differe	ent, the name and	license number of the	cannabis
110.4	manufacturer, c	annabis microbusi	ness, or medical	cannabis business that	manufactured the
110.5	cannabinoid pr	oduct;			
110.6	(3) the net v	veight or volume c	of the cannabinoid	l product or hemp-der	ived consumer
110.7	product in the p	backage or contain	er;		
110.8	(4) the type	of cannabinoid pro	oduct or hemp-de	rived consumer produ	<u>ıct;</u>
110.9	(5) the batc	n number;			
110.10	(6) the serve	ing size;			
110.11	(7) the cann	abinoid profile per	r serving and in to	otal;	
110.12	<u>(8)</u> a list of	ingredients;			
110.13	<u>(9)</u> a univer	sal symbol establis	shed by the office	indicating that the pac	kage or container
110.14	contains cannal	ois flower, a canna	bis product, or a	hemp-derived consum	er product;
110.15	<u>(10)</u> a warn	ing symbol develo	ped by the office	in consultation with t	he commissioner
110.16	of health and th	ne Minnesota Poisc	on Control System	n that:	
110.17	(i) is at leas	t three-quarters of	an inch tall and s	ix-tenths of an inch w	ide;
110.18	<u>(ii) is in a h</u>	ighly visible color;	2		
110.19	(iii) include	s a visual element	that is commonly	understood to mean	a person should
110.20	stop;				
110.21	(iv) indicate	es that the product	is not for children	n; and	
110.22	(v) includes	the phone number	r of the Minnesot	a Poison Control Syst	em;
110.23	(11) verifica	ation that the canna	abinoid product o	r hemp-derived consu	mer product was
110.24	tested accordin	g to section 342.60) and that the can	nabinoid product or h	emp-derived
110.25	consumer prod	uct complies with	the applicable sta	ndards;	
110.26	(12) the mat	ximum dose, quan	tity, or consumpt	on that may be consid	lered medically
110.27	safe within a 24	1-hour period;			
110.28	(13) the following the foll	owing statement: '	"Keep this produc	et out of reach of child	Iren."; and
110.29	<u>(14) any oth</u>	ner statements or ir	nformation requir	ed by the office.	

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111.1	(b) The office may by rule establish alternative labeling requirements for lower potency
111.2	edible products that are imported into the state provided that those requirements provide
111.3	consumers with information that is substantially similar to the information described in
111.4	paragraph (a).
111.5	Subd. 4. Additional content of label; medical cannabis flower and medical
111.6	cannabinoid products. In addition to the applicable requirements for labeling under
111.7	subdivision 2 or 3, all medical cannabis flower and medical cannabinoid products must
111.8	include at least the following information on the label affixed to the packaging or container
111.9	of the medical cannabis flower or medical cannabinoid product:
111.10	(1) the patient's name and date of birth;
111.11	(2) the name and date of birth of the patient's registered designated caregiver or, if listed
111.12	on the registry verification, the name of the patient's parent, legal guardian, or spouse, if
111.13	applicable; and
111.14	(3) the patient's registry identification number.
111.15	Subd. 5. Content of label; hemp-derived topical products. (a) All hemp-derived topical
111.16	products sold to customers must have affixed to the packaging or container of the product
111.17	a label that contains at least the following information:
111.18	(1) the manufacturer name, location, phone number, and website;
111.19	(2) the name and address of the independent, accredited laboratory used by the
111.20	manufacturer to test the product;
111.21	(3) the net weight or volume of the product in the package or container;
111.22	(4) the type of topical product;
111.23	(5) the amount or percentage of cannabidiol, cannabigerol, or any other cannabinoid,
111.24	derivative, or extract of hemp, per serving and in total;
111.25	(6) a list of ingredients;
111.26	(7) a statement that the product does not claim to diagnose, treat, cure, or prevent any
111.27	disease and that the product has not been evaluated or approved by the United States Food
111.28	and Drug Administration, unless the product has been so approved; and
111.29	(8) any other statements or information required by the office.
111.30	(b) The information required in paragraph (a), clauses (1), (2), and (5), may be provided
111.31	through the use of a scannable barcode or matrix barcode that links to a page on a website

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112.1	maintained by th	ne manufacturer or	distributor if	that page contains all	of the information
112.2	required by this				
112.3	Subd. 6. Add	ditional informatio	on. A cannabi	s retailer, cannabis mi	crobusiness, or
112.5				and patients with the fo	
112.5		•		to the packaging or co	¥
112.6				d consumer product; b	
112.7	information in the	he premises of the o	cannabis retai	ler, cannabis microbus	siness, or medical
112.8	cannabis retailer	; by providing the in	nformation on	a separate document o	r pamphlet provided
112.9	to customers or	patients when the c	customer purc	hases cannabis flower	, a cannabinoid
112.10	product, or a her	mp-derived consum	ner product:		
112.11	(1) factual in	formation about im	pairment effe	cts and the expected ti	ming of impairment
112.12	effects, side effe	ects, adverse effects	s, and health r	isks of cannabis flowe	r, cannabinoid
112.13	products, and he	emp-derived consur	mer products;		
112.14	(2) a stateme	ent that customers a	and patients m	ust not operate a moto	or vehicle or heavy
112.15	machinery while	e under the influence	ce of cannabis	flower or a cannabing	oid product;
112 16	(3) resources	s customers and pat	tients may con	nsult to answer question	ons about cannabis
112.10	<u> </u>			sumer products, and a	
112.18	adverse effects;		L	Y	
112.10	(1) contact in	nformation for the	acison contro	l center and a safety ho	otling or wabgite for
112.19 112.20				effects and adverse ef	
112.20	•	abinoid products;		effects and adverse ef	
112.22	(5) substance	e abuse disorder tre	eatment option	ns; and	
112.23	(6) any other	r information specif	fied by the of	fice.	
112.24	All labels affixe	d to the packaging	of cannabis f	lower, cannabinoid pro	oducts, and
112.25	hemp-derived co	onsumer products s	old to custom	ers or patients must in	clude the following
112.26	warning: "Canna	abis can harm your	health, and y	our baby's health if yo	u are pregnant."
112.27	Sec. 59. <u>[342.</u>	66] ADVERTISEN	<u>MENT.</u>		
112.28	Subdivision	1. Limitations app	olicable to all	advertisements. No c	annabis business or
112.29	other person sha	Ill publish or cause	to be publishe	ed an advertisement fo	r cannabis flower, a
112.30	cannabis busines	ss, a cannabinoid pr	roduct, or a he	mp-derived consumer	product in a manner
112.31	that:				

112.32 (1) contains false or misleading statements;

113.1	(2) contains unverified claims about the health or therapeutic benefits or effects of
113.2	consuming cannabis or a cannabis product;
113.3	(3) promotes the overconsumption of cannabis flower, cannabinoid products, or
113.4	hemp-derived consumer products;
113.5	(4) depicts a person under 21 years of age consuming cannabis flower, cannabinoid
113.6	products, or hemp-derived consumer products;
113.7	(5) includes an image designed or likely to appeal to individuals under 21 years of age,
113.8	including cartoons, toys, animals, or children, or any other likeness to images, characters,
113.9	or phrases that is designed to be appealing to individuals under 21 years of age or encourage
113.10	consumption by individuals under 21 years of age; or
113.11	(6) does not contain a warning as specified by the office regarding impairment and health
113.12	risks, including driving while impaired, side effects, adverse reactions, and pregnancy
113.13	complications.
113.14	Subd. 2. Outdoor advertisements; cannabis business signs. (a) A cannabis business
113.15	may erect or utilize an outdoor advertisement of cannabis flower, a cannabis business, a
113.16	cannabinoid product, or a hemp-derived consumer product.
113.17	(b) A cannabis business may erect up to two fixed outdoor signs on the exterior of the
113.18	building or property of the cannabis business. A fixed outdoor sign:
113.19	(1) may contain the name of the cannabis business and the address and nature of the
113.20	cannabis business; and
113.21	(2) shall not include a logo or an image of any kind.
113.22	(c) All outdoor advertisements on land adjacent to an interstate or trunk highway must
113.23	comply with the requirements of chapter 173.
113.24	Subd. 3. Audience under 21 years of age. Except as provided in subdivision 2, a
113.25	cannabis business or other person shall not publish or cause to be published an advertisement
113.26	for cannabis flower, a cannabis business, a cannabinoid product, or a hemp-derived consumer
113.27	product in any print publication or on radio, television, or any other medium if 30 percent
113.28	
110.20	or more of the audience of that medium is reasonably expected to be individuals who are
113.29	
	or more of the audience of that medium is reasonably expected to be individuals who are
113.29	or more of the audience of that medium is reasonably expected to be individuals who are under 21 years of age, as determined by reliable, current audience composition data.
113.29 113.30	or more of the audience of that medium is reasonably expected to be individuals who are under 21 years of age, as determined by reliable, current audience composition data. Subd. 4. Certain unsolicited advertising. A cannabis business or another person shall

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114.1	Subd. 5. Advertising using direct, individualized communication or dialogue. Before
114.2	a cannabis business or another person may advertise cannabis flower, a cannabis business,
114.3	a cannabinoid product, or a hemp-derived consumer product through direct, individualized
114.4	communication or dialogue controlled by the cannabis business or other person, the cannabis
114.5	business or other person must use a method of age affirmation to verify that the recipient
114.6	of the direct, individualized communication or dialogue is 21 years of age or older. For
114.7	purposes of this subdivision, the method of age affirmation may include user confirmation,
114.8	birth date disclosure, or another similar registration method.
114.9	Subd. 6. Advertising using location-based devices. A cannabis business or another
114.10	person shall not advertise cannabis flower, a cannabis business, a cannabinoid product, or
114.11	a hemp-derived consumer product with advertising directed toward location-based devices,
114.12	including but not limited to cellular telephones, unless:
114.13	(1) the advertising occurs via a mobile device application that is installed on the device
114.14	by the device's owner and includes a permanent and easy to implement opt-out feature; and
114.15	(2) the owner of the device is 21 years of age or older.
114.16	Subd. 7. Advertising restrictions for health care practitioners under the medical
114.17	cannabis program. (a) A health care practitioner shall not publish or cause to be published
114.18	an advertisement that:
114.19	(1) contains false or misleading statements about the registry program;
114.20	(2) uses colloquial terms to refer to medical cannabis flower or medical cannabinoid
114.21	products, such as pot, weed, or grass;
114.22	(3) states or implies that the health care practitioner is endorsed by the office, the Division
114.23	of Medical Cannabis, or the registry program;
114.24	(4) includes images of cannabis flower, hemp plant parts, or images of paraphernalia
114.25	commonly used to smoke cannabis flower;
114.26	
	(5) contains medical symbols that could reasonably be confused with symbols of
114.27	(5) contains medical symbols that could reasonably be confused with symbols of established medical associations or groups; or
114.27 114.28	
	established medical associations or groups; or
114.28	established medical associations or groups; or (6) does not contain a warning as specified by the office regarding impairment and health
114.28 114.29	established medical associations or groups; or (6) does not contain a warning as specified by the office regarding impairment and health risks, including driving while impaired, side effects, adverse reactions, and pregnancy

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115.1	of patient participat	ion in the registry	program. A decis	ion by the office	that a health care
115.2	practitioner has viol				
115.3	case procedures in	chapter 14.			
115.4	Sec. 60. [342.68]	INDUSTRIAL H	EMP.		
115.5	Nothing in this	chapter shall limit	the ability of a pe	rson licensed un	der chapter 18K to
115.6	grow industrial hen	p for commercial	or research purpo	oses, process indu	ustrial hemp for
115.7	commercial purpos	es, sell hemp fiber	products and hem	p grain, manufac	ture hemp-derived
115.8	topical products, or	perform any other	actions authorized	by the commissi	oner of agriculture.
115.9	For purposes of this	s section, "process	ing" has the mean	ing given in sect	ion 18K.02,
115.10	subdivision 5, and d	oes not include the	process of creating	g synthetically der	rived cannabinoids.
115.11	Sec. 61. [342.69]	HEMP-DERIVE	D TOPICAL PR	ODUCTS.	
115.12	Subdivision 1.	cope. This section	n applies to the ma	anufacture, mark	eting, distribution,
115.13	and sale of hemp-de	erived topical proc	lucts.		
115.14	Subd. 2. Appro	ved cannabinoids	a. (a) Products ma	nufactured, mark	ceted, distributed,
115.15	and sold under this	section may conta	in cannabidiol or	cannabigerol. Ex	ccept as provided
115.16	in paragraph (c), pr	oducts may not co	ntain any other ca	nnabinoid unles	s approved by the
115.17	office.				
115.18	(b) The office m	ay approve any ca	unnabinoid, other	than any tetrahyc	lrocannabinol, and
115.19	authorize its use in	manufacturing, ma	arketing, distribut	ion, and sales un	der this section if
115.20	the office determine	es that the cannabi	noid is a nonintox	cicating cannabin	oid.
115.21	(c) A product m	anufactured, mark	eted, distributed,	and sold under tl	nis section may
115.22	contain cannabinoid	s other than cannab	idiol, cannabigero	l, or any other car	nabinoid approved
115.23	by the office provid	ed that the cannabi	inoids are naturall	y occurring in he	mp plants or hemp
115.24	plant parts and the	otal of all other ca	nnabinoids prese	nt in a product de	bes not exceed one
115.25	milligram per packa	age.			
115.26	Subd. 3. Appro	ved products. Pro	ducts sold to cons	sumers under this	s section may only
115.27	be manufactured, m	arketed, distribute	ed, intended, or ge	enerally expected	to be used by
115.28	applying the produc	et externally to a p	art of the body of	a human or anin	nal.
115.29	Subd. 4. Prohib	itions. (a) A prod	uct sold to consur	ners under this se	ection must not be
115.30	manufactured, marl	teted, distributed,	or intended:		
115.31	(1) for external of	or internal use in th	e diagnosis, cure,	mitigation, treatr	nent, or prevention
	of disease in human				

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116.1	(2) to affect	t the structure or an	ny function of th	ne bodies of humans	or other animals;
116.2	(3) to be co	nsumed by combu	stion or vaporiz	ation of the product	and inhalation of
116.3	smoke, aerosol	, or vapor from the	e product;		
116.4	(4) to be co	nsumed through cl	hewing; or		
116.5	(5) to be con	nsumed through in	jection or applic	eation to a mucous me	embrane or nonintact
116.6	<u>skin.</u>				
116.7	(b) A produ	ict manufactured, 1	marketed, distril	outed, or sold to cons	sumers under this
116.8	section must no	ot:			
116.9	(1) consist,	in whole or in par	t, of any filthy, p	outrid, or decompose	d substance;
116.10	<u>(2) have be</u>	en produced, prepa	ared, packed, or	held under unsanitar	y conditions where
116.11	the product ma	y have been rende	red injurious to	health, or where the	product may have
116.12	been contamination	ated with filth;			
116.13	(3) be pack	aged in a container	r that is compos	ed, in whole or in pa	rt, of any poisonous
116.14	or deleterious s	substance that may	render the cont	ents injurious to heal	<u>tth;</u>
116.15	(4) contain	any additives or ex	cipients that ha	ve been found by the	e United States Food
116.16	and Drug Adm	inistration to be ur	nsafe for human	or animal consumpt	ion;
116.17	(5) contain	a cannabinoid or a	n amount or per	ccentage of cannabine	oids that is different
116.18	than the inform	nation stated on the	e label;		
116.19	(6) contain	a cannabinoid, oth	er than cannabi	diol, cannabigerol, or	r a cannabinoid
116.20	approved by th	e office, in an amo	ount that exceed	s the standard establi	shed in subdivision
116.21	2, paragraph (c); or			
116.22	(7) contain	any contaminants	for which testing	g is required by the o	ffice in amounts that
116.23	exceed the acc	eptable minimum s	standards establ	ished by the office.	
116.24	(c) No prod	uct containing any	cannabinoid m	ay be sold to any ind	lividual who is under
116.25	21 years of age	<u>).</u>			
116.26	Subd. 5. En	forcement. The of	ffice may enforce	e this section under th	e relevant provisions
116.27	of section 342.	<u>18.</u>			
116.28	Sec. 62. [342	.70] LEGAL ASS	SISTANCE TO	CANNABIS BUSIN	NESSES.
116.29	An attorney	must not be subje	ct to disciplinar	y action by the Minne	esota Supreme Court
116.30	or professional	responsibility boar	rd for providing	legal assistance to pr	ospective or licensed

116.31 cannabis businesses or others for activities that do not violate this chapter or chapter 152.

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117.1	Sec. 63. [342.71]	CANNABIS IND	USTRY COMM	IUNITY RENEWA	AL GRANTS.
117.2	Subdivision 1.	stablishment. Th	e Office of Cann	abis Management sl	hall establish
117.3	CanRenew, a progra	m to award grants	s to eligible organ	nizations for investr	nents in
117.4	communities where	long-term residen	ts are eligible to	be social equity app	olicants.
117.5	Subd. 2. Definit	ions. (a) For the p	urposes of this se	ection, the following	g terms have the
117.6	meanings given.				
117.7	(b) "Community	investment" mean	ns a project or pro	ogram designed to i	mprove
117.8	community-wide ou	tcomes or experie	nces and may inc	clude efforts targetin	ng economic
117.9	development, violer	ce prevention, you	uth development	, or civil legal aid, a	mong others.
117.10	(c) "Eligible con	munity" means a	community wher	e long-term residen	ts are eligible to
117.11	be social equity app	licants.			
117.12	(d) "Eligible org	anization" means	any organization	able to make an inv	vestment in a
117.13	community where lo	ong-term residents	are eligible to be	e social equity appli	icants and may
117.14	include educational	institutions, nonpi	rofit organization	s, private businesse	s, community
117.15	groups, units of loca	l government, or p	oartnerships betw	een different types o	of organizations.
117.16	(e) "Program" m	eans the CanRene	w grant program	<u>.</u>	
117.17	(f) "Social equity	applicant" means	s a person who m	eets the qualification	on requirements
117.18	in section 342.16.				
117.19	Subd. 3. Grants	to organizations.	(a) The office m	nust award grants to	eligible
117.20	organizations throug	gh a competitive g	rant process.		
117.21	(b) To receive gr	ant money, an elig	gible organization	n must submit a wri	tten application
117.22	to the office, using a	form developed l	by the office, exp	laining the commu	nity investment
117.23	the organization was	nts to make in an e	eligible communi	ty.	
117.24	(c) An eligible o	rganization's grant	t application mus	t also include:	
117.25	<u>(1) an analysis o</u>	f the community's	need for the prop	posed investment;	
117.26	(2) a description	of the positive im	pact that the prop	oosed investment is	expected to
117.27	generate for that con	nmunity;			
117.28	(3) any evidence	of the organization	n's ability to succe	essfully achieve that	positive impact;
117.29	(4) any evidence	of the organizatio	on's past success	in making similar co	ommunity
117.30	investments;				
117.31	(5) an estimate c	f the cost of the p	roposed investme	ent;	

118.1	(6) the sources and amounts of any nonstate funds or in-kind contributions that will
118.2	supplement grant money; and
118.3	(7) any additional information requested by the office.
118.4	(d) In awarding grants under this subdivision, the office shall give weight to applications
118.5	from organizations that demonstrate a history of successful community investments,
118.6	particularly in geographic areas that are now eligible communities. The office shall also
118.7	give weight to applications where there is demonstrated community support for the proposed
118.8	investment. The office shall fund investments in eligible communities throughout the state.
118.9	Subd. 4. Program outreach. The office shall make extensive efforts to publicize these
118.10	grants, including through partnerships with community organizations, particularly those
118.11	located in eligible communities.
118.12	Subd. 5. Reports to the legislature. By January 15, 2024, and each January 15 thereafter,
118.13	the office must submit a report to the chairs and ranking minority members of the committees
118.14	of the house of representatives and the senate having jurisdiction over community
118.15	development that details awards given through the CanRenew program and the use of grant
118.16	money, including any measures of successful community impact from the grants.
118.17	Sec. 64. [342.72] SUBSTANCE USE TREATMENT, RECOVERY, AND
118.17 118.18	Sec. 64. [342.72] SUBSTANCE USE TREATMENT, RECOVERY, AND PREVENTION GRANTS.
118.18	PREVENTION GRANTS.
118.18 118.19	PREVENTION GRANTS. Subdivision 1. Account established; appropriation. A substance use treatment, recovery,
118.18 118.19 118.20	PREVENTION GRANTS. Subdivision 1. Account established; appropriation. A substance use treatment, recovery, and prevention grant account is created in the special revenue fund. Money in the account,
118.18 118.19 118.20 118.21	PREVENTION GRANTS. Subdivision 1. Account established; appropriation. A substance use treatment, recovery, and prevention grant account is created in the special revenue fund. Money in the account, including interest earned, is appropriated to the office for the purposes specified in this
118.18 118.19 118.20 118.21 118.22	PREVENTION GRANTS. Subdivision 1. Account established; appropriation. A substance use treatment, recovery, and prevention grant account is created in the special revenue fund. Money in the account, including interest earned, is appropriated to the office for the purposes specified in this section.
 118.18 118.19 118.20 118.21 118.22 118.23 	PREVENTION GRANTS. Subdivision 1. Account established; appropriation. A substance use treatment, recovery, and prevention grant account is created in the special revenue fund. Money in the account, including interest earned, is appropriated to the office for the purposes specified in this section. Subd. 2. Acceptance of gifts and grants. Notwithstanding sections 16A.013 to 16A.016,
 118.18 118.19 118.20 118.21 118.22 118.23 118.24 	PREVENTION GRANTS. Subdivision 1. Account established; appropriation. A substance use treatment, recovery, and prevention grant account is created in the special revenue fund. Money in the account, including interest earned, is appropriated to the office for the purposes specified in this section. Subd. 2. Acceptance of gifts and grants. Notwithstanding sections 16A.013 to 16A.016, the office may accept money contributed by individuals and may apply for grants from
 118.18 118.19 118.20 118.21 118.22 118.23 118.24 118.25 	PREVENTION GRANTS. Subdivision 1. Account established; appropriation. A substance use treatment, recovery, and prevention grant account is created in the special revenue fund. Money in the account, including interest earned, is appropriated to the office for the purposes specified in this section. Subd. 2. Acceptance of gifts and grants. Notwithstanding sections 16A.013 to 16A.016, the office may accept money contributed by individuals and may apply for grants from charitable foundations to be used for the purposes identified in this section. The money
 118.18 118.19 118.20 118.21 118.22 118.23 118.24 118.25 118.26 	PREVENTION GRANTS. Subdivision 1. Account established; appropriation. A substance use treatment, recovery, and prevention grant account is created in the special revenue fund. Money in the account, including interest earned, is appropriated to the office for the purposes specified in this section. Subd. 2. Acceptance of gifts and grants. Notwithstanding sections 16A.013 to 16A.016, the office may accept money contributed by individuals and may apply for grants from charitable foundations to be used for the purposes identified in this section. The money accepted under this section must be deposited in the substance use treatment, recovery, and
 118.18 118.19 118.20 118.21 118.22 118.23 118.24 118.25 118.26 118.27 	PREVENTION GRANTS. Subdivision 1. Account established; appropriation. A substance use treatment, recovery, and prevention grant account is created in the special revenue fund. Money in the account, including interest earned, is appropriated to the office for the purposes specified in this section. Subd. 2. Acceptance of gifts and grants. Notwithstanding sections 16A.013 to 16A.016, the office may accept money contributed by individuals and may apply for grants from charitable foundations to be used for the purposes identified in this section. The money accepted under this section must be deposited in the substance use treatment, recovery, and prevention grant account created under subdivision 1.
 118.18 118.19 118.20 118.21 118.22 118.23 118.24 118.25 118.26 118.27 118.28 	PREVENTION GRANTS. Subdivision 1. Account established; appropriation. A substance use treatment, recovery, and prevention grant account is created in the special revenue fund. Money in the account, including interest earned, is appropriated to the office for the purposes specified in this section. Subd. 2. Acceptance of gifts and grants. Notwithstanding sections 16A.013 to 16A.016, the office may accept money contributed by individuals and may apply for grants from charitable foundations to be used for the purposes identified in this section. The money accepted under this section must be deposited in the substance use treatment, recovery, and prevention grant account created under subdivision 1. Subd. 3. Disposition of money; grants. (a) Money in the substance use treatment,
 118.18 118.19 118.20 118.21 118.22 118.23 118.24 118.25 118.26 118.27 118.28 118.29 	Subdivision 1. Account established; appropriation. A substance use treatment, recovery, and prevention grant account is created in the special revenue fund. Money in the account, including interest earned, is appropriated to the office for the purposes specified in this section. Subd. 2. Acceptance of gifts and grants. Notwithstanding sections 16A.013 to 16A.016, the office may accept money contributed by individuals and may apply for grants from charitable foundations to be used for the purposes identified in this section. The money accepted under this section must be deposited in the substance use treatment, recovery, and prevention grant account created under subdivision 1. Subd. 3. Disposition of money; grants. (a) Money in the substance use treatment, recovery, and prevention grant account must be distributed as follows:
 118.18 118.19 118.20 118.21 118.22 118.23 118.24 118.25 118.26 118.27 118.28 118.29 118.30 	PREVENTION GRANTS. Subdivision 1. Account established; appropriation. A substance use treatment, recovery, and prevention grant account is created in the special revenue fund. Money in the account, including interest earned, is appropriated to the office for the purposes specified in this section. Subd. 2. Acceptance of gifts and grants. Notwithstanding sections 16A.013 to 16A.016, the office may accept money contributed by individuals and may apply for grants from charitable foundations to be used for the purposes identified in this section. The money accepted under this section must be deposited in the substance use treatment, recovery, and prevention grant account created under subdivision 1. Subd. 3. Disposition of money; grants. (a) Money in the substance use treatment, recovery, and prevention grant account must be distributed as follows: (1) 75 percent of the money is for grants for recovery programs and substance use
118.18 118.19 118.20 118.21 118.22 118.23 118.23 118.24 118.25 118.26 118.27 118.28 118.29 118.30 118.31	PREVENTION GRANTS. Subdivision 1. Account established; appropriation. A substance use treatment, recovery, and prevention grant account is created in the special revenue fund. Money in the account, including interest earned, is appropriated to the office for the purposes specified in this section. Subd. 2. Acceptance of gifts and grants. Notwithstanding sections 16A.013 to 16A.016, the office may accept money contributed by individuals and may apply for grants from charitable foundations to be used for the purposes identified in this section. The money accepted under this section must be deposited in the substance use treatment, recovery, and prevention grant account created under subdivision 1. Subd. 3. Disposition of money; grants. (a) Money in the substance use treatment, recovery, and prevention grant account must be distributed as follows: (1) 75 percent of the money is for grants for recovery programs and substance use disorder treatment, as defined in section 245G.01, subdivision 24, and may be used for

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expand co-occurring programming for persons with mental illnesses and substance use

and recovery specialists, cover housing costs in sober homes for persons with low incomes,

disorders, support first episode psychosis programs, provide harm reduction services, and

119.4 provide start-up funding for culturally specific providers of substance use disorder services.

119.5 The office shall consult with the commissioner of human services to determine appropriate

119.6 provider rate increases or modifications to existing payment methodologies;

- (2) 20 percent of the money is for grants for substance use disorder prevention; and
- 119.8 (3) five percent of the money is for grants to educate pregnant individuals, breastfeeding

individuals, and individuals who may become pregnant on the adverse health effects of
substance use.

(b) The office shall consult with the commissioner of human services and the

119.12 commissioner of health to develop an appropriate application process, establish grant

119.13 requirements, determine what organizations are eligible to receive grants, and establish

119.14 reporting requirements for grant recipients.

119.2

119.15 Subd. 4. Reports to the legislature. By January 15, 2024, and each January 15 thereafter,

119.16 the office must submit a report to the chairs and ranking minority members of the committees

119.17 of the house of representatives and the senate having jurisdiction over health and human

119.18 services policy and finance that details grants awarded from the substance use treatment,

119.19 recovery, and prevention grant account, including the total amount awarded, total number

119.20 of recipients, and geographic distribution of those recipients.

119.21 Sec. 65. [342.73] CANNABIS GROWER GRANTS.

119.22 Subdivision 1. Establishment. The office, in consultation with the commissioner of

119.23 agriculture, shall establish CanGrow, a program to award grants to (1) eligible organizations

119.24 to help farmers navigate the regulatory structure of the legal cannabis industry, and (2)

119.25 nonprofit corporations to fund loans to farmers for expansion into the legal cannabis industry.

119.26 <u>Subd. 2.</u> Definitions. (a) For the purposes of this section, the following terms have the
119.27 meanings given.

(b) "Eligible organization" means any organization capable of helping farmers navigate

119.29 the regulatory structure of the legal cannabis industry, particularly individuals facing barriers

119.30 to education or employment, and may include educational institutions, nonprofit

119.31 organizations, private businesses, community groups, units of local government, or

119.32 partnerships between different types of organizations.

119.33 (c) "Industry" means the legal cannabis industry in the state of Minnesota.

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120.1	<u>(d)</u> "Pro	ogram" means the Can	Grow grant prog	gram.	
120.2	(e) "Soo	cial equity applicant" m	ieans a person v	who meets the qualific	ation requirements
120.3	in section 3		I	L	
120.4	Subd 3	. Technical assistance	grants (a) Grat	nt money awarded to el	igible organizations
120.4		d for both developing t			
120.5		f the legal cannabis ind			
120.7		services to farmers.		8	
120.8		office must award grar	nts to eligible o	ragnizations through a	competitive grant
120.8	process.	office must award gran		rgamzations through a	competitive grant
	<u> </u>				
120.10	<u> </u>	eceive grant money, an			
120.11		e, using a form develop	÷	· · · ·	<u> </u>
120.12		ers in navigating the regu			ndustry, particularly
120.13		ing barriers to education			
120.14	<u>(d) An (</u>	eligible organization's g	grant applicatio	n must also include:	
120.15	<u>(1) a de</u>	escription of the propose	ed technical ass	sistance or navigation	services, including
120.16	the types of	f farmers targeted for a	ssistance;		
120.17	<u>(2) any</u>	evidence of the organiz	zation's past suc	ccess in providing tech	nnical assistance or
120.18	navigation	services to farmers, par	rticularly farme	ers who live in areas w	here long-term
120.19	residents a	re eligible to be social e	equity applicant	ts;	
120.20	<u>(3)</u> an e	stimate of the cost of p	roviding the tee	chnical assistance;	
120.21	(4) the s	sources and amounts of	f any nonstate f	unds or in-kind contril	butions that will
120.22	supplemen	t grant money, includin	g any amounts	that farmers will be cl	narged to receive
120.23	assistance;	and			
120.24	<u>(5) any</u>	additional information	requested by th	ne office.	
120.25	<u>(e) In av</u>	warding grants under th	is subdivision, 1	the office shall give we	eight to applications
120.26	from organ	izations that demonstrat	e a history of su	ccessful technical assis	stance or navigation
120.27	services, pa	articularly for farmers f	acing barriers t	o education or employ	ment. The office
120.28	<u>shall also g</u>	vive weight to application	ons where the p	proposed technical assi	stance will serve
120.29	areas where	e long-term residents a	re eligible to be	social equity applicar	nts. The office shall
120.30	fund techni	ical assistance to farme	rs throughout th	ne state.	
120.31	Subd. 4	. Loan financing gran	ts. (a) The offic	e shall establish a revo	olving loan account
120.32	to make loa	an financing grants und	er the CanGrov	v program.	

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121.1	<u>(</u> b) The	e office must award gra	nts to nonprofit	corporations through a	a competitive grant
121.2	process.				
121.3	<u>(c)</u> To 1	receive grant money, a	nonprofit corpo	ration must submit a v	vritten application
121.4	to the offic	e using a form develop	ed by the office	<u>.</u>	
121.5	<u>(</u> d) In a	warding grants under t	his subdivision,	the office shall give w	veight to whether
121.6	the nonpro	fit corporation:			
121.7	<u>(1)</u> has	a board of directors that	t includes indivi	duals experienced in a	gricultural business
121.8	developme	ent;			
121.9	<u>(2)</u> has	the technical skills to a	nalyze projects	2	
121.10	(3) is fa	amiliar with other avail	able public and	private funding source	es and economic
121.11	developme	ent programs;			
121.12	<u>(</u> 4) can	initiate and implement	economic deve	lopment projects;	
121.13	<u>(5)</u> can	establish and administ	er a revolving lo	oan account; and	
121.14	<u>(6)</u> has	established relationship	s with communi	ties where long-term re	esidents are eligible
121.15	to be socia	l equity applicants.			
121.16	The office	shall make grants that	will help farmer	rs enter the legal canna	abis industry
121.17	throughout	t the state.			
121.18	<u>(e)</u> A n	onprofit corporation th	at receives gran	ts under the program r	<u>nust:</u>
121.19	<u>(1) esta</u>	blish an office-certified	revolving loan	account for the purpose	e of making eligible
121.20	loans; and				
121.21	(2) ente	er into an agreement wi	th the office that	t the office shall fund	loans that the
121.22	nonprofit c	corporation makes to far	mers entering th	ne legal cannabis indus	try. The office shall
121.23	review exis	sting agreements with r	nonprofit corpor	ations every five years	s and may renew or
121.24	terminate a	in agreement based on th	hat review. In ma	aking this review, the o	ffice shall consider,
121.25	among oth	er criteria, the criteria i	n paragraph (d)	<u>-</u>	
121.26	Subd. 5	5. Loans to farmers. (a	a) The criteria in	this subdivision apply	y to loans made by
121.27	nonprofit c	corporations under the	orogram.		
121.28	<u>(b) A lo</u>	oan must be used to sup	oport a farmer in	entering the legal car	nabis industry.
121.29	Priority mu	ust be given to loans to	businesses owne	ed by farmers who are	eligible to be social
121.30	equity app	licants and businesses l	ocated in comm	nunities where long-ter	rm residents are
121.31	eligible to	be social equity application	ants.		

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122.1	(c) Loan	s must be made to bus	sinesses that are	not likely to undertak	e the project for
122.2		are sought without as			
122.3	(d) The 1	ninimum state contrib	oution to a loan i	s \$2,500 and the maxi	mum is either:
122.4	<u>(1) \$50,0</u>	000; or			
122.5	<u>(2)</u> \$150	,000, if state contribu	tions are matche	d by an equal or great	er amount of new
122.6	private inve	stment.			
122.7	(e) Loan	applications given pr	eliminary approv	val by the nonprofit co	orporation must be
122.8	forwarded to	o the office for approv	al. The office mu	st give final approval	for each loan made
122.9	by the nonp	rofit corporation unde	r the program.		
122.10	<u>(f) If the</u>	borrower has met len	der criteria, inclu	iding being current wi	th all payments for
122.11	a minimum	of three years, the offic	ce may approve e	either full or partial for	giveness of interest
122.12	or principal	amounts.			
122.13	<u>Subd. 6.</u>	Revolving loan acco	unt administra	tion. (a) The office sh	all establish a
122.14	<u>minimum in</u>	terest rate for loans of	r guarantees to e	nsure that necessary l	oan administration
122.15	costs are cov	vered. The interest rate	e charged by a no	onprofit corporation for	or a loan under this
122.16	section mus	t not exceed the Wall	Street Journal pr	rime rate. For a loan u	nder this section,
122.17	the nonprofi	t corporation may cha	rge a loan origin	ation fee equal to or le	ss than one percent
122.18	of the loan v	value. The nonprofit c	orporation may	retain the amount of th	ne origination fee.
122.19	<u>(b) Loan</u>	repayment of princip	al must be paid	to the office for depos	it in the revolving
122.20	loan account	t. Loan interest payme	ents must be depo	osited in a revolving lo	an account created
122.21	by the nonp	ofit corporation origin	nating the loan be	eing repaid for further	distribution or use,
122.22	consistent w	with the criteria of this	section.		
122.23	<u>(c)</u> Adm	inistrative expenses o	f the nonprofit co	orporations with whor	n the office enters
122.24	into agreem	ents, including expens	ses incurred by a	nonprofit corporation	ı in providing
122.25	financial, te	chnical, managerial, a	nd marketing as	sistance to a business	receiving a loan
122.26	under this se	ection, are eligible pro	gram expenses t	hat the office may agr	ee to pay under the
122.27	grant agreer	nent.			
122.28	<u>Subd. 7.</u>	Program outreach.	The office shall 1	make extensive efforts	s to publicize these
122.29	grants, inclu	iding through partners	ships with comm	unity organizations, p	articularly those
122.30	located in an	eas where long-term	residents are elig	gible to be social equit	y applicants.
122.31	<u>Subd. 8.</u>	Reporting requirem	ents. (a) A nonp	profit corporation that	receives a grant
122.32	under subdi	vision 4 shall:			

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(1) submit an annual report to the office by January 15 of each year that the nonprofit
corporation participates in the program that includes a description of agricultural businesses
supported by the grant program, an account of loans made during the calendar year, the
program's impact on farmers' ability to expand into the legal cannabis industry, the source
and amount of money collected and distributed by the program, the program's assets and
liabilities, and an explanation of administrative expenses; and

(2) provide for an independent annual audit to be performed in accordance with generally
 accepted accounting practices and auditing standards and submit a copy of each annual

- audit report to the office.
- (b) By February 15, 2024, and each February 15 thereafter, the office must submit a

123.11 report to the chairs and ranking minority members of the committees of the house of

123.12 representatives and the senate having jurisdiction over agriculture that details awards given

123.13 through the CanGrow program and the use of grant money, including any measures of

123.14 success toward helping farmers enter the legal cannabis industry. The report must include

123.15 geographic information regarding the issuance of grants and loans under this section, the

123.16 repayment rate of loans issued under subdivision 5, and a summary of the amount of loans123.17 forgiven.

123.18 Sec. 66. [342.80] LAWFUL ACTIVITIES.

(a) Notwithstanding any law to the contrary, the cultivation, manufacturing, possessing,
and selling of cannabis flower, cannabinoid products, synthetically derived cannabinoids,
and hemp-derived consumer products by a licensed cannabis business in conformity with
the rights granted by a cannabis business license is lawful and may not be the grounds for
the seizure or forfeiture of property, arrest or prosecution, or search or inspections except
as provided by this chapter.

(b) A person acting as an agent of a licensed cannabis retailer or licensed cannabis
 microbusiness who sells or otherwise transfers cannabis flower, cannabinoid products, or
 hemp-derived consumer products to a person under 21 years of age is not subject to arrest,
 prosecution, or forfeiture of property if the person complied with section 342.27, subdivision
 and any rules promulgated pursuant to this chapter.

123.30 Sec. 67. [342.81] CIVIL ACTIONS.

123.31 Subdivision 1. **Right of action.** A spouse, child, parent, guardian, employer, or other

123.32 person injured in person, property, or means of support or who incurs other pecuniary loss

123.33 by an intoxicated person or by the intoxication of another person, has a right of action in

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124.1 the person's own name for all damages sustained against a person who caused the intoxication

124.2 of that person by illegally selling cannabis flower or cannabinoid products. All damages

124.3 recovered by a minor under this section must be paid either to the minor or to the minor's

124.4 parent, guardian, or next friend as the court directs.

124.5 <u>Subd. 2. Actions.</u> All suits for damages under this section must be by civil action in a
124.6 court of this state having jurisdiction.

- 124.7 Subd. 3. Comparative negligence. Actions under this section are governed by section
 124.8 604.01.
- 124.9 Subd. 4. **Defense.** It is a defense for the defendant to prove by a preponderance of the

124.10 evidence that the defendant reasonably and in good faith relied upon representations of

124.11 proof of age in selling, bartering, furnishing, or giving the cannabis or cannabis product.

124.12 Subd. 5. Common law claims. Nothing in this chapter precludes common law tort claims

124.13 against any person 21 years old or older who knowingly provides or furnishes cannabis

124.14 <u>flower or cannabinoid products to a person under the age of 21 years.</u>

124.15 Sec. 68. <u>REPORT; TRAFFIC AND TRANSPORTATION ISSUES.</u>

124.16 By January 31, 2024, the Office of Cannabis Management must submit a report to the

124.17 chairs and ranking minority members of the legislative committees with jurisdiction over

124.18 transportation policy and finance. At a minimum, the report must include:

124.19 (1) a description of all rules adopted that relate to traffic and transportation laws and

124.20 cannabis transporter licensing and operations;

124.21 (2) recommendations on changes to statutes that would codify the rules; and

124.22 (3) recommendations on how to improve any aspects of this act. The recommendations

124.23 must be developed in consultation with the commissioner of transportation, the commissioner

124.24 of public safety, the colonel of the State Patrol, and the director of the Office of Traffic

124.25 Safety in the Department of Public Safety.

124.26 Sec. 69. TRANSPORTER LICENSE ESTABLISHMENT.

124.27 When establishing the process for issuing transporter licenses and the requirements for

124.28 obtaining a transporter license, the Office of Cannabis Management must consult with the

124.29 Commissioner of Transportation about best practices for issuing licenses.

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125.1	Sec. 70. <u>EF</u>	FECTIVE DATE.			
125.2	Except as	otherwise provided,	each section of	this article is effectiv	ve July 1, 2023.
125.3			ARTICLE	2	
125.4			TAXES		
125.5	Section 1. M	linnesota Statutes 20)22, section 273	.13, subdivision 24,	is amended to read:
125.6	Subd. 24.	Class 3. Commercia	l and industrial	property and utility	real and personal
125.7	property is cla	ss 3a.			
125.8	(1) Except	as otherwise provid	ed, each parcel	of commercial, indu	strial, or utility real

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property has a classification rate of 1.5 percent of the first tier of market value, and 2.0 125.9 percent of the remaining market value. In the case of contiguous parcels of property owned 125.10 by the same person or entity, only the value equal to the first-tier value of the contiguous 125.11 parcels qualifies for the reduced classification rate, except that contiguous parcels owned 125.12 by the same person or entity shall be eligible for the first-tier value classification rate on 125.13 each separate business operated by the owner of the property, provided the business is 125.14 housed in a separate structure. For the purposes of this subdivision, the first tier means the 125.15 first \$150,000 of market value. Real property owned in fee by a utility for transmission line 125.16 right-of-way shall be classified at the classification rate for the higher tier. 125.17

For purposes of this subdivision, parcels are considered to be contiguous even if they are separated from each other by a road, street, waterway, or other similar intervening type of property. Connections between parcels that consist of power lines or pipelines do not cause the parcels to be contiguous. Property owners who have contiguous parcels of property that constitute separate businesses that may qualify for the first-tier classification rate shall notify the assessor by July 1, for treatment beginning in the following taxes payable year.

(2) All personal property that is: (i) part of an electric generation, transmission, or
distribution system; or (ii) part of a pipeline system transporting or distributing water, gas,
crude oil, or petroleum products; and (iii) not described in clause (3), and all railroad
operating property has a classification rate as provided under clause (1) for the first tier of
market value and the remaining market value. In the case of multiple parcels in one county
that are owned by one person or entity, only one first tier amount is eligible for the reduced
rate.

(3) The entire market value of personal property that is: (i) tools, implements, and
machinery of an electric generation, transmission, or distribution system; (ii) tools,
implements, and machinery of a pipeline system transporting or distributing water, gas,

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crude oil, or petroleum products; or (iii) the mains and pipes used in the distribution of
steam or hot or chilled water for heating or cooling buildings, has a classification rate as
provided under clause (1) for the remaining market value in excess of the first tier.

126.4 (4) Property used for raising, cultivating, processing, or storing cannabis plants, cannabis

126.5 <u>flower</u>, or cannabinoid products for sale has a classification rate as provided under clause

126.6 (1) for the first tier of market value and the remaining market value. As used in this

126.7 paragraph, "cannabis plant" has the meaning given in section 342.01, subdivision 19;

^{126.8} "cannabis flower" has the meaning given in section 342.01, subdivision 16; "cannabinoid

126.9 product" has the meaning given in section 342.01, subdivision 12; and "lower potency edible

126.10 product" has the meaning given in section 342.01, subdivision 45.

126.11 EFFECTIVE DATE. This section is effective beginning with property taxes payable
126.12 in 2024 and thereafter.

126.13 Sec. 2. Minnesota Statutes 2022, section 275.025, subdivision 2, is amended to read:

Subd. 2. Commercial-industrial tax capacity. For the purposes of this section,
"commercial-industrial tax capacity" means the tax capacity of all taxable property classified
as class 3 or class 5(1) under section 273.13, excluding:

(1) the tax capacity attributable to the first \$150,000 of market value of each parcel of
commercial-industrial property as defined under section 273.13, subdivision 24, clauses (1)
and, (2), and (4);

126.20 (2) electric generation attached machinery under class 3; and

126.21 (3) property described in section 473.625.

126.22 County commercial-industrial tax capacity amounts are not adjusted for the captured net tax capacity of a tax increment financing district under section 469.177, subdivision 2, 126.23 the net tax capacity of transmission lines deducted from a local government's total net tax 126.24 capacity under section 273.425, or fiscal disparities contribution and distribution net tax 126.25 capacities under chapter 276A or 473F. For purposes of this subdivision, the procedures 126.26 for determining eligibility for tier 1 under section 273.13, subdivision 24, clauses (1) and 126.27 (2), shall apply in determining the portion of a property eligible to be considered within the 126.28 first \$150,000 of market value. 126.29

126.30 EFFECTIVE DATE. This section is effective beginning with property taxes payable
 126.31 in 2024 and thereafter.

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127.1	Sec. 3. [289A		UIREMENTS	AND DUE DATES; S	SPECIAL RULES.
127.2	A cannabis	business as define	d by section 342	2.01, subdivision 14, r	equired to collect
127.3	and remit the t	axes imposed unde	r section 295.81	or chapters 290 and	297A is not subject
127.4	to the electronic	c remittance require	ements imposed	by this chapter. A can	nabis business must
127.5	file returns and	d remit taxes lawful	lly due in the for	m and manner prescr	ibed by the
127.6	commissioner	of revenue.			
127.7	<u>EFFECTI</u>	VE DATE. This se	ection is effective	e the day following fi	nal enactment.
127.8	Sec. 4. Minn	esota Statutes 2022	2, section 290.01	32, subdivision 29, is	amended to read:
127.9	Subd. 29. I	Disallowed section	280E expenses	; medical cannabis n	nanufacturers
127.10	licensees. The	amount of expense	s of a medical ca	nnabis manufacturer]	<u>business</u> , as defined
127.11	under section 1	52.22, subdivision	7 <u>342.01, subdiv</u>	ision 48, related to the	business of medical
127.12	cannabis under	sections 152.21 to	152.37 <u>342.42 to</u>	<u>342.56</u> , <u>or a license h</u>	older under chapter
127.13	342, related to	the business of nor	nmedical cannab	is under that chapter,	and not allowed for
127.14	federal income	tax purposes under	section 280E of	he Internal Revenue C	ode is a subtraction.
127.15	EFFECTI	VE DATE. This sec	ction is effective f	for taxable years begins	ning after December
127.16	<u>31, 2022.</u>				
127.17	Sec. 5. Minn	esota Statutes 2022	2, section 290.01	34, subdivision 19, is	amended to read:
127.18	Subd. 19. I	Disallowed section	280E expenses	; medical cannabis n	nanufacturers
127.19	licensees. The	amount of expense	s of a medical ca	nnabis manufacturer	<u>business</u> , as defined
127.20	under section 4	52.22, subdivision	7 <u>342.01, subdiv</u>	ision 48, related to the	business of medical
127.21	cannabis under	sections 152.21 to	152.37 342.42 to	<u>) 342.56, or a license h</u>	older under chapter

127.22 <u>342</u>, related to the business of nonmedical cannabis under that chapter, and not allowed for
127.23 federal income tax purposes under section 280E of the Internal Revenue Code is a subtraction.

127.24 EFFECTIVE DATE. This section is effective for taxable years beginning after December 127.25 31, 2022.

127.26 Sec. 6. [295.81] ADULT-USE CANNABIS FLOWER AND ADULT-USE 127.27 CANNABINOID PRODUCTS GROSS RECEIPTS TAX.

127.28 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
127.29 the meanings given.

127.30 (b) "Adult-use cannabis flower" has the meaning given in section 342.01, subdivision
127.31 <u>4.</u>

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128.1	(c) "Adult-use cannabinoid product" has the meaning given in section 342.01, subdivision
128.2	2, and includes adult-use cannabis concentrate as defined in section 342.01, subdivision 3.
128.3	(d) "Adult-use cannabis solution product" means any cartridge, bottle, or other package
128.4	that contains adult-use cannabis flower or an adult-use cannabinoid product in a solution
128.5	that is consumed or meant to be consumed through the use of a heating element, power
128.6	source, electronic circuit, or other electronic, chemical, or mechanical means that produces
128.7	vapor or aerosol. An adult-use cannabis solution product includes any electronic adult-use
128.8	cannabis concentrate delivery system, electronic vaping device, electronic vape pen,
128.9	electronic oral device, electronic delivery device, or similar product or device, and any
128.10	batteries, heating elements, or other components, parts, or accessories sold with and meant
128.11	to be used in the consumption of a solution containing adult-use cannabis or an adult-use
128.12	cannabis product.
128.13	(e) "Cannabis microbusiness" means a cannabis business licensed under section 342.34.
128.14	(f) "Cannabis retailer" means a retailer that sells adult-use cannabis flower, adult-use
128.15	cannabinoid products, adult-use cannabis solution products, or lower potency edible products.
128.16	Cannabis retailer includes a:
128.17	(1) retailer maintaining a place of business in this state;
128.18	(2) marketplace provider maintaining a place of business in this state, as defined in
128.19	section 297A.66, subdivision 1, paragraph (a);
128.20	(3) retailer not maintaining a place of business in this state; and
128.21	(4) marketplace provider not maintaining a place of business in this state, as defined in
128.22	section 297A.66, subdivision 1, paragraph (b).
128.23	(g) "Commissioner" means the commissioner of revenue.
128.24	(h) "Gross receipts" means the total amount received, in money or by barter or exchange,
128.25	for all adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis solution
128.26	products, or lower potency edible product sales at retail as measured by the sales price.
128.27	Gross receipts include but are not limited to delivery charges and packaging costs. Gross
128.28	receipts do not include:
128.29	(1) any taxes imposed directly on the customer that are separately stated on the invoice,
128.30	bill of sale, or similar document given to the purchaser; and
128.31	(2) discounts, including cash, terms, or coupons, that are not reimbursed by a third party
128.32	and that are allowed by the seller and taken by a purchaser on a sale.

129.1(i) "lower potency edible product" has the meaning given in section 342.01, subdivision129.245.129.3(i) "On-site sale" means the sale of adult-use cannabis or adult-use cannabinoid products129.4for consumption on the premises of a cannabis microbusiness or the sale of lower potency129.5edible products for consumption on the premises of a lower potency edible product retailer.129.6(k) "Retail sale" has the meaning given in section 297A.61, subdivision 4.129.7Subd. 2. Gross receipts tax imposed, (a) A tax equal to eight percent of gross receipts129.8from retail and on-site sales in Minnesota of adult-use cannabis flower, adult-use cannabinoid129.9products, adult-use cannabis solution products, and lower potency edible product retailer129.11that sells these product retailer may but is not required to collect the tax imposed by this129.12of sale, or similar document given to the purchaser.129.13(b) If a product subject to the tax imposed by this section is bundled in a single transaction129.14with a product subject to the tax imposed by this section.129.15sale or use of adult-use cannabis flower, adult-use cannabis129.14Subd. 3. Use tax imposed; credit for taxes paid. (a) A person that receives adult-use129.12cortency edible products, for use or strage in Minnesota, other than from a cannabis129.13subdivision 2, is subject to tax at the rate imposed under subdivision 2. Liability for129.14the ax is incurred when the person has possession of the adult-use cannabis flower, adult-use129.15subdivision 2, is subje		SF73	REVISOR	BD	S0073-7	7th Engrossment
129.2 45. 129.3 (j) "On-site sale" means the sale of adult-use cannabis or adult-use cannabinoid products for consumption on the premises of a cannabis microbusiness or the sale of lower potency edible product sfor consumption on the premises of a lower potency edible product retailer. 129.6 (k) "Retail sale" has the meaning given in section 297A.61, subdivision 4. 129.7 Subd. 2. Gross receipts tax imposed, (a) A tax equal to eight percent of gross receipts from retail and on-site sales in Minnesota of adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis solution products, and lower potency edible product retailer from retail and on-site sales in Minnesota of adult-use cannabis flower, adult-use cannabis solution products, and lower potency edible product retailer flat sells these product retailer may but is not required to collect the tax imposed by this section from the purchaser as long as the tax is separately stated on the receipt, invoice, bill of sale, or similar document given to the purchaser. 129.15 (b) If a product subject to the tax imposed by this section. 129.17 sale price of the transaction is subject to the tax imposed by this section. 129.18 (c) The tax imposed under this section is in addition to any other tax imposed on the sale or use of adult-use cannabis flower, adult-use cannabis solution products, adult-use cannabis solution products, or potency edible product, or lower potency edible product, or lower potency edible product set is a sale price of the transaction is subject to the tax imposed by this section. 129.18 (b) If a product subject to the tax imposed by this section.	129.1	(i) "low	ver potency edible produ	uct" has the me	aning given in section	342.01, subdivision
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130.1	Subd. 4. Exemptions. (a) The use tax imposed under subdivision 2, paragraph (b), does
130.2	not apply to the possession, use, or storage of adult-use cannabis flower, adult-use
130.3	cannabinoid products, adult-use cannabis solution products, or lower potency edible products
130.4	if(1) the adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis
130.5	solution products, or lower potency edible products have an aggregate cost in any calendar
130.6	month to the customer of \$100 or less, and (2) the adult-use cannabis flower, adult-use
130.7	cannabinoid products, adult-use cannabis solution products, or lower potency edible products
130.8	were carried into this state by the customer.
130.9	(b) The tax imposed under this section does not apply to sales of medical cannabis flower
130.10	and medical cannabinoid products purchased by or for the patients enrolled in the registry
130.11	program.
130.12	(c) Unless otherwise specified in this section, the exemptions applicable to taxes imposed
130.13	under chapter 297A are not applicable to the taxes imposed under this section.
130.14	Subd. 5. Tax collection required. A cannabis retailer, cannabis microbusiness, or lower
130.15	potency edible retailer with nexus in Minnesota, who is not subject to tax under subdivision
130.16	2, is required to collect the tax imposed under subdivision 3 from the purchaser of the
130.17	adult-use cannabis flower, adult-use cannabinoid product, adult-use cannabis solution
130.18	product, or lower potency edible product and give the purchaser a receipt for the tax paid.
130.19	The tax collected must be remitted to the commissioner in the same manner prescribed for
130.20	the taxes imposed under chapter 207A.
130.21	Subd. 6. Taxes paid to another state or any subdivision thereof; credit. A cannabis
130.22	retailer, cannabis microbusiness, or lower potency edible retailer that has paid taxes to
130.23	another state or any subdivision thereof measured by gross receipts and is subject to tax
130.24	under this section on the same gross receipts is entitled to a credit for the tax legally due
130.25	and paid to another state or any subdivision thereof to the extent of the lesser of (1) the tax
130.26	actually paid to the other state or any subdivision thereof, or (2) the amount of tax imposed
130.27	by Minnesota on the gross receipts subject to tax in the other taxing state or any subdivision
130.28	thereof.
130.29	Subd. 7. Sourcing of sales. Section 297A.668 applies to the taxes imposed by this
130.30	section.
130.31	Subd. 8. Administration. Unless specifically provided otherwise, the audit, assessment,
130.32	refund, penalty, interest, enforcement, collection remedies, appeal, and administrative
130.33	provisions of chapters 270C and 289A that are applicable to taxes imposed under chapter

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131.1	297A, except the	e requirement to f	ile returns and r	emit taxes due electro	nically, apply to the
131.2	tax imposed und	ler this section.			
131.3	Subd. 9. Ret	urns; payment o	f tax. (a) A can	nabis retailer, cannabi	s microbusiness, or
131.4				the tax on a return pr	
131.5	commissioner ar	nd must remit the	tax in a form and	l manner prescribed by	y the commissioner.
131.6	The return and t	he tax must be fil	ed and paid usir	ng the filing cycle and	due dates provided
131.7	for taxes imposed under section 289A.20, subdivision 4, and chapter 297A.				
131.8	(b) Interest n	nust be paid on ar	n overpayment r	refunded or credited to	the taxpayer from
131.9	the date of paym	nent of the tax unt	il the date the re	efund is paid or credit	ed. For purposes of
131.10	this subdivision,	the date of paym	ent is the due d	ate of the return or the	e date of actual
131.11	payment of the t	ax, whichever is	later.		
131.12	<u>Subd. 10.</u> De	posit of revenue	s. The commiss	ioner must deposit all	revenues, including
131.13	penalties and int	erest, derived fro	m the tax impos	sed by this section in t	he general fund.
131.14	<u>Subd. 11.</u> Pe	rsonal debt. The	tax imposed by	this section, and inter	rest and penalties
131.15	imposed with re	spect to it, are a p	ersonal debt of	the person required to	file a return from
131.16	the time that the	liability for it ari	ses, irrespective	e of when the time for	payment of the
131.17	liability occurs.	The debt must, in	the case of the	executor or administr	ator of the estate of
131.18	a decedent and i	n the case of a fic	luciary, be that	of the person in the pe	rson's official or
131.19	fiduciary capacit	ty only, unless the	e person has vol	untarily distributed th	e assets held in that
131.20	capacity without	t reserving suffici	ent assets to pay	y the tax, interest, and	penalties, in which
131.21	event the person	is personally liab	ole for any defic	eiency.	
131.22	EFFECTIV	E DATE. This sec	ction is effective	for gross receipts recei	ived after December
131.23	<u>31, 2023.</u>				

131.24 Sec. 7. Minnesota Statutes 2022, section 297A.61, subdivision 3, is amended to read:

Subd. 3. Sale and purchase. (a) "Sale" and "purchase" include, but are not limited to, 131.25 each of the transactions listed in this subdivision. In applying the provisions of this chapter, 131.26 the terms "tangible personal property" and "retail sale" include the taxable services listed 131.27 in paragraph (g), clause (6), items (i) to (vi) and (viii), and the provision of these taxable 131.28 services, unless specifically provided otherwise. Services performed by an employee for 131.29 an employer are not taxable. Services performed by a partnership or association for another 131.30 partnership or association are not taxable if one of the entities owns or controls more than 131.31 80 percent of the voting power of the equity interest in the other entity. Services performed 131.32 between members of an affiliated group of corporations are not taxable. For purposes of 131.33

the preceding sentence, "affiliated group of corporations" means those entities that would
be classified as members of an affiliated group as defined under United States Code, title
26, section 1504, disregarding the exclusions in section 1504(b).

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132.4 (b) Sale and purchase include:

(1) any transfer of title or possession, or both, of tangible personal property, whetherabsolutely or conditionally, for a consideration in money or by exchange or barter; and

(2) the leasing of or the granting of a license to use or consume, for a consideration in
money or by exchange or barter, tangible personal property, other than a manufactured
home used for residential purposes for a continuous period of 30 days or more.

(c) Sale and purchase include the production, fabrication, printing, or processing of
tangible personal property for a consideration for consumers who furnish either directly or
indirectly the materials used in the production, fabrication, printing, or processing.

(d) Sale and purchase include the preparing for a consideration of food. Notwithstanding
section 297A.67, subdivision 2, taxable food includes, but is not limited to, the following:

132.15 (1) prepared food sold by the retailer;

132.16 (2) soft drinks;

132.17 (3) candy; and

132.18 (4) dietary supplements.

(e) A sale and a purchase includes the furnishing for a consideration of electricity, gas,water, or steam for use or consumption within this state.

(f) A sale and a purchase includes the transfer for a consideration of prewritten computer
software whether delivered electronically, by load and leave, or otherwise.

(g) A sale and a purchase includes the furnishing for a consideration of the followingservices:

(1) the privilege of admission to places of amusement, recreational areas, or athletic
events, and the making available of amusement devices, tanning facilities, reducing salons,
steam baths, health clubs, and spas or athletic facilities;

(2) lodging and related services by a hotel, rooming house, resort, campground, motel,
or trailer camp, including furnishing the guest of the facility with access to telecommunication
services, and the granting of any similar license to use real property in a specific facility,
other than the renting or leasing of it for a continuous period of 30 days or more under an

enforceable written agreement that may not be terminated without prior notice and including
accommodations intermediary services provided in connection with other services provided
under this clause;

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(3) nonresidential parking services, whether on a contractual, hourly, or other periodic
basis, except for parking at a meter;

133.6 (4) the granting of membership in a club, association, or other organization if:

(i) the club, association, or other organization makes available for the use of its members
sports and athletic facilities, without regard to whether a separate charge is assessed for use
of the facilities; and

(ii) use of the sports and athletic facility is not made available to the general public onthe same basis as it is made available to members.

133.12 Granting of membership means both onetime initiation fees and periodic membership dues.

Sports and athletic facilities include golf courses; tennis, racquetball, handball, and squash
courts; basketball and volleyball facilities; running tracks; exercise equipment; swimming
pools; and other similar athletic or sports facilities;

(5) delivery of aggregate materials by a third party, excluding delivery of aggregate
material used in road construction; and delivery of concrete block by a third party if the
delivery would be subject to the sales tax if provided by the seller of the concrete block.
For purposes of this clause, "road construction" means construction of:

133.20 (i) public roads;

133.21 (ii) cartways; and

(iii) private roads in townships located outside of the seven-county metropolitan areaup to the point of the emergency response location sign; and

133.24 (6) services as provided in this clause:

(i) laundry and dry cleaning services including cleaning, pressing, repairing, altering,

133.26 and storing clothes, linen services and supply, cleaning and blocking hats, and carpet,

133.27 drapery, upholstery, and industrial cleaning. Laundry and dry cleaning services do not

133.28 include services provided by coin operated facilities operated by the customer;

(ii) motor vehicle washing, waxing, and cleaning services, including services provided

by coin operated facilities operated by the customer, and rustproofing, undercoating, andtowing of motor vehicles;

(iii) building and residential cleaning, maintenance, and disinfecting services and pest
control and exterminating services;

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(iv) detective, security, burglar, fire alarm, and armored car services; but not including
services performed within the jurisdiction they serve by off-duty licensed peace officers as
defined in section 626.84, subdivision 1, or services provided by a nonprofit organization
or any organization at the direction of a county for monitoring and electronic surveillance
of persons placed on in-home detention pursuant to court order or under the direction of the
Minnesota Department of Corrections;

134.9 (v) pet grooming services;

(vi) lawn care, fertilizing, mowing, spraying and sprigging services; garden planting and maintenance; tree, bush, and shrub pruning, bracing, spraying, and surgery; indoor plant care; tree, bush, shrub, and stump removal, except when performed as part of a land clearing contract as defined in section 297A.68, subdivision 40; and tree trimming for public utility lines. Services performed under a construction contract for the installation of shrubbery,

134.15 plants, sod, trees, bushes, and similar items are not taxable;

(vii) massages, except when provided by a licensed health care facility or professional
or upon written referral from a licensed health care facility or professional for treatment of
illness, injury, or disease; and

(viii) the furnishing of lodging, board, and care services for animals in kennels and other
similar arrangements, but excluding veterinary and horse boarding services.

(h) A sale and a purchase includes the furnishing for a consideration of tangible personal
property or taxable services by the United States or any of its agencies or instrumentalities,
or the state of Minnesota, its agencies, instrumentalities, or political subdivisions.

(i) A sale and a purchase includes the furnishing for a consideration of

telecommunications services, ancillary services associated with telecommunication services,
and pay television services. Telecommunication services include, but are not limited to, the
following services, as defined in section 297A.669: air-to-ground radiotelephone service,
mobile telecommunication service, postpaid calling service, prepaid calling service, prepaid
wireless calling service, and private communication services. The services in this paragraph
are taxed to the extent allowed under federal law.

(j) A sale and a purchase includes the furnishing for a consideration of installation if the
installation charges would be subject to the sales tax if the installation were provided by
the seller of the item being installed.

(k) A sale and a purchase includes the rental of a vehicle by a motor vehicle dealer to a
customer when (1) the vehicle is rented by the customer for a consideration, or (2) the motor
vehicle dealer is reimbursed pursuant to a service contract as defined in section 59B.02,
subdivision 11.

(1) A sale and a purchase includes furnishing for a consideration of specified digital
products or other digital products or granting the right for a consideration to use specified
digital products or other digital products on a temporary or permanent basis and regardless
of whether the purchaser is required to make continued payments for such right. Wherever
the term "tangible personal property" is used in this chapter, other than in subdivisions 10
and 38, the provisions also apply to specified digital products, or other digital products,
unless specifically provided otherwise or the context indicates otherwise.

(m) The sale of the privilege of admission under section 297A.61, subdivision 3, paragraph (g), clause (1), to a place of amusement, recreational area, or athletic event includes all charges included in the privilege of admission's sales price, without deduction for amenities that may be provided, unless the amenities are separately stated and the purchaser of the privilege of admission is entitled to add or decline the amenities, and the amenities are not otherwise taxable.

(n) A sale and purchase includes the sale and purchase of adult-use cannabis flower,
adult-use cannabinoid products, adult-use cannabis solution products, and any lower dosage
edible cannabinoid products. For purposes of this paragraph, "adult-use cannabis" has the
meaning given in section 342.01, subdivision 3; "adult-use cannabis product" has the meaning
given in section 342.01, subdivision 5; "adult-use cannabis solution product" has the meaning
given in section 295.81, subdivision 1, paragraph (d); and "lower potency edible product"
has the meaning given in section 342.01, subdivision 45.

135.25 EFFECTIVE DATE. This section is effective for sales and purchases made after
 135.26 December 31, 2023.

135.27 Sec. 8. Minnesota Statutes 2022, section 297A.67, subdivision 2, is amended to read:

Subd. 2. Food and food ingredients. Except as otherwise provided in this subdivision, food and food ingredients are exempt. For purposes of this subdivision, "food" and "food ingredients" mean substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. Food and food ingredients exempt under this subdivision do not include candy, soft drinks, dietary supplements, and prepared foods. Food and food ingredients do not include alcoholic beverages and tobacco. Food and food ingredients do

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solution products, lower potency edible products, medical cannabis flower, and medical

136.1 not include adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis

- 136.3 cannabinoid products. As used in this paragraph, "adult-use cannabis flower" has the meaning
- 136.4 given in section 342.01, subdivision 4; "adult-use cannabinoid product" has the meaning
- 136.5 given in section 342.01, subdivision 2; "adult-use cannabis solution product" has the meaning
- 136.6 given in section 295.81, subdivision 1, paragraph (d); "lower potency edible product" has
- 136.7 the meaning given in section 342.01, subdivision 45; "medical cannabis flower" has the
- 136.8 meaning given in section 342.01, subdivision 49; and "medical cannabinoid product" has
- 136.9 the meaning given in section 342.01, subdivision 47. For purposes of this subdivision,
- 136.10 "alcoholic beverages" means beverages that are suitable for human consumption and contain
- 136.11 one-half of one percent or more of alcohol by volume. For purposes of this subdivision,
- 136.12 "tobacco" means cigarettes, cigars, chewing or pipe tobacco, or any other item that contains
- 136.13 tobacco. For purposes of this subdivision, "dietary supplements" means any product, other
- 136.14 than tobacco, intended to supplement the diet that:
- 136.15 (1) contains one or more of the following dietary ingredients:
- 136.16 (i) a vitamin;

136.2

- 136.17 (ii) a mineral;
- 136.18 (iii) an herb or other botanical;
- 136.19 (iv) an amino acid;
- (v) a dietary substance for use by humans to supplement the diet by increasing the totaldietary intake; and
- (vi) a concentrate, metabolite, constituent, extract, or combination of any ingredientdescribed in items (i) to (v);
- (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap, or liquid form,
 or if not intended for ingestion in such form, is not represented as conventional food and is
 not represented for use as a sole item of a meal or of the diet; and
- (3) is required to be labeled as a dietary supplement, identifiable by the supplement facts
 box found on the label and as required pursuant to Code of Federal Regulations, title 21,
 section 101.36.

136.30 EFFECTIVE DATE. This section is effective for sales and purchases made after 136.31 December 31, 2023.

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137.1 Sec. 9. Minnesota Statutes 2022, section 297A.67, subdivision 7, is amended to read:

137.2 Subd. 7. Drugs; medical devices. (a) Sales of the following drugs and medical devices137.3 for human use are exempt:

137.4 (1) drugs, including over-the-counter drugs;

137.5 (2) single-use finger-pricking devices for the extraction of blood and other single-use

137.6 devices and single-use diagnostic agents used in diagnosing, monitoring, or treating diabetes;

(3) insulin and medical oxygen for human use, regardless of whether prescribed or soldover the counter;

137.9 (4) prosthetic devices;

137.10 (5) durable medical equipment for home use only;

137.11 (6) mobility enhancing equipment;

137.12 (7) prescription corrective eyeglasses; and

137.13 (8) kidney dialysis equipment, including repair and replacement parts.

137.14 (b) Items purchased in transactions covered by:

137.15 (1) Medicare as defined under title XVIII of the Social Security Act, United States Code,

137.16 title 42, section 1395, et seq.; or

137.17 (2) Medicaid as defined under title XIX of the Social Security Act, United States Code,
137.18 title 42, section 1396, et seq.

137.19 (c) For purposes of this subdivision:

137.20 (1) "Drug" means a compound, substance, or preparation, and any component of a

137.21 compound, substance, or preparation, other than food and food ingredients, dietary

137.22 supplements, adult-use cannabis, adult-use cannabinoid products, adult-use cannabis solution

137.23 products, lower potency edible products, or alcoholic beverages that is:

137.24 (i) recognized in the official United States Pharmacopoeia, official Homeopathic

137.25 Pharmacopoeia of the United States, or official National Formulary, and supplement to any137.26 of them;

(ii) intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease;or

137.29 (iii) intended to affect the structure or any function of the body.

(2) "Durable medical equipment" means equipment, including repair and replacement
 parts, including single-patient use items, but not including mobility enhancing equipment,
 that:

138.4 (i) can withstand repeated use;

138.5 (ii) is primarily and customarily used to serve a medical purpose;

138.6 (iii) generally is not useful to a person in the absence of illness or injury; and

138.7 (iv) is not worn in or on the body.

For purposes of this clause, "repair and replacement parts" includes all components or attachments used in conjunction with the durable medical equipment, including repair and replacement parts which are for single patient use only.

(3) "Mobility enhancing equipment" means equipment, including repair and replacementparts, but not including durable medical equipment, that:

(i) is primarily and customarily used to provide or increase the ability to move from oneplace to another and that is appropriate for use either in a home or a motor vehicle;

138.15 (ii) is not generally used by persons with normal mobility; and

(iii) does not include any motor vehicle or equipment on a motor vehicle normallyprovided by a motor vehicle manufacturer.

(4) "Over-the-counter drug" means a drug that contains a label that identifies the product
as a drug as required by Code of Federal Regulations, title 21, section 201.66. The label
must include a "drug facts" panel or a statement of the active ingredients with a list of those
ingredients contained in the compound, substance, or preparation. Over-the-counter drugs
do not include grooming and hygiene products, regardless of whether they otherwise meet
the definition. "Grooming and hygiene products" are soaps, cleaning solutions, shampoo,
toothpaste, mouthwash, antiperspirants, and suntan lotions and sunscreens.

(5) "Prescribed" and "prescription" means a direction in the form of an order, formula,
or recipe issued in any form of oral, written, electronic, or other means of transmission by
a duly licensed health care professional.

(6) "Prosthetic device" means a replacement, corrective, or supportive device, including
repair and replacement parts, worn on or in the body to:

138.30 (i) artificially synthetically replace a missing portion of the body;

138.31 (ii) prevent or correct physical deformity or malfunction; or

139.1 (iii) support a weak or deformed portion of the body.

139.2 Prosthetic device does not include corrective eyeglasses.

139.3 (7) "Kidney dialysis equipment" means equipment that:

(i) is used to remove waste products that build up in the blood when the kidneys are notable to do so on their own; and

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(ii) can withstand repeated use, including multiple use by a single patient, notwithstanding
the provisions of clause (2).

(8) A transaction is covered by Medicare or Medicaid if any portion of the cost of the 139.8 139.9 item purchased in the transaction is paid for or reimbursed by the federal government or the state of Minnesota pursuant to the Medicare or Medicaid program, by a private insurance 139.10 company administering the Medicare or Medicaid program on behalf of the federal 139.11 government or the state of Minnesota, or by a managed care organization for the benefit of 139.12 a patient enrolled in a prepaid program that furnishes medical services in lieu of conventional 139.13 Medicare or Medicaid coverage pursuant to agreement with the federal government or the 139.14 state of Minnesota. 139.15

139.16 (9) For the purposes of this subdivision, "adult-use cannabis flower" has the meaning

139.17 given in section 342.01, subdivision 4; "adult-use cannabinoid product" has the meaning

139.18 given in section 342.01, subdivision 2; "adult-use cannabis solution product" has the meaning

139.19 given in section 295.81, subdivision 1, paragraph (d); and "lower potency edible product"

139.20 has the meaning given in section 342.01, subdivision 45.

139.21 EFFECTIVE DATE. This section is effective for sales and purchases made after 139.22 December 31, 2023.

139.23 Sec. 10. Minnesota Statutes 2022, section 297A.70, subdivision 2, is amended to read:

Subd. 2. Sales to government. (a) All sales, except those listed in paragraph (b), to the following governments and political subdivisions, or to the listed agencies or instrumentalities of governments and political subdivisions, are exempt:

139.27 (1) the United States and its agencies and instrumentalities;

139.28 (2) school districts, local governments, the University of Minnesota, state universities,

139.29 community colleges, technical colleges, state academies, the Perpich Minnesota Center for

139.30 Arts Education, and an instrumentality of a political subdivision that is accredited as an

139.31 optional/special function school by the North Central Association of Colleges and Schools;

(3) hospitals and nursing homes owned and operated by political subdivisions of the
state of tangible personal property and taxable services used at or by hospitals and nursing
homes;

(4) notwithstanding paragraph (d), the sales and purchases by the Metropolitan Council
of vehicles and repair parts to equip operations provided for in section 473.4051 are exempt
through December 31, 2016;

(5) other states or political subdivisions of other states, if the sale would be exempt from
taxation if it occurred in that state; and

(6) public libraries, public library systems, multicounty, multitype library systems as
defined in section 134.001, county law libraries under chapter 134A, state agency libraries,
the state library under section 480.09, and the Legislative Reference Library.

140.12 (b) This exemption does not apply to the sales of the following products and services:

(1) building, construction, or reconstruction materials purchased by a contractor or a
subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed
maximum price covering both labor and materials for use in the construction, alteration, or
repair of a building or facility;

(2) construction materials purchased by tax exempt entities or their contractors to be
used in constructing buildings or facilities which will not be used principally by the tax
exempt entities;

(3) the leasing of a motor vehicle as defined in section 297B.01, subdivision 11, except
for leases entered into by the United States or its agencies or instrumentalities;

140.22 (4) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2),

and prepared food, candy, soft drinks, and alcoholic beverages as defined in section 297A.67,

140.24 subdivision 2; adult-use cannabis flower as defined in section 342.01, subdivision 4;

140.25 adult-use cannabinoid products as defined in section 342.01, subdivision 2; adult-use cannabis

solution products as defined in section 295.81, subdivision 1; and lower potency edible

140.27 products as defined in section 342.01, subdivision 45, except for lodging, prepared food,

140.28 candy, soft drinks, and alcoholic beverages, adult-use cannabis flower, adult-use cannabinoid

140.29 products, adult-use cannabis solution products, and lower potency edible products purchased

140.30 directly by the United States or its agencies or instrumentalities; or

(5) goods or services purchased by a local government as inputs to a liquor store, gas
or electric utility, solid waste hauling service, solid waste recycling service, landfill, golf
course, marina, campground, cafe, or laundromat.

(c) As used in this subdivision, "school districts" means public school entities and districts
of every kind and nature organized under the laws of the state of Minnesota, and any
instrumentality of a school district, as defined in section 471.59.

(d) For purposes of the exemption granted under this subdivision, "local governments"has the following meaning:

(1) for the period prior to January 1, 2017, local governments means statutory or home
rule charter cities, counties, and townships; and

(2) beginning January 1, 2017, local governments means statutory or home rule charter
cities, counties, and townships; special districts as defined under section 6.465; any
instrumentality of a statutory or home rule charter city, county, or township as defined in
section 471.59; and any joint powers board or organization created under section 471.59.

141.12 EFFECTIVE DATE. This section is effective for sales and purchases made after June
141.13 <u>30, 2023.</u>

141.14 Sec. 11. Minnesota Statutes 2022, section 297A.70, subdivision 18, is amended to read:

Subd. 18. Nursing homes and boarding care homes. (a) All sales, except those listed in paragraph (b), to a nursing home licensed under section 144A.02 or a boarding care home certified as a nursing facility under title 19 of the Social Security Act are exempt if the facility:

(1) is exempt from federal income taxation pursuant to section 501(c)(3) of the InternalRevenue Code; and

(2) is certified to participate in the medical assistance program under title 19 of the Social
Security Act, or certifies to the commissioner that it does not discharge residents due to the
inability to pay.

141.24 (b) This exemption does not apply to the following sales:

(1) building, construction, or reconstruction materials purchased by a contractor or a
subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed
maximum price covering both labor and materials for use in the construction, alteration, or
repair of a building or facility;

(2) construction materials purchased by tax-exempt entities or their contractors to be
used in constructing buildings or facilities that will not be used principally by the tax-exempt
entities;

(3) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2),
and prepared food, candy, soft drinks, and alcoholic beverages as defined in section 297A.67,
subdivision 2; adult-use cannabis as defined in section 342.01, subdivision 3; adult-use
cannabinoid products as defined in section 342.01, subdivision 2; adult-use cannabis solution
products as defined in section 295.81, subdivision 1; and lower potency edible products as

142.6 defined in section 342.01, subdivision 45; and

(4) leasing of a motor vehicle as defined in section 297B.01, subdivision 11, except asprovided in paragraph (c).

(c) This exemption applies to the leasing of a motor vehicle as defined in section 297B.01,
subdivision 11, only if the vehicle is:

(1) a truck, as defined in section 168.002; a bus, as defined in section 168.002; or a
passenger automobile, as defined in section 168.002, if the automobile is designed and used
for carrying more than nine persons including the driver; and

(2) intended to be used primarily to transport tangible personal property or residents ofthe nursing home or boarding care home.

142.16 EFFECTIVE DATE. This section is effective for sales and purchases made after June
142.17 <u>30, 2023.</u>

Sec. 12. Minnesota Statutes 2022, section 297A.99, is amended by adding a subdivisionto read:

142.20Subd. 4a.Adult-use cannabis local tax prohibited.A political subdivision of this state

142.21 is prohibited from imposing a tax under this section solely on the sale of adult-use cannabis

142.22 flower, adult-use cannabinoid products, adult-use cannabis solution products, or lower

142.23 potency edible products.

142.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.

142.25 Sec. 13. Minnesota Statutes 2022, section 297D.01, is amended to read:

142.26 **297D.01 DEFINITIONS.**

142.27 Subdivision 1. Marijuana Illegal cannabis. "Marijuana" "Illegal cannabis" means any

142.28 marijuana cannabinoid product as defined in section 342.01, subdivision 12; cannabis plant

142.29 as defined in section 342.01, subdivision 19; cannabis flower as defined in section 342.01,

142.30 subdivision 16; or synthetically derived cannabinoid as defined in section 342.01, subdivision

142.31 6, whether real or counterfeit, as defined in section 152.01, subdivision 9, that is held,

possessed, transported, transferred, sold, or offered to be sold in violation of <u>chapter 342</u>
<u>or Minnesota criminal laws.</u>

- Subd. 2. Controlled substance. "Controlled substance" means any drug or substance,
 whether real or counterfeit, as defined in section 152.01, subdivision 4, that is held, possessed,
 transported, transferred, sold, or offered to be sold in violation of Minnesota laws. "Controlled
 substance" does not include marijuana illegal cannabis.
- Subd. 3. Tax obligor or obligor. "Tax obligor" or "obligor" means a person who in
 violation of Minnesota law manufactures, produces, ships, transports, or imports into
- 143.9 Minnesota or in any manner acquires or possesses more than 42-1/2 grams of marijuana
- 143.10 <u>illegal cannabis</u>, or seven or more grams of any controlled substance, or ten or more dosage
- 143.11 units of any controlled substance which is not sold by weight. A quantity of marijuana illegal
- 143.12 cannabis or other controlled substance is measured by the weight of the substance whether
- 143.13 pure or impure or dilute, or by dosage units when the substance is not sold by weight, in
- 143.14 the tax obligor's possession. A quantity of a controlled substance is dilute if it consists of a
- 143.15 detectable quantity of pure controlled substance and any excipients or fillers.
- 143.16 Subd. 4. Commissioner. "Commissioner" means the commissioner of revenue.
- 143.17 **EFFECTIVE DATE.** This section is effective January 1, 2025.
- 143.18 Sec. 14. Minnesota Statutes 2022, section 297D.04, is amended to read:

143.19 **297D.04 TAX PAYMENT REQUIRED FOR POSSESSION.**

- 143.20 No tax obligor may possess any marijuana illegal cannabis or controlled substance upon
 143.21 which a tax is imposed by section 297D.08 unless the tax has been paid on the marijuana
 143.22 illegal cannabis or other a controlled substance as evidenced by a stamp or other official
 143.23 indicia.
- 143.24 **EFFECTIVE DATE.** This section is effective January 1, 2025.
- 143.25 Sec. 15. Minnesota Statutes 2022, section 297D.06, is amended to read:

143.26 **297D.06 PHARMACEUTICALS.**

- 143.27 Nothing in this chapter requires persons registered under chapter 151 or otherwise
- 143.28 lawfully in possession of marijuana illegal cannabis or a controlled substance to pay the tax

143.29 required under this chapter.

143.30 **EFFECTIVE DATE.** This section is effective January 1, 2025.

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144.1 Sec. 16. Minnesota Statutes 2022, section 297D.07, is amended to read:

144.2 **297D.07 MEASUREMENT.**

For the purpose of calculating the tax under section 297D.08, a quantity of marijuana illegal cannabis or other a controlled substance is measured by the weight of the substance whether pure or impure or dilute, or by dosage units when the substance is not sold by weight, in the tax obligor's possession. A quantity of a controlled substance is dilute if it consists of a detectable quantity of pure controlled substance and any excipients or fillers.

144.8 **EFFECTIVE DATE.** This section is effective January 1, 2025.

144.9 Sec. 17. Minnesota Statutes 2022, section 297D.08, is amended to read:

144.10 **297D.08 TAX RATE.**

144.11 A tax is imposed on marijuana illegal cannabis and controlled substances as defined in 144.12 section 297D.01 at the following rates:

144.13 (1) on each gram of marijuana illegal cannabis, or each portion of a gram, \$3.50; and

144.14 (2) on each gram of controlled substance, or portion of a gram, \$200; or

(3) on each ten dosage units of a controlled substance that is not sold by weight, orportion thereof, \$400.

144.17 **EFFECTIVE DATE.** This section is effective January 1, 2025.

144.18 Sec. 18. Minnesota Statutes 2022, section 297D.085, is amended to read:

144.19 **297D.085 CREDIT FOR PREVIOUSLY PAID TAXES.**

If another state or local unit of government has previously assessed an excise tax on the marijuana illegal cannabis or controlled substances, the taxpayer must pay the difference between the tax due under section 297D.08 and the tax previously paid. If the tax previously paid to the other state or local unit of government was equal to or greater than the tax due under section 297D.08, no tax is due. The burden is on the taxpayer to show that an excise tax on the marijuana illegal cannabis or controlled substances has been paid to another state or local unit of government.

144.27 **EFFECTIVE DATE.** This section is effective January 1, 2025.

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145.1 Sec. 19. Minnesota Statutes 2022, section 297D.09, subdivision 1a, is amended to read:

Subd. 1a. **Criminal penalty; sale without affixed stamps.** In addition to the tax penalty imposed, a tax obligor distributing or possessing marijuana <u>illegal cannabis</u> or controlled substances without affixing the appropriate stamps, labels, or other indicia is guilty of a crime and, upon conviction, may be sentenced to imprisonment for not more than seven years or to payment of a fine of not more than \$14,000, or both.

145.7 **EFFECTIVE DATE.** This section is effective January 1, 2025.

145.8 Sec. 20. Minnesota Statutes 2022, section 297D.10, is amended to read:

145.9 **297D.10 STAMP PRICE.**

Official stamps, labels, or other indicia to be affixed to all marijuana <u>illegal cannabis</u> or
controlled substances shall be purchased from the commissioner. The purchaser shall pay
100 percent of face value for each stamp, label, or other indicia at the time of the purchase.

145.13 **EFFECTIVE DATE.** This section is effective January 1, 2025.

145.14 Sec. 21. Minnesota Statutes 2022, section 297D.11, is amended to read:

145.15 **297D.11 PAYMENT DUE.**

Subdivision 1. Stamps affixed. When a tax obligor purchases, acquires, transports, or imports into this state marijuana illegal cannabis or controlled substances on which a tax is imposed by section 297D.08, and if the indicia evidencing the payment of the tax have not already been affixed, the tax obligor shall have them permanently affixed on the marijuana illegal cannabis or controlled substance immediately after receiving the substance. Each stamp or other official indicia may be used only once.

Subd. 2. Payable on possession. Taxes imposed upon marijuana illegal cannabis or
controlled substances by this chapter are due and payable immediately upon acquisition or
possession in this state by a tax obligor.

145.25 **EFFECTIVE DATE.** This section is effective January 1, 2025.

145.26

145.27

ARTICLE 3 BUSINESS DEVELOPMENT

145.28 Section 1. [116J.659] CANNABIS INDUSTRY STARTUP FINANCING GRANTS.

145.29 Subdivision 1. Establishment. The commissioner of employment and economic

145.30 development shall establish CanStartup, a program to award grants to nonprofit corporations

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146.1	to fund loan	s to new businesses in	n the legal canna	bis industry and to su	apport job creation
146.2	in communi	ties where long-term	residents are eli	gible to be social equi	ity applicants.
146.3	Subd. 2.	Definitions. (a) For t	the purposes of t	his section, the follow	ving terms have the
146.4	meanings gi	ven.			
146.5	<u>(b)</u> "Com	missioner" means the	commissioner of	femployment and eco	nomic development.
146.6	<u>(c)</u> "Indu	stry" means the legal	cannabis indust	ry in the state of Min	nesota.
146.7	<u>(d)</u> "New	v business" means a le	egal cannabis bu	siness that has been ir	n existence for three
146.8	years or less	<u>·</u>			
146.9	<u>(e)</u> "Prog	gram" means the Can	Startup grant pro	ogram.	
146.10	<u>(f) "Socia</u>	al equity applicant" n	neans a person v	who meets the qualific	ation requirements
146.11	in section 34	42.16.			
146.12	Subd. 3.	Grants. (a) The com	missioner shall e	stablish a revolving lo	oan account to make
146.13	grants under	the CanStartup prog	ram.		
146.14	<u>(b) The c</u>	ommissioner must aw	vard grants to nor	profit corporations th	rough a competitive
146.15	grant proces	<u>s.</u>			
146.16	<u>(c)</u> To ree	ceive grant money, a	nonprofit corpo	ration must submit a v	written application
146.17	to the comm	issioner using a form	developed by the	ne commissioner.	
146.18	<u>(d)</u> In aw	varding grants under t	his subdivision,	the commissioner sha	all give weight to
146.19	whether the	nonprofit corporation	<u>1:</u>		
146.20	<u>(1) has a</u>	board of directors that	t includes citizer	s experienced in busir	ness and community
146.21	developmen	t, new business enter	prises, and creat	ing jobs for people fa	cing barriers to
146.22	education or	employment;			
146.23	<u>(2) has th</u>	ne technical skills to a	analyze projects	<u>.</u>	
146.24	<u>(3) is fan</u>	niliar with other avail	able public and	private funding sourc	es and economic
146.25	developmen	t programs;			
146.26	<u>(4) can in</u>	nitiate and implement	t economic deve	lopment projects;	
146.27	<u>(5)</u> can e	stablish and administ	er a revolving lo	oan account;	
146.28	<u>(6) can w</u>	vork with job referral	networks that a	ssist people facing ba	rriers to education
146.29	or employm	ent; and			

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147.1	(7) has	established relationship	s with commun	ities where long-term	residents are eligible
147.2		l equity applicants.			
147.3	The comm	issioner shall make grau	nts that will ass	ist a broad range of bu	usinesses in the legal
147.4		ndustry, including the p			<u> </u>
147.5	<u>(e)</u> A n	onprofit corporation that	at receives a gr	ant under the program	n must:
147.6	<u>(1)</u> esta	blish a commissioner-c	ertified revolvi	ng loan account for th	e purpose of making
147.7	eligible loa	ans; and			
147.8	<u>(2) ente</u>	er into an agreement wi	th the commiss	sioner that the commis	ssioner shall fund
147.9	loans that t	he nonprofit corporatio	n makes to new	v businesses in the leg	al cannabis industry.
147.10	The comm	issioner shall review ex	tisting agreeme	nts with nonprofit con	porations every five
147.11	years and n	nay renew or terminate	an agreement b	ased on that review. Ir	n making this review,
147.12	the commi	ssioner shall consider, a	among other cr	iteria, the criteria in p	aragraph (d).
147.13	Subd. 4	Loans to businesses.	(a) The criteri	a in this subdivision a	pply to loans made
147.14	by nonprof	fit corporations under th	ne program.		
147.15	<u>(b) Loa</u>	ns must be used to supp	oort a new busir	ness in the legal canna	bis industry. Priority
147.16	must be give	ven to loans to business	ses owned by in	ndividuals who are eli	gible to be social
147.17	equity app	licants and businesses l	ocated in comr	nunities where long-t	erm residents are
147.18	eligible to	be social equity applica	ants.		
147.19	<u>(c)</u> Loa	ns must be made to bus	sinesses that are	e not likely to underta	ke the project for
147.20	which loan	ns are sought without as	ssistance from t	he program.	
147.21	<u>(d) The</u>	e minimum state contrib	oution to a loan	is \$2,500 and the ma	ximum is either:
147.22	<u>(1)</u> \$50	,000; or			
147.23	<u>(</u> 2) \$15	0,000, if state contribut	tions are match	ed by an equal or gre	ater amount of new
147.24	private inv	estment.			
147.25	<u>(e) Loa</u>	n applications given pr	eliminary appro	oval by the nonprofit	corporation must be
147.26	forwarded	to the commissioner fo	or approval. The	e commissioner must	give final approval
147.27	for each lo	an made by the nonpro-	fit corporation	under the program.	
147.28	<u>(f) A bi</u>	usiness that receives a l	oan may apply	to renew the loan. Re	enewal applications
147.29	must be ma	ade on an annual basis a	and a business r	nay receive loans for u	up to six consecutive
147.30	years. A no	onprofit corporation ma	ay renew a loan	to a business that is i	no longer a new
147.31	business p	rovided the business wo	ould otherwise	qualify for an initial l	oan and is in good
147.32	standing w	ith the nonprofit corpor	ation and the co	ommissioner. A nonpr	ofit corporation may

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adjust the amount of a renewed loan, or not renew a loan, if the nonprofit corporation

148.2 determines that the business is financially stable and is substantially likely to continue the
148.3 project for which the loan renewal is sought.

148.4 (g) If a borrower has met lender criteria, including being current with all payments for

148.5 <u>a minimum of three years, the commissioner may approve either full or partial forgiveness</u>

148.6 of interest or principal amounts.

Subd. 5. Revolving loan account administration. (a) The commissioner shall establish
 a minimum interest rate for loans or guarantees to ensure that necessary loan administration
 costs are covered. The interest rate charged by a nonprofit corporation for a loan under this

148.10 section must not exceed the Wall Street Journal prime rate. For a loan under this section,

148.11 the nonprofit corporation may charge a loan origination fee equal to or less than one percent

148.12 of the loan value. The nonprofit corporation may retain the amount of the origination fee.

148.13 (b) Loan repayment of principal must be paid to the commissioner for deposit in the

148.14 revolving loan account. Loan interest payments must be deposited in a revolving loan

148.15 account created by the nonprofit corporation originating the loan being repaid for further

148.16 distribution or use, consistent with the criteria of this section.

148.17 (c) Administrative expenses of the nonprofit corporations with whom the commissioner

148.18 enters into agreements, including expenses incurred by a nonprofit corporation in providing

148.19 financial, technical, managerial, and marketing assistance to a business receiving a loan

148.20 <u>under this section, are eligible program expenses the commissioner may agree to pay under</u>

148.21 the grant agreement.

148.22Subd. 6. Program outreach. The commissioner shall make extensive efforts to publicize148.23this program, including through partnerships with community organizations, particularly

those organizations located in areas where long-term residents are eligible to be social equity
applicants.

148.26 Subd. 7. Reporting requirements. (a) A nonprofit corporation that receives a grant
148.27 shall:

(1) submit an annual report to the commissioner by February 1 of each year that the
 nonprofit corporation participates in the program that includes a description of businesses
 supported by the grant program, an account of loans made during the calendar year, the

148.31 program's impact on business creation and job creation, particularly in communities where

148.32 long-term residents are eligible to be social equity applicants, the source and amount of

148.33 money collected and distributed by the program, the program's assets and liabilities, and an

148.34 explanation of administrative expenses; and

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(2) provide for an independent annual audit to be performed in accordance with generally
 accepted accounting practices and auditing standards and submit a copy of each annual
 audit report to the commissioner.

(b) By March 1, 2024, and each March 1 thereafter, the commissioner must submit a
 report to the chairs and ranking minority members of the committees of the house of

149.6 representatives and the senate having jurisdiction over economic development that details

149.7 awards given through the CanStartup program and the use of grant money, including any

149.8 measures of success toward financing new businesses in the legal cannabis industry and

149.9 creating jobs in communities where long-term residents are eligible to be social equity

149.10 applicants.

149.11 Sec. 2. [116J.6595] CANNABIS INDUSTRY NAVIGATION GRANTS.

149.12 Subdivision 1. Establishment. The commissioner of employment and economic

149.13 development shall establish CanNavigate, a program to award grants to eligible organizations

149.14 to help individuals navigate the regulatory structure of the legal cannabis industry.

- 149.15 <u>Subd. 2.</u> Definitions. (a) For the purposes of this section, the following terms have the
 149.16 meanings given.
- 149.17 (b) "Commissioner" means the commissioner of employment and economic development.
- 149.18 (c) "Eligible organization" means any organization capable of helping individuals navigate

149.19 the regulatory structure of the legal cannabis industry, particularly individuals facing barriers

- 149.20 to education or employment, and may include educational institutions, nonprofit
- 149.21 organizations, private businesses, community groups, units of local government, or
- 149.22 partnerships between different types of organizations.
- 149.23 (d) "Industry" means the legal cannabis industry in the state of Minnesota.
- 149.24 (e) "Program" means the CanNavigate grant program.
- (f) "Social equity applicant" means a person who meets the qualification requirements
 in section 342.16.
- 149.27 Subd. 3. Grants to organizations. (a) Grant money awarded to eligible organizations
- 149.28 may be used for both developing technical assistance resources relevant to the regulatory
- structure of the legal cannabis industry and for providing technical assistance or navigation
 services to individuals.
- (b) The commissioner must award grants to eligible organizations through a competitive
 grant process.

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150.1	(c) To receive	grant money,	an eligible	organization	must submit a	written	application
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150.2 to the commissioner, using a form developed by the commissioner, explaining the

150.3 organization's ability to assist individuals in navigating the regulatory structure of the legal

150.4 cannabis industry, particularly individuals facing barriers to education or employment.

150.5 (d) An eligible organization's grant application must also include:

- 150.6 (1) a description of the proposed technical assistance or navigation services, including
- 150.7 the types of individuals targeted for assistance;
- 150.8 (2) any evidence of the organization's past success in providing technical assistance or

150.9 <u>navigation services to individuals, particularly individuals who live in areas where long-term</u>
150.10 residents are eligible to be social equity applicants;

150.11 (3) an estimate of the cost of providing the technical assistance;

150.12 (4) the sources and amounts of any nonstate money or in-kind contributions that will

150.13 supplement grant money, including any amounts that individuals will be charged to receive

150.14 assistance; and

150.15 (5) any additional information requested by the commissioner.

150.16 (e) In awarding grants under this subdivision, the commissioner shall give weight to

150.17 applications from organizations that demonstrate a history of successful technical assistance

150.18 or navigation services, particularly for individuals facing barriers to education or employment.

150.19 The commissioner shall also give weight to applications where the proposed technical

150.20 assistance will serve areas where long-term residents are eligible to be social equity

150.21 applicants. To the extent practicable, the commissioner shall fund technical assistance for

- 150.22 <u>a variety of sectors in the legal cannabis industry, including both processing and retail</u>
- 150.23 <u>sectors.</u>

150.24 Subd. 4. Program outreach. The commissioner shall make extensive efforts to publicize

150.25 these grants, including through partnerships with community organizations, particularly

those organizations located in areas where long-term residents are eligible to be social equity
applicants.

150.28 Subd. 5. <u>Reports to the legislature.</u> By January 15, 2024, and each January 15 thereafter,

150.29 the commissioner must submit a report to the chairs and ranking minority members of the

150.30 committees of the house of representatives and the senate having jurisdiction over economic

150.31 development that details awards given through the CanNavigate program and the use of

150.32 grant money, including any measures of success toward helping individuals navigate the

150.33 regulatory structure of the legal cannabis industry.

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151.1	Sec. 3. [116]	90] CANNABIS	INDUSTRY TR	AINING GRANTS.	
151.2	Subdivision	n 1. Establishmen	t. The commissio	ner of employment ar	nd economic
151.3	development sl	hall establish CanTı	rain, a program to	award grants to (1) elig	gible organizations
151.4	to train people	for work in the lega	al cannabis indust	ry, and (2) eligible ind	ividuals to acquire
151.5	such training.				
151.6	<u>Subd. 2.</u> D	e finitions. (a) For t	the purposes of th	is section, the followi	ng terms have the
151.7	meanings give	<u>n.</u>			
151.8	<u>(b) "Comm</u>	issioner" means the	commissioner of	employment and econo	omic development.
151.9	(c) "Eligibl	e organization" mea	ans any organizati	on capable of providin	ig training relevant
151.10	to the legal can	nabis industry, par	rticularly for indi	viduals facing barriers	s to education or
151.11	employment, a	und may include ed	ucational institut	ions, nonprofit organiz	zations, private
151.12	businesses, con	nmunity groups, ur	nits of local gover	nment, or partnerships	between different
151.13	types of organ	izations.			
151.14	(d) "Eligibl	le individual" mear	ns a Minnesota re	sident who is 21 years	s old or older.
151.15	(e) "Industr	ry" means the legal	cannabis industr	y in Minnesota.	
151.16	(f) "Progra	m" means the Can?	Frain grant progra	am.	
151.17	(g) "Social	equity applicant" r	neans a person w	ho meets the qualification	ation requirements
151.18	in section 342.	16.			
151.19	<u>Subd. 3.</u> G	rants to organizat	t ions. (a) Grant m	oney awarded to eligi	ble organizations
151.20	may be used for	or both developing	a training program	n relevant to the legal	cannabis industry
151.21	and for provid	ing such training to	o individuals.		
151.22	(b) The con	nmissioner must av	vard grants to elig	ible organizations thro	ough a competitive
151.23	grant process.				
151.24	(c) To rece	ive grant money, ar	n eligible organiz	ation must submit a w	ritten application
151.25	to the commiss	sioner, using a forn	n developed by th	e commissioner, expl	aining the
151.26	organization's	ability to train indiv	viduals for success	ful careers in the legal	cannabis industry,
151.27	particularly inc	dividuals facing ba	rriers to education	n or employment.	
151.28	(d) An elig	ible organization's	grant application	must also include:	
151.29	(1) a descri	ption of the propos	sed training;		
151.30	<u>(2)</u> an analy	vsis of the degree of	demand in the leg	gal cannabis industry f	or the skills gained
151.31	through the pro-	oposed training;			

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152.1	(3) any evide	ence of the organizat	tion's past su	ccess in training indivi	duals for successful
152.2	careers, particul	arly in new or emerg	ging industri	es;	
152.3	(4) an estimation	ate of the cost of pro	oviding the p	roposed training;	
152.4	(5) the source	es and amounts of a	iny nonstate	funds or in-kind contri	butions that will
152.5	supplement gran	nt money, including	any amounts	s that individuals will b	be charged to
152.6	participate in th	e training; and			
152.7	(6) any addi	tional information re	equested by 1	he commissioner.	
152.8	(e) In award	ing grants under this	s subdivision	, the commissioner sha	all give weight to
152.9	applications from	m organizations that	t demonstrate	e a history of successfu	ıl career training,
152.10	particularly for	individuals facing ba	arriers to edu	acation or employment	. The commissioner
152.11	shall also give v	veight to application	s where the	proposed training will:	- -
152.12	(1) result in	an industry-relevant	credential;	<u>or</u>	
152.13	(2) include of	pportunities for han	ds-on or on-	site experience in the i	ndustry.
152.14	The commission	ner shall fund trainir	ng for a broa	d range of careers in th	e legal cannabis
152.15	industry, includ	ing both potential bu	isiness owne	ers and employees and	for work in the
152.16	growing, proces	sing, and retail sector	ors of the leg	gal cannabis industry.	
152.17	<u>Subd. 4.</u> Gra	ants to individuals.	(a) The com	missioner shall award	grants of \$ to
152.18	eligible individu	als to pursue a train	ing program	relevant to a career in	the legal cannabis
152.19	industry.				
152.20	(b) To receiv	ve grant money, an e	ligible indiv	idual must submit a wr	ritten application to
152.21	the commission	er, using a form dev	eloped by th	e commissioner, identi	fying a training
152.22	program relevar	it to the legal cannal	bis industry	and the estimated cost	of completing that
152.23	training. The ap	plication must also i	indicate whe	ther:	
152.24	(1) the appli	cant is eligible to be	a social equ	ity applicant;	
152.25	(2) the propo	osed training program	m results in a	an industry-relevant cro	edential; and
152.26	(3) the property (3)	osed training program	m includes o	pportunities for hands-	on or on-site
152.27	experience in th	e industry.			
152.28	The commission	ner shall attempt to r	make the app	lication process simple	e for individuals to
152.29	complete, such	as by publishing list	s of industry	-relevant training prog	rams along with the
152.30	training program	n's estimated cost of	completing	the training programs	and whether the
152.31	training program	ns will result in an in	ndustry-relev	vant credential or inclu-	de opportunities for
152.32	hands-on or on-	site experience in th	e legal cann	abis industry.	

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153.1	(c) The co	mmissioner must awa	ard grants to eli	gible individuals throu	igh a lottery process.
153.2	Applicants w	ho have filed comple	te applications	by the deadline set b	y the commissioner
153.3	shall receive	one entry in the lotte	ry, plus one ad	ditional entry for each	n of the following:
153.4	(1) being	eligible to be a socia	l equity applica	int;	
153.5	(2) seekin	g to enroll in a trainir	ng program that	t results in an industry	relevant credential;
153.6	and				
153.7	(3) seekin	g to enroll in a traini	ng program tha	t includes opportunit	ies for hands-on or
153.8	on-site experi	ience in the industry.			
153.9	(d) Grant 1	money awarded to eli	gible individual	s shall be used to pay	the costs of enrolling
153.10	in a training p	program relevant to t	he legal cannal	ois industry, including	tuition, fees, and
153.11	materials cost	ts. Grant money may	also be used to	remove external barri	ers to attending such
153.12	a training pro	gram, such as the cos	t of child care, t	ransportation, or othe	r expenses approved
153.13	by the commi	issioner.			
153.14	<u>Subd. 5.</u> P	'rogram outreach. <u>T</u>	he commission	er shall make extensiv	e efforts to publicize
153.15	these grants,	including through pa	rtnerships with	community organiza	tions, particularly
153.16	those organization	ations located in areas	s where long-te	rm residents are eligib	le to be social equity
153.17	applicants.				
153.18	<u>Subd. 6.</u>	Reports to the legisla	ture. By Januar	ry 15, 2024, and each J	anuary 15 thereafter,
153.19	the commissi	oner must submit a r	eport to the cha	airs and ranking mino	rity members of the
153.20	committees of	f the house of represe	ntatives and the	e senate having jurisdie	ction over workforce
153.21	development	that describes award	s given througl	n the CanTrain progra	m and the use of
153.22	grant money,	including any measu	ires of success	toward training peopl	e for successful
153.23	careers in the	legal cannabis indus	stry.		
152.24			ARTICLI	F 4	
153.24 153.25		CI	ANTICLI RIMINAL PEI		
1		Cr			
153.26	Section 1. N	Ainnesota Statutes 20)22, section 15	2.01, is amended by a	dding a subdivision
153.27	to read:				
153.28	Subd. 25.	Cannabinoid produ	ict. "Cannabine	oid product" has the n	neaning given in

153.29 section 342.01, subdivision 12.

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154.1 Sec. 2. Minnesota Statutes 2022, section 152.01, is amended by adding a subdivision to154.2 read:

154.3 Subd. 26. Cannabis concentrate. "Cannabis concentrate" has the meaning given in
154.4 section 342.01, subdivision 15.

154.5 Sec. 3. Minnesota Statutes 2022, section 152.01, is amended by adding a subdivision to154.6 read:

154.7 Subd. 27. Cannabis flower. "Cannabis flower" has the meaning given in section 342.01,
154.8 subdivision 16.

154.9 Sec. 4. Minnesota Statutes 2022, section 152.01, is amended by adding a subdivision to 154.10 read:

154.11 Subd. 28. Edible cannabinoid product. "Edible cannabinoid product" has the meaning
154.12 given in section 342.01, subdivision 29.

154.13 Sec. 5. Minnesota Statutes 2022, section 152.01, is amended by adding a subdivision to154.14 read:

154.15 <u>Subd. 29.</u> Cannabis plant. "Cannabis plant" has the meaning given in section 342.01,
154.16 <u>subdivision 19.</u>

154.17 Sec. 6. Minnesota Statutes 2022, section 152.01, is amended by adding a subdivision to 154.18 read:

154.19 Subd. 30. Synthetically derived cannabinoid. "Synthetically derived cannabinoid" has
154.20 the meaning given in section 342.01, subdivision 6.

154.21 Sec. 7. Minnesota Statutes 2022, section 152.021, subdivision 2, is amended to read:

Subd. 2. Possession crimes. (a) A person is guilty of a controlled substance crime inthe first degree if:

(1) the person unlawfully possesses one or more mixtures of a total weight of 50 gramsor more containing cocaine or methamphetamine;

(2) the person unlawfully possesses one or more mixtures of a total weight of 25 gramsor more containing cocaine or methamphetamine and:

(i) the person or an accomplice possesses on their person or within immediate reach, or
uses, whether by brandishing, displaying, threatening with, or otherwise employing, a
firearm; or

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155.4 (ii) the offense involves two aggravating factors;

(3) the person unlawfully possesses one or more mixtures of a total weight of 25 gramsor more containing heroin;

(4) the person unlawfully possesses one or more mixtures of a total weight of 500 grams
or more containing a narcotic drug other than cocaine, heroin, or methamphetamine;

(5) the person unlawfully possesses one or more mixtures of a total weight of 500 grams
or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled
substance is packaged in dosage units, equaling 500 or more dosage units; or

(6) the person unlawfully possesses one or more mixtures of a total weight of 50
kilograms or more containing marijuana or Tetrahydrocannabinols, or possesses 500 or
more marijuana plants.

(b) For the purposes of this subdivision, the weight of fluid used in a water pipe may not be considered in measuring the weight of a mixture except in cases where the mixture contains four or more fluid ounces of fluid.

EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes
 committed on or after that date.

155.20 Sec. 8. Minnesota Statutes 2022, section 152.022, subdivision 1, is amended to read:

Subdivision 1. Sale crimes. A person is guilty of controlled substance crime in thesecond degree if:

(1) on one or more occasions within a 90-day period the person unlawfully sells one or
more mixtures of a total weight of ten grams or more containing a narcotic drug other than
heroin;

(2) on one or more occasions within a 90-day period the person unlawfully sells one or
more mixtures of a total weight of three grams or more containing cocaine or
methamphetamine and:

(i) the person or an accomplice possesses on their person or within immediate reach, or
uses, whether by brandishing, displaying, threatening with, or otherwise employing, a
firearm; or

156.1 (ii) the offense involves three aggravating factors;

(3) on one or more occasions within a 90-day period the person unlawfully sells one ormore mixtures of a total weight of three grams or more containing heroin;

(4) on one or more occasions within a 90-day period the person unlawfully sells one or
more mixtures of a total weight of ten grams or more containing amphetamine, phencyclidine,
or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 50 or
more dosage units;

(5) on one or more occasions within a 90-day period the person unlawfully sells one or
 more mixtures of a total weight of ten kilograms or more containing marijuana or
 Tetrahydrocannabinols;

156.11 (6)(5) the person unlawfully sells any amount of a Schedule I or II narcotic drug to a 156.12 person under the age of 18, or conspires with or employs a person under the age of 18 to 156.13 unlawfully sell the substance; or

156.14 (7) (6) the person unlawfully sells any of the following in a school zone, a park zone, a 156.15 public housing zone, or a drug treatment facility:

(i) any amount of a Schedule I or II narcotic drug, lysergic acid diethylamide (LSD),

156.17 3,4-methylenedioxy amphetamine, or 3,4-methylenedioxymethamphetamine; or

156.18 (ii) one or more mixtures containing methamphetamine or amphetamine; or.

(iii) one or more mixtures of a total weight of five kilograms or more containing marijuana
 or Tetrahydrocannabinols.

156.21 EFFECTIVE DATE. This section is effective January 1, 2024, and applies to crimes 156.22 committed on or after that date.

156.23 Sec. 9. Minnesota Statutes 2022, section 152.022, subdivision 2, is amended to read:

156.24 Subd. 2. **Possession crimes.** (a) A person is guilty of controlled substance crime in the 156.25 second degree if:

(1) the person unlawfully possesses one or more mixtures of a total weight of 25 gramsor more containing cocaine or methamphetamine;

(2) the person unlawfully possesses one or more mixtures of a total weight of ten gramsor more containing cocaine or methamphetamine and:

(i) the person or an accomplice possesses on their person or within immediate reach, or
uses, whether by brandishing, displaying, threatening with, or otherwise employing, a
firearm; or

157.4 (ii) the offense involves three aggravating factors;

(3) the person unlawfully possesses one or more mixtures of a total weight of six gramsor more containing heroin;

(4) the person unlawfully possesses one or more mixtures of a total weight of 50 grams
or more containing a narcotic drug other than cocaine, heroin, or methamphetamine;

(5) the person unlawfully possesses one or more mixtures of a total weight of 50 grams
or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled
substance is packaged in dosage units, equaling 100 or more dosage units; or

(6) the person unlawfully possesses one or more mixtures of a total weight of 25
kilograms or more containing marijuana or Tetrahydrocannabinols, or possesses 100 or
more marijuana plants.

(b) For the purposes of this subdivision, the weight of fluid used in a water pipe may
not be considered in measuring the weight of a mixture except in cases where the mixture
contains four or more fluid ounces of fluid.

157.18 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes
 157.19 committed on or after that date.

157.20 Sec. 10. Minnesota Statutes 2022, section 152.023, subdivision 1, is amended to read:

Subdivision 1. Sale crimes. A person is guilty of controlled substance crime in the thirddegree if:

157.23 (1) the person unlawfully sells one or more mixtures containing a narcotic drug;

(2) on one or more occasions within a 90-day period the person unlawfully sells one or
more mixtures containing phencyclidine or hallucinogen, it is packaged in dosage units,
and equals ten or more dosage units;

(3) the person unlawfully sells one or more mixtures containing a controlled substance
classified in Schedule I, II, or III, except a Schedule I or II narcotic drug, <u>cannabis flower</u>,
<u>or cannabinoid products to a person under the age of 18; or</u>

(4) the person conspires with or employs a person under the age of 18 to unlawfully sell
one or more mixtures containing a controlled substance listed in Schedule I, II, or III, except
a Schedule I or II narcotic drug; or, cannabis flower, or cannabinoid products.

(5) on one or more occasions within a 90-day period the person unlawfully sells one or
 more mixtures of a total weight of five kilograms or more containing marijuana or
 Tetrahydrocannabinols.

158.7 EFFECTIVE DATE. This section is effective January 1, 2024, and applies to crimes
 158.8 committed on or after that date.

158.9 Sec. 11. Minnesota Statutes 2022, section 152.023, subdivision 2, is amended to read:

Subd. 2. Possession crimes. (a) A person is guilty of controlled substance crime in thethird degree if:

(1) on one or more occasions within a 90-day period the person unlawfully possesses
one or more mixtures of a total weight of ten grams or more containing a narcotic drug other
than heroin;

(2) on one or more occasions within a 90-day period the person unlawfully possessesone or more mixtures of a total weight of three grams or more containing heroin;

(3) on one or more occasions within a 90-day period the person unlawfully possesses
one or more mixtures containing a narcotic drug, it is packaged in dosage units, and equals
50 or more dosage units;

(4) on one or more occasions within a 90-day period the person unlawfully possesses
any amount of a schedule I or II narcotic drug or five or more dosage units of lysergic acid
diethylamide (LSD), 3,4-methylenedioxy amphetamine, or

3,4-methylenedioxymethamphetamine in a school zone, a park zone, a public housing zone,
or a drug treatment facility;

(5) on one or more occasions within a 90-day period the person unlawfully possesses
 one or more mixtures of a total weight of ten kilograms or more containing marijuana or
 Tetrahydrocannabinols:

158.28 (i) more than ten kilograms of cannabis flower;

158.29 (ii) more than two kilograms of cannabis concentrate; or

158.30 (iii) edible cannabinoid products infused with more than 200 grams of

158.31 tetrahydrocannabinol; or

(6) the person unlawfully possesses one or more mixtures containing methamphetamine
or amphetamine in a school zone, a park zone, a public housing zone, or a drug treatment
facility.

(b) For the purposes of this subdivision, the weight of fluid used in a water pipe may
not be considered in measuring the weight of a mixture except in cases where the mixture
contains four or more fluid ounces of fluid.

159.7 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes
 159.8 committed on or after that date.

159.9 Sec. 12. Minnesota Statutes 2022, section 152.024, subdivision 1, is amended to read:

Subdivision 1. Sale crimes. A person is guilty of controlled substance crime in the fourthdegree if:

(1) the person unlawfully sells one or more mixtures containing a controlled substanceclassified in Schedule I, II, or III, except marijuana or Tetrahydrocannabinols;

(2) the person unlawfully sells one or more mixtures containing a controlled substance
classified in Schedule IV or V to a person under the age of 18; or

(3) the person conspires with or employs a person under the age of 18 to unlawfully sell
a controlled substance classified in Schedule IV or V; or.

(4) the person unlawfully sells any amount of marijuana or Tetrahydrocannabinols in a
 school zone, a park zone, a public housing zone, or a drug treatment facility, except a small
 amount for no remuneration.

159.21 EFFECTIVE DATE. This section is effective January 1, 2024, and applies to crimes
 159.22 committed on or after that date.

159.23 Sec. 13. Minnesota Statutes 2022, section 152.025, subdivision 1, is amended to read:

159.24 Subdivision 1. Sale crimes. A person is guilty of a controlled substance crime in the

159.25 fifth degree and upon conviction may be sentenced as provided in subdivision 4 if:

159.26 (1) the person unlawfully sells one or more mixtures containing marijuana or

159.27 tetrahydrocannabinols, except a small amount of marijuana for no remuneration; or

(2) the person unlawfully sells one or more mixtures containing a controlled substance
 classified in Schedule IV.

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160.1	EFFEC	CTIVE DATE. This sec	ction is effecti	ve January 1, 2024, an	d applies to crimes
160.2	committed	on or after that date.			
160.3	Sec. 14. N	Minnesota Statutes 2022	2, section 152.	.025, subdivision 2, is	amended to read:
160.4	Subd. 2	. Possession and other	crimes. A per	rson is guilty of control	lled substance crime
160.5	in the fifth	degree and upon convid	ction may be s	sentenced as provided	in subdivision 4 if:
160.6	(1) the j	person unlawfully posse	esses one or m	ore mixtures containin	ng a controlled
160.7	substance c	lassified in Schedule I, I	II, III, or IV, ex	acept a small amount of	marijuana cannabis
160.8	flower or c	annabinoid products; or	r		
160.9	(2) the j	person procures, attemp	ots to procure,	possesses, or has conti	rol over a controlled
160.10	substance b	by any of the following	means:		
160.11	(i) frauc	l, deceit, misrepresenta	tion, or subter	fuge;	
160.12	(ii) usin	g a false name or givin	g false credit;	or	
160.13	(iii) fals	ely assuming the title of	f, or falsely rep	resenting any person to	be, a manufacturer,
160.14	wholesaler,	, pharmacist, physician,	doctor of ost	eopathic medicine lice	nsed to practice
160.15	medicine, c	lentist, podiatrist, veter	inarian, or oth	er authorized person fo	or the purpose of
160.16	obtaining a	controlled substance.			
160.17	EFFEC	CTIVE DATE. This sec	ction is effecti	ve August 1, 2023, and	d applies to crimes
160.18	committed	on or after that date.			
160.19	Sec. 15. [152.0263] CANNABIS	S POSSESSI	ON CRIMES.	
160.20	Subdivi	sion 1. Possession of ca	nnabis in the	first degree. A person	is guilty of cannabis
160.21	possession	in the first degree and r	may be senten	ced to imprisonment o	f not more than five
160.22	years or to	payment of a fine of no	ot more than \$	10,000, or both, if the	person unlawfully
160.23	possesses a	my of the following:			
160.24	<u>(1) mor</u>	e than two pounds but 1	not more than	ten kilograms of canna	abis flower in any
160.25	place other	than the person's reside	ence;		
160.26	<u>(2) mor</u>	e than five pounds but	not more than	ten kilograms of cann	abis flower in the
160.27	person's res	sidence;			
160.28	<u>(3) mor</u>	e than 160 grams but no	ot more than t	wo kilograms of canna	ibis concentrate; or
160.29	<u>(4) edib</u>	le cannabinoid products	s infused with	more than 16 grams bu	it not more than 200
160.30	grams of te	trahydrocannabinol.			

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161.1	<u>Subd. 2.</u> Po	ssession of canna	bis in the second	l degree. A person i	s guilty of cannabis
161.2	possession in tl	ne second degree a	nd may be senter	nced to imprisonme	nt of not more than
161.3	one year or to p	payment of a fine of	of not more than S	\$3,000, or both, if th	e person unlawfully
161.4	possesses any c	of the following:			
161.5	(1) more the	an one pound but n	ot more than two	pounds of cannabis	s flower in any place
161.6	other than the p	person's residence;			
161.7	(2) more that	an 80 grams but no	ot more than 160	grams of cannabis c	concentrate; or
161.8	(3) edible c	annabinoid produc	ts infused with n	nore than eight gram	ns but not more than
161.9	16 grams of tet	rahydrocannabinol	<u>l.</u>		
161.10	<u>Subd. 3.</u> Po	ssession of cannal	bis in the third o	legree. A person is	guilty of cannabis
161.11	possession in tl	ne third degree and	l may be sentence	ed to imprisonment	of not more than 90
161.12	days or to payn	nent of a fine of no	ot more than \$1,0	00, or both, if the pe	erson unlawfully
161.13	possesses any c	of the following:			
161.14	(1) more that	an four ounces but	not more than or	e pound of cannabis	s flower in any place
161.15	other than the p	person's residence;			
161.16	(2) more that	an 16 grams but no	ot more than 80 g	rams of cannabis co	oncentrate; or
161.17	(3) edible c	annabinoid produc	ts infused with n	nore than 1,600 mill	igrams but not more
161.18	than eight gran	ns of tetrahydrocan	nabinol.		
161.19	<u>Subd. 4.</u> Po	ssession of cannal	bis in the fourth	degree. A person is	s guilty of a petty
161.20	misdemeanor i	f the person unlaw	fully possesses a	ny of the following:	
161.21	(1) more the	an two ounces but r	not more than fou	r ounces of cannabi	s flower in any place
161.22	other than the p	person's residence;			
161.23	(2) more that	an eight grams but	not more than 10	o grams of cannabis	concentrate; or
161.24	(3) edible c	annabinoid produc	ts infused with n	nore than 800 millig	rams but not more
161.25	<u>than 1,600 mill</u>	ligrams of tetrahyd	rocannabinol.		
161.26	Subd. 5. Us	e of cannabis in a	motor vehicle. (a) A person is guilty	of a crime and may
161.27	be sentenced to	imprisonment of r	not more than 90	days or to payment	of a fine of not more
161.28	<u>than \$1,000, or</u>	both, if the person	unlawfully uses	cannabis flower or c	annabinoid products
161.29	while driving, o	operating, or being	in physical cont	rol of any motor vel	nicle, as defined in
161.30	section 169A.0	3, subdivision 15.			

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162.1	(b) The State	e Patrol must increase	enforcement of	f this subdivision a	nnually on April	
162.2	20. Other law enforcement agencies are encouraged to increase enforcement of this					
162.3	subdivision ann	ually on April 20.				
162.4	Subd. 6. Use	of cannabis in publi	c. A local unit o	f government may	adopt an ordinance	
162.5	establishing a pe	etty misdemeanor offe	ense for a person	who unlawfully us	ses cannabis flower	

162.6 or cannabinoid products in a public place provided that the definition of public place does

162.7 not include the following:

162.8 (1) a private residence, including the person's curtilage or yard;

162.9 (2) private property not generally accessible by the public, unless the person is explicitly

162.10 prohibited from consuming cannabis flower or cannabinoid products on the property by the
162.11 owner of the property; or

162.12 (3) the premises of an establishment or event licensed to permit on-site consumption.

162.13 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes
 162.14 committed on or after that date.

162.15 Sec. 16. [152.0264] CANNABIS SALE CRIMES.

162.16 Subdivision 1. Sale of cannabis in the first degree. A person is guilty of the sale of

162.17 cannabis in the first degree and may be sentenced to imprisonment of not more than five

162.18 years or to payment of a fine of not more than \$10,000, or both, if the person unlawfully

162.19 sells more than two ounces of cannabis flower, more than eight grams of cannabis

162.20 concentrate, or edible cannabinoid products infused with more than 800 milligrams of

162.21 tetrahydrocannabinol:

162.22 (1) to a minor and the defendant is an adult who is more than 36 months older than the 162.23 minor;

162.24 (2) within ten years of two or more convictions for the unlawful sale of more than two

162.25 ounces of cannabis flower, more than eight grams of cannabis concentrate, or edible

162.26 cannabinoid products infused with more than 800 milligrams of tetrahydrocannabinol; or

162.27 (3) within ten years of a conviction under this subdivision.

162.28 Subd. 2. Sale of cannabis in the second degree. A person is guilty of sale of cannabis

162.29 in the second degree and may be sentenced to imprisonment of not more than one year or

162.30 to payment of a fine of not more than \$3,000, or both, if the person unlawfully sells more

162.31 than two ounces of cannabis flower, more than eight grams of cannabis concentrate, or

162.32 edible cannabinoid products infused with more than 800 milligrams of tetrahydrocannabinol:

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163.1	<u>(1) to a minimum</u>	inor and the defendar	nt is an adult w	ho is not more than .	36 months older than
163.2	the minor;				
163.3	<u>(2) in a sci</u>	hool zone, a park zon	e, a public hou	using zone, or a drug	treatment facility; or
163.4	(3) within	ten years of a convic	tion for the ur	lawful sale of more	than two ounces of
163.5	cannabis flow	ver, more than eight g	rams of canna	bis concentrate, or eq	lible cannabinoid
163.6	products infus	sed with more than 80	00 milligrams	of tetrahydrocannabi	<u>nol.</u>
163.7	<u>Subd. 3.</u>	ale of cannabis in th	e third degre	e. A person is guilty	of sale of cannabis in
163.8	the third degr	ee and may be senten	nced to imprise	onment of not more th	han 90 days or to
163.9	payment of a	fine of not more than	1,000, or bo	th, if the person unla	wfully sells:
163.10	<u>(1) more t</u>	han two ounces of ca	nnabis flower		
163.11	<u>(2) more t</u>	han eight grams of ca	annabis concer	itrate; or	
163.12	(3) edible	cannabinoid products	s infused with	more than 800 millig	grams of
163.13	tetrahydrocan	nabinol.			
163.14	<u>Subd. 4.</u>	ale of cannabis in th	ne fourth deg	·ee. (a) A person is g	uilty of a petty
163.15	misdemeanor	if the person unlawfu	ully sells:		
163.16	<u>(1) not mo</u>	ore than two ounces o	of cannabis flo	wer;	
163.17	<u>(2) not mo</u>	ore than eight grams of	of cannabis co	ncentrate; or	
163.18	(3) edible	cannabinoid products	s infused with	not more than 800 m	uilligrams of
163.19	tetrahydrocan	nabinol.			
163.20	(b) A sale	for no remuneration	by an individu	al over the age of 21	to another individual
163.21	over the age o	of 21 is not an unlawf	ful sale under 1	his subdivision.	
163.22	<u>Subd. 5.</u>	ale of cannabis by a	minor. (a) A	minor is guilty of a p	etty misdemeanor if:
163.23	(1) the mi	nor unlawfully sells c	cannabis flowe	r, cannabis concentra	ate, or cannabinoid
163.24	products; and				
163.25	(2) the mi	nor has not previously	y received a p	etty misdemeanor dis	sposition or been
163.26	adjudicated d	elinquent for commit	ting an act in v	violation of this section	on.
163.27	<u>(b) A mino</u>	or sentenced under this	s subdivision is	required to participa	te in a drug education
163.28	program unle	ss the court enters a v	written finding	that a drug education	n program is
163.29	inappropriate	. The program must b	be approved by	an area mental heal	th board with a
163.30	curriculum ap	proved by the state a	lcohol and dru	g abuse authority.	

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164.1	<u>(c) A m</u>	ninor who receives a dis	position pursu	ant to this subdivision is	s required to perform
164.2	<u>communit</u>	y service.			
164.3	EFFE	CTIVE DATE. This se	ection is effect	ive January 1, 2024, an	d applies to crimes
164.4	committee	l on or after that date.			
164.5	Sec. 17.	[152.0265] CANNAB	IS CULTIVAT	TION CRIMES.	
164.6	Subdiv	vision 1. Cultivation of	cannabis in t	he first degree. A pers	son is guilty of
164.7	cultivation	n of cannabis in the first	t degree and m	ay be sentenced to imp	prisonment of not
164.8	more than	five years or to paymen	nt of a fine of n	ot more than \$10,000, c	or both, if the person
164.9	unlawfully	y cultivates more than 2	23 cannabis pla	ants.	
164.10	Subd. 2	2. Cultivation of canna	bis in the seco	ond degree. A person is	guilty of cultivation
164.11	of cannabi	is in the second degree	and may be se	ntenced to imprisonme	ent of not more than
164.12	one year o	or to payment of a fine of	of not more the	un \$3,000, or both, if th	e person unlawfully
164.13	cultivates	more than 16 cannabis	plants but not	more than 23 cannabis	plants.
164.14	EFFE	CTIVE DATE. This se	ection is effect	ive August 1, 2023, and	d applies to crimes
164.15	committed	l on or after that date.			
164.16	Sec. 18.	[169A.36] OPEN PAC	CKAGE LAW	• •	
164.17	Subdiv	vision 1. Definitions. A	s used in this s	section:	
164.18	(1) "sy	nthetically derived can	nabinoid" has	the meaning given in s	ection 342.01,
164.19	subdivisio	* *			<u>.</u>
164.20	(2) "ca	nnabinoid product" has	the meaning	given in section 342.01	. subdivision 12:
		-			
164.21	<u>(5)</u> ca	nnabis flower" has the	meaning giver	1 III section 342.01, sub	
164.22	<u>(4)</u> "me	otor vehicle" does not i	nclude motorb	oats in operation or of	f-road recreational
164.23	vehicles ex	xcept while operated or	n a roadway or	shoulder of a roadway	that is not part of a
164.24	grant-in-ai	d trail or trail designated	d for that vehic	le by the commissioner	of natural resources;
164.25	and				
164.26	<u>(5)</u> "po	ossession" means either	that the person	n had actual possession	of the package or
164.27	that the pe	erson consciously exerc	ised dominion	and control over the pa	ackage.
164.28	Subd. 2	2. <mark>Use; crime describe</mark>	d. It is a crime	e for a person to use can	nnabis flower, a
164.29	cannabino	id product, or any prod	uct containing	a synthetically derived	l cannabinoid in a
164.30	motor veh	icle when the vehicle is	s on a street or	highway.	

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165.1	<u>Subd. 3.</u> P	ossession; crime de	scribed. It is a c	crime for a person to h	ave in possession,	
165.2	while in a priv	ate motor vehicle or	a street or high	way, any cannabis flov	wer, a cannabinoid	
165.3	product, or an	y product containing	g a synthetically	derived cannabinoid	that:	
165.4	(1) is in packaging or another container that does not comply with the relevant packaging					
165.5	requirements in chapter 152 or 342;					
165.6	<u>(2) has bee</u>	en removed from the	packaging in w	hich it was sold;		
165.7	<u>(3) is in pa</u>	ckaging that has bee	en opened or the	seal has been broken	; or	
165.8	(4) is in packaging of which the contents have been partially removed.					
165.9	<u>Subd. 4.</u> L	iability of nonprese	ent owner; crin	ne described. It is a cr	rime for the owner	
165.10	of any private	motor vehicle or the	e driver, if the ov	wner is not present in	the motor vehicle,	
165.11	to keep or allo	w to be kept in a mo	otor vehicle whe	en the vehicle is on a s	treet or highway	

- 165.12 any cannabis flower, a cannabinoid product, or any product containing a synthetically
- 165.13 derived cannabinoid that:
- 165.14 (1) is in packaging or another container that does not comply with the relevant packaging
- 165.15 requirements in chapter 152 or 342;
- 165.16 (2) has been removed from the packaging in which it was sold;
- 165.17 (3) is in packaging that has been opened or the seal has been broken; or
- 165.18 (4) is in packaging of which the contents have been partially removed.
- 165.19 Subd. 5. Criminal penalty. A person who violates subdivision 2, 3, or 4 is guilty of a
 165.20 misdemeanor.
- 165.21 <u>Subd. 6.</u> <u>Exceptions.</u> (a) This section does not prohibit the possession or consumption
- 165.22 of cannabis flower or a cannabinoid product or any other product containing a synthetically
- 165.23 derived cannabinoid by passengers in:
- (1) a bus that is operated by a motor carrier of passengers as defined in section 221.012,
 subdivision 26;
- 165.26 (2) a vehicle that is operated for commercial purposes in a manner similar to a bicycle
- 165.27 as defined in section 169.011, subdivision 4, with five or more passengers who provide
- 165.28 pedal power to the drive train of the vehicle; or
- 165.29 (3) a vehicle providing limousine service as defined in section 221.84, subdivision 1.
- (b) Subdivisions 3 and 4 do not apply to: (1) a package that is in the trunk of the vehicle
- 165.31 if the vehicle is equipped with a trunk; or (2) a package that is in another area of the vehicle

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166.1	not normally oc	cupied by the driv	er and passeng	ers if the vehicle is not e	quipped with a
166.2	trunk. A utility of	compartment or glo	ove compartmen	nt is deemed to be within	the area occupied
166.3	by the driver an	d passengers.			
166.4	EFFECTIV	E DATE. This see	ction is effectiv	re August 1, 2023, and ap	oplies to crimes
166.5	committed on o	or after that date.			
166.6	Sec. 19. Minn	esota Statutes 202	2, section 244.	05, subdivision 2, is ame	nded to read:
166.7	Subd. 2. Ru	les. <u>(a)</u> The comm	issioner of corr	ections shall adopt by ru	le standards and
166.8	procedures for t	the establishment of	of conditions of	release and the revocation	on of supervised
166.9	or conditional re	elease, and shall spe	ecify the period	of revocation for each vio	olation of release.
166.10	Procedures for	the revocation of r	elease shall pro	vide due process of law	for the inmate.
166.11	<u>(b)</u> The com	missioner may pro	ohibit an inmate	e placed on parole, super	vised release, or
166.12	conditional rele	ase from using adu	ult-use cannabi	s flower as defined in sec	ction 342.01,
166.13	subdivision 4, c	or adult-use cannab	pinoid products	as defined in section 342	2.01, subdivision
166.14	2, if the inmate	undergoes a chem	ical use assessr	nent and abstinence is co	onsistent with a
166.15	recommended le	evel of care for the	defendant in ac	cordance with the criteria	a in rules adopted
166.16	by the commiss	ioner of human se	rvices under se	ction 254A.03, subdivisi	<u>on 3.</u>
166.17	(c) The com	missioner of corre	ctions shall not	prohibit an inmate place	ed on parole,
166.18	supervised relea	ase, or conditional	release from pa	articipating in the registry	y program as
166.19	defined in section	on 342.01, subdivi	sion 58, as a co	ondition of release or rev	oke a patient's
166.20	parole, supervis	ed release, or conc	litional release	or otherwise sanction a p	oatient on parole,
166.21	supervised relea	ase, or conditional	release solely f	or participating in the reg	gistry program or
166.22	for a positive di	rug test for cannab	is components	or metabolites.	
166.23	EFFECTIV	<u>E DATE.</u> This sec	ction is effective	August 1, 2023, and app	lies to supervised
166.24	release granted	on or after that dat	te.		

166.25 Sec. 20. Minnesota Statutes 2022, section 609.135, subdivision 1, is amended to read:

Subdivision 1. **Terms and conditions.** (a) Except when a sentence of life imprisonment is required by law, or when a mandatory minimum sentence is required by section 609.11, any court may stay imposition or execution of sentence and:

166.29 (1) may order intermediate sanctions without placing the defendant on probation; or

(2) may place the defendant on probation with or without supervision and on the terms
the court prescribes, including intermediate sanctions when practicable. The court may order
the supervision to be under the probation officer of the court, or, if there is none and the

167.1 conviction is for a felony or gross misdemeanor, by the commissioner of corrections, or in
167.2 any case by some other suitable and consenting person. Unless the court directs otherwise,
167.3 state parole and probation agents and probation officers may impose community work
167.4 service or probation violation sanctions, consistent with section 243.05, subdivision 1;
167.5 sections 244.196 to 244.199; or 401.02, subdivision 5.

167.6 No intermediate sanction may be ordered performed at a location that fails to observe
167.7 applicable requirements or standards of chapter 181A or 182, or any rule promulgated under
167.8 them.

(b) For purposes of this subdivision, subdivision 6, and section 609.14, the term
"intermediate sanctions" includes but is not limited to incarceration in a local jail or
workhouse, home detention, electronic monitoring, intensive probation, sentencing to service,
reporting to a day reporting center, chemical dependency or mental health treatment or
counseling, restitution, fines, day-fines, community work service, work service in a restorative
justice program, work in lieu of or to work off fines and, with the victim's consent, work in
lieu of or to work off restitution.

(c) A court may not stay the revocation of the driver's license of a person convicted ofviolating the provisions of section 169A.20.

(d) If the court orders a fine, day-fine, or restitution as an intermediate sanction, payment
is due on the date imposed unless the court otherwise establishes a due date or a payment
plan.

(e) The court may prohibit a defendant from using adult-use cannabis flower as defined 167.21 in section 342.01, subdivision 4, or adult-use cannabinoid products as defined in section 167.22 342.01, subdivision 2, if the defendant undergoes a chemical use assessment and abstinence 167.23 is consistent with a recommended level of care for the defendant in accordance with the 167.24 criteria in rules adopted by the commissioner of human services under section 254A.03, 167.25 subdivision 3. The assessment must be conducted by an assessor qualified under rules 167.26 adopted by the commissioner of human services under section 254A.03, subdivision 3. An 167.27 assessor providing a chemical use assessment may not have any direct or shared financial 167.28 interest or referral relationship resulting in shared financial gain with a treatment provider, 167.29 except as authorized under section 254A.19, subdivision 3. If an independent assessor is 167.30 not available, the probation officer may use the services of an assessor authorized to perform 167.31 assessments for the county social services agency under a variance granted under rules 167.32 adopted by the commissioner of human services under section 254A.03, subdivision 3. 167.33

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168.1	(f) A court s	hall not impose ar	n intermediate s	anction that has the e	ffect of prohibiting
168.2				n as defined in section	
168.3	<u>58.</u>				
168.4	EFFECTIV	E DATE. This set	ction is effective	e August 1, 2023, and	applies to sentences
168.5	ordered on or at	ter that date.			
168.6	Sec. 21. Minn	esota Statutes 202	2, section 609.5	5311, subdivision 1, is	s amended to read:
168.7	Subdivision	1. Controlled sub	stances. All con	trolled substances that	t were manufactured,
168.8	distributed, disp	ensed, or acquired	in violation of o	chapter 152 <u>or 342</u> are	subject to forfeiture
168.9	under this section	on, except as provi	ided in subdivis	ion 3 and section 609	9.5316.
168.10	EFFECTIV	E DATE. This see	ction is effective	e August 1, 2023, and	applies to violations
168.11	committed on o	r after that date.			
168.12	Sec. 22. Minn	esota Statutes 202	2, section 609.5	5314, subdivision 1, i	s amended to read:
168.13	Subdivision	1. Property subj	ect to administ	rative forfeiture. (a)	The following are
168.14	subject to admin	nistrative forfeitur	e under this sec	tion:	
168.15	(1) all mone	y totaling \$1,500	or more, precio	us metals, and precior	us stones that there
168.16	is probable caus	se to believe repres	sent the proceed	ls of a controlled sub	stance offense;
168.17	(2) all mone	y found in proxim	ity to controlled	l substances when the	ere is probable cause
168.18	to believe that the	he money was exc	changed for the	purchase of a control	led substance;
168.19	(3) all conve	yance devices cor	ntaining control	led substances with a	retail value of \$100
168.20	or more if there	is probable cause	to believe that	the conveyance devic	e was used in the
168.21	transportation o	r exchange of a co	ontrolled substa	nce intended for distr	ibution or sale; and
168.22	(4) all firear	ms, ammunition, a	and firearm acco	essories found:	
168.23	(i) in a conve	evance device used	or intended for	use to commit or facil	itate the commission
168.24		nse involving a co			
169.25		-			pontrollad substance
168.25	is seized; or	proximity to a per	son from whom	a felony amount of o	controlled substance
168.26					
168.27				ance is seized and in j	-
168.28		-	n or sale of the	controlled substance	would be a felony
168.29	under chapter 1	52.			

(b) The Department of Corrections Fugitive Apprehension Unit shall not seize items
listed in paragraph (a), clauses (3) and (4), for the purposes of forfeiture.

(c) Money is the property of an appropriate agency and may be seized and recovered bythe appropriate agency if:

(1) the money is used by an appropriate agency, or furnished to a person operating on
behalf of an appropriate agency, to purchase or attempt to purchase a controlled substance;
and

(2) the appropriate agency records the serial number or otherwise marks the money foridentification.

(d) As used in this section, "money" means United States currency and coin; the currency
and coin of a foreign country; a bank check, cashier's check, or traveler's check; a prepaid
credit card; cryptocurrency; or a money order.

(e) As used in this section, "controlled substance" does not include cannabis flower as
 defined in section 342.01, subdivision 16, or cannabinoid product as defined in section
 342.01, subdivision 12.

169.16 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes
 169.17 committed on or after that date.

169.18 Sec. 23. Minnesota Statutes 2022, section 609.5316, subdivision 2, is amended to read:

Subd. 2. **Controlled substances.** (a) Controlled substances listed in Schedule I that are possessed, transferred, sold, or offered for sale in violation of chapter 152 or 342, are contraband and must be seized and summarily forfeited. Controlled substances listed in Schedule I that are seized or come into the possession of peace officers, the owners of which are unknown, are contraband and must be summarily forfeited.

(b) Species of plants from which controlled substances in Schedules I and II may be derived that have been planted or cultivated in violation of chapter 152 or of which the owners or cultivators are unknown, or that are wild growths, may be seized and summarily forfeited to the state. The appropriate agency or its authorized agent may seize the plants if the person in occupancy or in control of land or premises where the plants are growing or being stored fails to produce an appropriate registration or proof that the person is the holder of appropriate registration.

169.31 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes
 169.32 committed on or after that date.

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170.1	Sec. 24. D	WI CONTROLLED S	SUBSTANCE	ROADSIDE TESTIN	GINSTRUMENT
170.2	PILOT PR	OJECT; REPORT R	EQUIRED.		
170.3	(a) The c	ommissioner of public	c safety must o	lesign, plan, and imple	ment a pilot project
170.4	to study oral	fluid roadside testing	instruments t	o determine the presen	ce of a controlled
170.5	substance or	intoxicating substanc	e in individua	ls stopped or arrested f	or driving while
170.6	impaired off	enses. The pilot projec	et must determ	ine the practicality, acc	curacy, and efficacy
170.7	of these testi	ng instruments and det	ermine and ma	ke recommendations or	the best instrument
170.8	or instrumer	nts to pursue in the fut	ure.		
170.9	<u>(b)</u> The p	oilot project must begi	n on Septemb	er 1, 2023, and continu	e until August 31,
170.10	<u>2024.</u>				
170.11	<u>(c)</u> The c	ommissioner must con	sult with law e	enforcement officials, pr	rosecutors, criminal
170.12	defense atto	rneys, and other intere	ested and know	vledgeable parties when	n designin <u>g,</u>
170.13	implementir	ng, and evaluating the	pilot project.		
170.14	<u>(d) All or</u>	ral fluid samples obtai	ned for the pu	rpose of this pilot proje	ct must be obtained
170.15	by a certified	drug recognition evalu	uator and may	only be collected with th	ne express voluntary
170.16	consent of the	ne person stopped or a	rrested for sus	picion of driving while	impaired. Results
170.17	of tests cond	lucted under the pilot	project are to	be used for the purpose	of analyzing the
170.18	practicality,	accuracy, and efficacy	of the instrum	nent. Results may not b	be used to decide
170.19	whether an a	arrest should be made	and are not ad	missible in any legal p	roceeding.
170.20	<u>(e)</u> By Fe	bruary 1, 2025, the con	nmissioner m	ust report to the chairs a	nd ranking minority
170.21	members of	the legislative commit	ttees with juris	diction over public safe	ety on the results of
170.22	the pilot pro	ject. At a minimum, th	ne report must	include information or	n how accurate the
170.23	instruments	were when tested agai	nst laboratory	results, how often part	cipants were found
170.24	to have cont	rolled substances or in	ntoxicating sub	ostances in their system	is, how often there
170.25	was commin	gling of controlled sub	ostances or into	oxicating substances with	th alcohol, the types
170.26	of controlled	l substances or intoxica	ating substance	es found in participants	systems and which

170.27 types were most common, and the number of participants in the project. In addition, the

170.28 report must assess the practicality and reliability of using the instruments in the field and

- 170.29 make recommendations on continuing the project permanently.
- 170.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

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171.1			ARTICLI	E 5	
171.2			EXPUNGEN		
171.3	Section 1. Min	nesota Statutes 20	022, section 609	9A.01, is amended to	read:
171.4	609A.01 EX	PUNGEMENT	OF CRIMINA	L RECORDS.	
171.5	This chapter	provides the grou	nds and proced	ures for expungemen	nt of criminal records
171.6	under section 13	.82; 152.18, subd	ivision 1; 299C	2.11, where a petition	is authorized under
171.7	section 609A.02	, subdivision 3; <u>e</u>	xpungement is	automatic under sect	ion 609A.05;
171.8	expungement is	considered by a p	anel under sect	ion 609A.06; or othe	r applicable law. The
171.9	remedy available	e is limited to a con	urt order sealing	, the records and proh	ibiting the disclosure
171.10	of their existence	e or their opening	except under c	ourt order or statutor	ry authority. Nothing
171.11	in this chapter a	uthorizes the destr	ruction of recor	ds or their return to t	he subject of the
171.12	records.				
171.13	EFFECTIV	E DATE. This se	ction is effectiv	e August 1, 2023.	
171.14	Sec. 2. Minnes	ota Statutes 2022	, section 609A.	03, subdivision 5, is	amended to read:
171.15	Subd. 5. Nat	ure of remedy; s	tandard. (a) Ez	ccept as otherwise pr	ovided by paragraph
171.16	(b), expungemen	nt of a criminal re	cord <u>under this</u>	section is an extraor	dinary remedy to be
171.17	granted only upo	n clear and convir	ncing evidence t	hat it would yield a be	enefit to the petitioner
171.18	commensurate w	vith the disadvant	ages to the pub	lic and public safety	of:
171.19	(1) sealing th	e record; and			
171.20	(2) burdening	g the court and pu	blic authorities	to issue, enforce, an	d monitor an
171.21	expungement or	der.			
171.22	(b) Except as	otherwise provid	led by this para	graph, if the petition	er is petitioning for
171.23	the sealing of a c	riminal record un	der section 609	A.02, subdivision 3,	paragraph (a), clause
171.24	(1) or (2) , the cou	art shall grant the	petition to seal t	he record unless the a	agency or jurisdiction
171.25	whose records w	ould be affected	establishes by c	elear and convincing	evidence that the
171.26	interests of the p	ublic and public s	safety outweigh	the disadvantages to	the petitioner of not
171.27	sealing the recor	d.			
171.28	(c) In making	g a determination	under this subc	livision, the court sha	all consider:
171.29	(1) the nature	and severity of th	ne underlying cr	ime, the record of wh	nich would be sealed;
171.30	(2) the risk, i	f any, the petition	er poses to indi	viduals or society;	
171.31	(3) the length	n of time since the	e crime occurre	d;	

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172.1 (4) the steps taken by the petitioner toward rehabilitation following the crime;

172.2 (5) aggravating or mitigating factors relating to the underlying crime, including the

172.3 petitioner's level of participation and context and circumstances of the underlying crime;

(6) the reasons for the expungement, including the petitioner's attempts to obtain
employment, housing, or other necessities;

172.6 (7) the petitioner's criminal record;

(8) the petitioner's record of employment and community involvement;

(9) the recommendations of interested law enforcement, prosecutorial, and correctionsofficials;

(10) the recommendations of victims or whether victims of the underlying crime wereminors;

(11) the amount, if any, of restitution outstanding, past efforts made by the petitioner
toward payment, and the measures in place to help ensure completion of restitution payment
after expungement of the record if granted; and

172.15 (12) other factors deemed relevant by the court.

(d) Notwithstanding section 13.82, 13.87, or any other law to the contrary, if the court
issues an expungement order it may require that the criminal record be sealed, the existence
of the record not be revealed, and the record not be opened except as required under
subdivision 7. Records must not be destroyed or returned to the subject of the record.

(e) Information relating to a criminal history record of an employee, former employee,
or tenant that has been expunged before the occurrence of the act giving rise to the civil
action may not be introduced as evidence in a civil action against a private employer or
landlord or its employees or agents that is based on the conduct of the employee, former
employee, or tenant.

EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes committed on or after that date.

Sec. 3. Minnesota Statutes 2022, section 609A.03, subdivision 9, is amended to read:
Subd. 9. Stay of order; appeal. An expungement order <u>issued under this section shall</u>
be stayed automatically for 60 days after the order is filed and, if the order is appealed,
during the appeal period. A person or an agency or jurisdiction whose records would be
affected by the order may appeal the order within 60 days of service of notice of filing of

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173.1	the order. An	n agency or jurisdiction	on or its official	s or employees need r	not file a cost bond
173.2	or supersede	as bond in order to fu	urther stay the pr	roceedings or file an a	appeal.
173.3	EFFEC	FIVE DATE. This se	ection is effective	e August 1, 2023.	
173.4	Sec. 4. [60	9A.05] AUTOMAT	IC EXPUNGEN	MENT OF CERTAI	N CANNABIS
173.5	OFFENSES	<u>ð.</u>			
173.6	Subdivisi	ion 1. Eligibility; disi	nissal, exonerat	ion, or conviction of 1	nonfelony cannabis
173.7	offenses. (a)	A person is eligible	for an order of e	expungement:	
173.8	<u>(1)</u> upon	the dismissal and dis	charge of procee	edings against a perso	on under section
173.9	<u>152.18, subc</u>	livision 1, for violatio	on of section 152	2.024, 152.025, or 152	2.027 for possession
173.10	<u>of marijuana</u>	ı or tetrahydrocannab	inols;		
173.11	(2) if the	person was convicted	l of or received a	stayed sentence for a	violation of section
173.12	<u>152.027, sub</u>	odivision 3 or 4;			
173.13	(3) if the	person was arrested	for possession of	f marijuana or tetrahy	drocannabinols and
173.14	all charges w	vere dismissed prior t	o a determinatio	on of probable cause;	or
173.15	(4) if all	pending actions or pr	oceedings invol	ving the possession o	f marijuana or
173.16	tetrahydroca	nnabinols were resol	ved in favor of t	he person.	
173.17	<u>(b) For p</u>	urposes of this sectio	<u>n:</u>		
173.18	<u>(1) a vero</u>	dict of not guilty by r	eason of mental	illness is not a resolu	tion in favor of the
173.19	person; and				
173.20	(2) an ac	tion or proceeding is	resolved in favo	or of the person if the	person received an
173.21	order under	section 590.11 detern	nining that the p	erson is eligible for c	ompensation based
173.22	on exonerati	on.			
173.23	Subd. 2.	Bureau of Criminal	Apprehension	to identify eligible in	ndividuals. (a) The
173.24	Bureau of C	riminal Apprehension	n shall identify r	ecords that qualify fo	r an order of
173.25	expungemen	nt pursuant to subdivi	sion 1.		
173.26	<u>(b)</u> The E	Bureau of Criminal A	pprehension sha	Ill notify the judicial b	oranch of:
173.27	(1) the na	ame and date of birth	of an individual	l whose record is elig	ible for an order of
173.28	expungemen	nt; and			
173.29	(2) the ca	ase number of the elig	gible record.		
173.30	<u>(c) The B</u>	Bureau of Criminal Ap	prehension shall	l grant an expungemer	nt to each qualifying
173.31	person whos	se records the bureau	possesses and sl	hall seal the bureau's i	records without

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requiring an application, petition, or motion. The bureau shall seal records related to an 174.1 expungement within 60 days after the bureau sent notice of the expungement to the judicial 174.2 174.3 branch pursuant to paragraph (b) unless an order of the judicial branch prohibits sealing the records or additional information establishes that the records are not eligible for expungement. 174.4 174.5 (d) Nonpublic criminal records maintained by the bureau and subject to a grant of expungement relief must display a notation stating "expungement relief granted pursuant 174.6 to section 609A.05." 174.7 (e) The bureau shall inform each arresting or citing law enforcement agency with records 174.8 affected by the grant of expungement relief issued pursuant to paragraph (c) that expungement 174.9 174.10 has been granted. The bureau shall notify each arresting or citing law enforcement agency of an expungement within 60 days after the bureau sent notice of the expungement to the 174.11 judicial branch. The bureau may notify each law enforcement agency using electronic means. 174.12 Upon receiving notification of an expungement, a law enforcement agency shall seal all 174.13 records related to the expungement, including the records of the person's arrest, indictment, 174.14 trial, verdict, and dismissal or discharge of the case. 174.15 (f) The Bureau of Criminal Apprehension shall make a reasonable and good faith effort 174.16 to notify any person whose record qualifies for an order of expungement or a grant of 174.17 expungement that the offense qualifies and notice is being sent to the judicial branch. Notice 174.18 sent pursuant to this paragraph shall inform the person that, following the order of 174.19 expungement, any records of an arrest, conviction, or incarceration should not appear on 174.20 any background check or study performed in Minnesota. 174.21 (g) On a schedule and in a manner established by the commissioner of human services, 174.22 the bureau shall send the commissioner of human services a list identifying the name and 174.23 case number or, if no case number is available, the citation number of each person who 174.24 received a grant of expungement. 174.25 (h) Data on a person whose offense has been expunged under this subdivision, including 174.26 any notice sent pursuant to paragraph (e), (f), or (g), are private data on individuals as defined 174.27 174.28 in section 13.02, subdivision 12. Subd. 3. Order of expungement. (a) Upon receiving notice that an offense qualifies 174.29 for expungement, or upon entering an order dismissing charges prior to a determination of 174.30 probable cause, the court shall issue an order vacating the conviction, if any, discharging 174.31 the person from any form of supervision, dismissing the proceedings against that person, 174.32 and sealing all records relating to an arrest, indictment or information, trial, verdict, or 174.33 dismissal and discharge for an offense described in subdivision 1. 174.34

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175.1	(b) Secti	on 609A.03, subdivisi	ion 6, applies to	an order issued unde	r this section sealing		
175.2	the record of proceedings under section 152.18.						
175.3	(c) The l	limitations under secti	on 609A.03, su	bdivision 7a, paragra	ph (b), do not apply		
175.4	to an order	issued under this section	on.				
175.5	(d) The c	court administrator sha	all send a copy o	of an expungement or	der issued under this		
175.6	section to ea	ach agency and jurisdie	ction whose rec	ords are affected by t	he terms of the order		
175.7	and send a l	etter to the last known	address of the	person whose offense	e has been expunged		
175.8	identifying	each agency to which	the order was s	ent.			
175.9	<u>(e) In co</u>	nsultation with the con	mmissioner of l	numan services, the c	ourt shall establish a		
175.10	schedule on	which the court shall	provide the con	nmissioner of human	services and the		
175.11	Professiona	l Educator Licensing a	and Standards E	Board a list identifyin	g the name and case		
175.12	number or i	f no case number is av	vailable, the cita	tion number of each	person who received		
175.13	an expunger	ment order issued und	er this section.				
175.14	(f) Data	on the person whose o	offense has been	n expunged contained	l in a letter or other		
175.15	notification sent under this subdivision are private data on individuals as defined in section						
175.16	<u>13.02.</u>						
175.17	EFFEC	TIVE DATE. This se	ction is effectiv	e August 1, 2023.			
175.18	Sec. 5. [60)9A.06] EXPUNGEN	IENT AND RI	ESENTENCING OI	F FELONY		
175.19	CANNABI	S OFFENSES.					
175.20	Subdivis	sion 1. Cannabis Exp	ungement Boa	r d. (a) The Cannabis	Expungement Board		
175.21	is created w	ith the powers and du	ties established	by law.			
175.22	<u>(b) The</u>	Cannabis Expungement	nt Board is com	posed of the following	ng members:		
175.23	<u>(1) the c</u>	hief justice of the sup	reme court or a	designee;			
175.24	<u>(2) the a</u>	ttorney general or a de	esignee;				
175.25	<u>(3) one p</u>	oublic defender, appoi	nted by the gov	ernor upon recomme	ndation of the state		
175.26	public defer	<u>nder;</u>					
175.27	<u>(4) the c</u>	ommissioner of one d	epartment of th	e state government as	s defined in section		
175.28	<u>15.01, appo</u>	inted by the governor;	; and				
175.29	<u>(5) one p</u>	public member with ex	xperience as an	advocate for victim's	rights, appointed by		
175.30	the governo	<u>r.</u>					
175 21	(c) The (Cannahis Exmungemen	nt Board shall h	ave the following po	wers and duties.		

175.31 (c) The Cannabis Expungement Board shall have the following powers and duties:

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176.1	(1) to ob	tain and review the rea	cords, including	g but not limited to al	l matters, files,		
176.2	documents,	and papers incident to	the arrest, indi	ctment, information,	trial, appeal, or		
176.3	dismissal and discharge, which relate to a charge for possession of a controlled substance;						
176.4	(2) to det	termine whether a pers	on committed a	n act involving the po	ssession of cannabis		
176.5	flower or car	nnabinoid products tha	at would either l	be a lesser offense or i	no longer be a crime		
176.6	after August	<u>t 1, 2023;</u>					
176.7	(3) to de	termine whether a pers	son's conviction	n should be vacated, c	charges should be		
176.8	dismissed, a	nd records should be a	expunged, or w	hether the person sho	uld be resentenced		
176.9	to a lesser of	ffense; and					
176.10	(4) to not	tify the judicial branch	of individuals el	igible for an expunger	ment or resentencing		
176.11	to a lesser of	ffense.					
176.12	<u>(d)</u> The C	Cannabis Expungemen	t Board shall co	mplete the board's wo	rk by June 30, 2028.		
176.13	<u>Subd. 2.</u>	Eligibility; possessior	n of cannabis. (a) A person is eligible	for an expungement		
176.14	or resentenc	ing to a lesser offense	if:				
176.15	(1) the pe	erson was convicted of	f, or adjudicatio	n was stayed for, a vi	olation of any of the		
176.16	following in	volving the possession	n of marijuana o	or tetrahydrocannabir	nols:		
176.17	(i) sectio	n 152.021, subdivision	n 2, clause (6);				
176.18	(ii) sectio	on 152.022, subdivisio	on 2, clause (6);				
176.19	(iii) secti	ion 152.023, subdivisi	on 2, clause (5)	; or			
176.20	(iv) secti	on 152.025, subdivision	on 2, clause (1)	<u>.</u>			
176.21	(2) the or	ffense did not involve	a dangerous we	eapon, the intentional	infliction of bodily		
176.22	harm on ano	other, an attempt to infl	lict bodily harm	on another, or an act	committed with the		
176.23	intent to cau	ise fear in another of in	mmediate bodil	y harm or death;			
176.24	(3) the ad	ct on which the charge	e was based wor	ald either be a lesser of	offense or no longer		
176.25	<u>be a crime a</u>	fter August 1, 2023; a	nd				
176.26	(4) the pe	erson did not appeal th	e sentence, any	appeal was denied, o	r the deadline to file		
176.27	an appeal ha	is expired.					
176.28	<u>(b)</u> For p	ourposes of this subdiv	ision, a "lesser o	offense" means a non	felony offense if the		
176.29	person was	charged with a felony.					

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177.1	Subd. 3. Bureau of Criminal Apprehension to identify eligible records. (a) The
177.2	Bureau of Criminal Apprehension shall identify convictions and sentences where adjudication
177.3	was stayed that qualify for review under subdivision 2, paragraph (a), clause (1).
177.4	(b) The Bureau of Criminal Apprehension shall notify the Cannabis Expungement Board
177.5	<u>of:</u>
177.6	(1) the name and date of birth of a person whose record is eligible for review; and
177.7	(2) the case number of the eligible conviction or stay of adjudication.
177.8	Subd. 4. Access to records. The Cannabis Expungement Board shall have free access
177.9	to records, including but not limited to all matters, files, documents, and papers incident to
177.10	the arrest, indictment, information, trial, appeal, or dismissal and discharge that relate to a
177.11	charge and conviction or stay of adjudication for possession of a controlled substance held
177.12	by law enforcement agencies, prosecuting authorities, and court administrators. The Cannabis
177.13	Expungement Board may issue subpoenas for and compel the production of books, records,
177.14	accounts, documents, and papers. If any person fails or refuses to produce any books, records,
177.15	accounts, documents, or papers material in the matter under consideration after having been
177.16	lawfully required by order or subpoena, any judge of the district court in any county of the
177.17	state where the order or subpoena was made returnable, on application of the commissioner
177.18	of management and budget or commissioner of administration, as the case may be, shall
177.19	compel obedience or punish disobedience as for contempt, as in the case of disobedience
177.20	of a similar order or subpoena issued by such court.
177.21	Subd. 5. Meetings; anonymous identifier. (a) The Cannabis Expungement Board shall
177.22	hold meetings at least monthly and shall hold a meeting whenever the board takes formal
177.23	action on a review of a conviction or stay of adjudication for an offense involving the
177.24	possession of marijuana or tetrahydrocannabinols. All board meetings shall be open to the
177.25	public and subject to chapter 13D.
177.26	(b) Any victim of a crime being reviewed and any law enforcement agency may submit
177.27	an oral or written statement at the meeting, giving a recommendation on whether a person's
177.28	record should be expunged or the person should be resentenced to a lesser offense. The
177.29	board must consider the victim's and the law enforcement agency's statement when making
177.30	the board's decision.
177.31	(c) Section 13D.05 governs the board's treatment of not public data, as defined by section
177.32	13.02, subdivision 8a, discussed at open meetings of the board. Notwithstanding section
177.33	13.03, subdivision 11, the board shall assign an anonymous, unique identifier to each victim
177.34	of a crime and person whose conviction or stay of adjudication the board reviews. The

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178.1	identifier shall	be used in any disc	cussion in a meet	ing open to the public	and on any records	
178.2	available to the public to protect the identity of the person whose records are being					
178.3	considered.					
178.4	<u>Subd. 6.</u> R	eview and determi	nation. (a) The C	annabis Expungement	t Board shall review	
178.5	all available re	ecords to determine	whether the con	viction or stay of adju	idication is eligible	
178.6	for an expunge	ement or resentenci	ng to a lesser off	ense. An expungemen	t under this section	
178.7	is presumed to	be in the public in	terest unless the	re is clear and convinc	cing evidence that	
178.8	an expungeme	ent or resentencing	to a lesser offens	e would create a risk	to public safety.	
178.9	(b) If the C	annabis Expungem	ent Board determ	nines that an expunger	nent is in the public	
178.10	interest, the bo	pard shall determine	e whether a perso	on's conviction should	l be vacated and	
178.11	charges should	d be dismissed.				
178.12	(c) If the C	annabis Expungem	ent Board determ	nines that an expunger	nent is in the public	
178.13	interest, the bo	ard shall determine	whether the limit	ations under section 60	09A.03, subdivision	
178.14	5a, apply.					
178.15	(d) If the C	annabis Expungem	ent Board detern	nines that an expunger	nent is in the public	
178.16	interest, the bo	ard shall determine	whether the limit	ations under section 60	09A.03, subdivision	
178.17	7a, paragraph	(b), clause (4) or (5	5), apply.			
178.18	(e) If the C	Cannabis Expunger	nent Board detern	nines that an expunge	ement is not in the	
178.19	public interest	, the board shall de	termine whether	the person is eligible	for resentencing to	
178.20	a lesser offens	<u>e.</u>				
178.21	(f) In maki	ng a determination	under this subdiv	vision, the Cannabis E	xpungement Board	
178.22	shall consider	<u>:</u>				
178.23	(1) the national equation (1) the matrix (1) the	are and severity of 1	the underlying cr	ime, including but not	t limited to the total	
178.24	amount of ma	rijuana or tetrahydr	ocannabinols po	ssessed by the person	and whether the	
178.25	offense involved a dangerous weapon, the intentional infliction of bodily harm on another,					
178.26	an attempt to	nflict bodily harm	on another, or an	act committed with t	he intent to cause	
178.27	fear in anothe	r of immediate bod	ily harm or death	<u>i;</u>		
178.28	(2) whethe	r an expungement of	or resentencing th	ne person a lesser offe	ense would increase	
178.29	the risk, if any	y, the person poses t	to other individu	als or society;		
178.30	(3) if the p	erson is under sent	ence, whether an	expungement or rese	ntencing to a lesser	
178.31	offense would	result in the releas	e of the person a	nd whether release ea	rlier than the date	
178.32	that the person	n would be released	l under the senter	nce currently being se	rved would present	
178.33	a danger to the	e public or would b	e compatible wit	h the welfare of socie	<u>ety;</u>	

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179.1	(4) aggra	avating or mitigating fa	actors relating	to the underlying crim	e, including the		
179.2	person's level of participation and the context and circumstances of the underlying crime;						
179.3	<u>(5)</u> state	ments from victims and	d law enforcen	nent, if any;			
179.4	<u>(6) if an</u>	expungement or resen	tencing the per	rson to a lesser offense	is considered,		
179.5	whether the	re is good cause to resto	ore the person's	right to possess firearn	ns and ammunition;		
179.6	<u>(7) if an</u>	expungement is consid	lered, whether	an expunged record of a	a conviction or stay		
179.7	of adjudicat	ion may be opened for	purposes of a	background study unde	er section 245C.08;		
179.8	<u>(8) if an</u>	expungement is consid	lered, whether	an expunged record of	a conviction or stay		
179.9	of adjudicat	tion may be opened for	purposes of a	background check req	uired under section		
179.10	<u>122A.18, su</u>	ubdivision 8; and					
179.11	<u>(9) other</u>	r factors deemed releva	ant by the Can	nabis Expungement Bo	oard.		
179.12	(g) The	affirmative vote of three	ee members is	required for action take	en at any meeting.		
179.13	<u>Subd. 7.</u>	Notice to judicial bra	anch and offer	nders. (a) The Cannab	is Expungement		
179.14	Board shall identify any conviction or stay of adjudication that qualifies for an order of						
179.15	expungement or resentencing to a lesser offense and notify the judicial branch of:						
179.16	(1) the n	name and date of birth of	of a person wh	ose conviction or stay	of adjudication is		
179.17	eligible for	an order of expungeme	ent or resenten	cing to a lesser offense			
179.18	<u>(2) the c</u>	ase number of the elig	ible conviction	or stay of adjudication	<u>n;</u>		
179.19	(3) whet	ther the person is eligib	ole for an expu	ngement;			
179.20	(4) if the	e person is eligible for a	an expungemen	nt, whether the person's	s conviction should		
179.21	be vacated a	and charges should be	dismissed;				
179.22	(5) if the	e person is eligible for	an expungeme	nt, whether there is go	od cause to restore		
179.23	the offender	r's right to possess firea	arms and amm	unition;			
179.24	(6) if the	e person is eligible for	an expungeme	nt, whether the limitati	ions under section		
179.25	<u>609A.03, st</u>	ubdivision 7a, clause (4	4) or (5), apply	; and			
179.26	(7) if the	e person is eligible for 1	resentencing to	a lesser offense, the le	esser sentence to be		
179.27	imposed.						
179.28	<u>(b)</u> The	Cannabis Expungemen	nt Board shall r	nake a reasonable and	good faith effort to		
179.29	notify any p	person whose convictio	on or stay of ad	judication qualifies for	an order of		
179.30	expungeme	nt that the offense quali	ifies and notice	is being sent to the jud	icial branch. Notice		
179.31	sent pursual	nt to this paragraph sha	all inform the p	erson that, following t	he order of		

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180.1	expungement,	any records of an a	rrest, conviction	, or incarceration sho	uld not appear on		
180.2	any background check or study.						
180.3	Subd. 8. D	ata classification.	All data collecte	d, created, received, r	naintained, or		
180.4				d in which each victi	· · · · · · · · · · · · · · · · · · ·		
180.5		•		nat the Cannabis Exp			
180.6	-			e data is classified as			
180.7	individuals, as	defined by section	13.02, subdivisi	on 12.			
180.8	<u>Subd. 9.</u>	rder of expungeme	e nt. (a) Upon re	ceiving notice that an	offense qualifies		
180.9	for expungeme	ent, the court shall i	ssue an order se	aling all records relat	ing to an arrest,		
180.10	indictment or i	nformation, trial, ve	erdict, or dismiss	al and discharge for a	n offense described		
180.11	in subdivision	1. If the Cannabis Ex	kpungement Boa	rd determined that the	person's conviction		
180.12	should be vaca	ited and charges sho	ould be dismisse	d, the order shall vaca	ate and dismiss the		
180.13	charges.						
180.14	(b) If the C	annabis Expungem	ent Board deter	nined that there is go	od cause to restore		
180.15	the person's rig	tt opossess firearr	ns and ammuniti	on, the court shall issu	ie an order pursuant		
180.16	to section 609.165, subdivision 1d.						
180.17	<u>(c)</u> If the C	annabis Expungem	ent Board deterr	nined that an expunge	ed record of a		
180.18	conviction or s	stay of adjudication	may not be ope	ned for purposes of a	background study		
180.19	under section 2	245C.08, the court	shall direct the o	rder specifically to th	e commissioner of		
180.20	human service	<u>S.</u>					
180.21	(d) If the C	annabis Expungem	ent Board deter	nined that an expunge	ed record of a		
180.22	conviction or s	stay of adjudication	may not be ope	ned for purposes of a	background check		
180.23	required under	section 122A.18, s	ubdivision 8, th	e court shall direct the	e order specifically		
180.24	to the Professional Educator Licensing and Standards Board.						
180.25	(e) The cou	urt administrator sha	all send a copy of	f an expungement ord	er issued under this		
180.26	section to each	agency and jurisdie	ction whose reco	ords are affected by the	e terms of the order		
180.27	and send a lette	er to the last known	address of the p	erson whose offense	has been expunged		
180.28	identifying eac	ch agency to which	the order was se	nt.			
180.29	(f) Data on	the person whose of	offense has been	expunged in a letter	sent under this		
180.30	subdivision are	e private data on ind	dividuals as defi	ned in section 13.02.			
180.31	<u>Subd. 10.</u>	Resentencing. (a) It	f the Cannabis E	xpungement Board d	etermined that a		
180.32	person is eligib	ole for resentencing	to a lesser offer	nse and the person is o	currently under		
180.33	sentence, the co	ourt shall proceed as	if the appellate c	ourt directed a reducti	on of the conviction		

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181.1	to an offense o	of lesser degree purs	uant to rule 28.0	2, subdivision 12 of th	he Rules of Criminal
181.2	Procedure.			,	
181.3	(b) If the C	Cannabis Expunger	nent Board deter	mined that a person i	s eligible for
181.4	<u> </u>			ompleted or has been	
181.5	U		•	ne conviction to an off	
181.6	without holdin				
181.7	(c) If the C	Cannabis Expungem	ent Board deter	mined that there is go	ood cause to restore
181.8	<u> </u>			ition, the court shall,	
181.9		ant to section 609.			
	EFFECTI	VEDATE This ac	action is offective		
181.10	EFFECI	VE DATE. This se	ction is effectiv	e August 1, 2025.	
181.11			ARTICLE	E 6	
181.12		MISCI	ELLANEOUS I	PROVISIONS	
181.13	Section 1 [3	8 9 2241 MEDICA I	CANNARIS	COMPACTS TO BI	F NFGOTIATED
	-	•	·		
181.14			a) As used in this	s section, the followin	ng terms have the
181.15	meanings give	<u>en.</u>			
181.16	<u>(b) "Indian</u>	n Tribe" means a Tr	ibe, band, nation	n, or other federally re	ecognized group or
181.17	community of	Indians located wit	hin the geograph	nical boundaries of the	e state of Minnesota.
181.18	<u>(c)</u> "Medic	al cannabinoid proc	luct" has the mea	aning given in section	342.01, subdivision
181.19	<u>47.</u>				
181.20	(d) "Medic	al cannabis flower'	has the meanin	g given in section 342	2.01, subdivision 49.
181.21	Subd. 2. N	egotiations author	·ized. Following	g a public hearing, the	e governor or the
181.22				zed to negotiate in go	
181.23	-			flower and medical ca	
181.24	The attorney g	general is the legal of	counsel for the g	overnor or the govern	nor's representatives
181.25	in regard to ne	egotiating a compac	t under this sect	ion. If the governor a	ppoints designees to
181.26	negotiate unde	er this subdivision,	the designees m	ust include at least tw	vo members of the
181.27	senate and two	o members of the h	ouse of represen	tatives, two of whom	must be the chairs
181.28	of the senate a	nd house of represe	ntatives standing	g committees with jur	isdiction over health
181.29	policy.				
181.30	Subd. 3. T	erms of compact;	rights of partie	s. (a) A compact agre	ed to under this
181.31	section may ac	ldress any issues re	lated to medical	cannabis flower and 1	
181.32	products that a	affect the interests of	of both the state	and Indian Tribe or o	otherwise have an

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182.1	impact on Tribal-state relations.	At a minimum, a	a compact agreed to	on behalf of the state
182.2 182.3	<u>under this section must address:</u> (1) the enforcement of crimin	nal and civil law		
	(2) the regulation of the com		_	or distribution and
182.4 182.5	possession of medical cannabis	•		
182.6	(3) medical and pharmaceutic	al research invol	ving medical cannab	is flower and medical
182.7	cannabinoid products;			
182.8	(4) the taxation of medical car	nnabis flower and	l medical cannabinoi	d products, including
182.9	establishing an appropriate amor	ant and method o	of revenue sharing;	
182.10	(5) the immunities of an India	n Tribe or preem	otion of state law rega	rding the production,
182.11 182.12	processing, or sale or distributio products; and	n of medical can	nabis flower and me	dical cannabinoid
182.12	(6) the method of resolution	for disputes invo	lying the compact it	cluding the use of
182.13	mediation or other alternative di			
182.15	(b) In addressing the issues id	entified under pa	ragraph (a), the gover	rnor or the governor's
182.16	designated representatives shall	only enter into a	greements that:	
182.17	(1) provide for the preservati	on of public hea	th and safety;	
182.18	(2) ensure the security of pro-	duction, processi	ng, retail, and resear	ch facilities on Tribal
182.19	land; and			
182.20	(3) establish provisions regul			
182.21	medical cannabinoid products the	•		
182.22 182.23	Subd. 4. Assessments and compact agreed to under this sec			
182.23	charges related to the production			
182.25	cannabis flower and medical car	nabinoid produc	ets.	
182.26	Subd. 5. Civil and criminal	immunities. The	e following acts, whe	en performed by a
182.27	validly licensed medical cannab	is retailer or an e	mployee of a medica	l cannabis retailer
182.28	operated by an Indian Tribe purs	suant to a compa	ct entered into under	this section, do not
182.29	constitute a criminal or civil offe	ense under state l	aw:	
182.30	(1) the cultivation of cannabi	s flower, as defin	ned in section 342.01	, subdivision 16;

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183.1	(2) the posse	ssion, purchase, an	d receipt of r	nedical cannabis flowe	er and medical
183.2	<u></u>		-	and labeled as authoriz	
183.3	entered into pur	suant to this section	n; and		
183.4	(3) the delive	ry, distribution, and	sale of medic	al cannabis flower and 1	medical cannabinoid
183.5	products as auth	orized under a corr	pact entered	into pursuant to this se	ection and that takes
183.6	place on the pre	mises of a medical	cannabis reta	iler on Tribal land to a	ny person 21 years
183.7	of age or older.				
183.8	<u>Subd. 6.</u> Pul	olication; report. (a) The gover	nor shall post any com	pact entered into
183.9	under this section	on on a publicly acc	essible webs	ite.	
183.10	(b) The gove	ernor, the attorney g	general, and t	he governor's designate	ed representatives
183.11	<u></u>			jurisdiction over healt	
183.12	commerce annu	ally. This report sha	all contain in	formation on compacts	negotiated and an
183.13	outline of prosp	ective negotiations.	<u>.</u>		
183.14	Sec. 2. [3.922	8] ADULT-USE C	ANNABIS;	COMPACTS TO BE	NEGOTIATED.
183.15	Subdivision	1. Definitions. (a)	As used in th	is section, the followin	ig terms have the
183.16	meanings given	<u>.</u>			
183.17	<u>(b) "Indian 7</u>	Tribe" means a Trib	e, band, natic	on, or other federally re	ecognized group or
183.18	community of Ir	ndians located withi	n the geograp	bhical boundaries of the	e state of Minnesota.
183.19	(c) "Adult-us	e cannabinoid prod	uct" has the m	leaning given in section	342.01, subdivision
183.20	<u>2.</u>				
183.21	(d) "Adult-u	se cannabis flower'	' has the mea	ning given in section 3	42.01, subdivision
183.22	4.				
183.23	Subd. 2. Neg	otiations authoriz	zed. Followin	g a public hearing, the	governor or the
183.24				ized to negotiate in go	
183.25				flower and adult-use ca	
183.26				governor or the govern	
183.27	in regard to neg	otiating a compact i	under this sec	tion. If the governor ap	opoints designees to
183.28	negotiate under	this subdivision, th	e designees r	nust include at least tw	o members of the
183.29	senate and two	nembers of the hou	ise of represe	ntatives, two of whom	must be the chairs
183.30	of the senate and	l house of represent	atives standir	ng committees with juri	sdiction over health
183.31	policy.				

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184.1	Subd. 3.	Terms of compact;	rights of partie	s. (a) A compact agreed	to under this
184.2	section may	address any issues rela	ited to adult-use	cannabis flower and adu	lt-use cannabinoid
184.3	products that	at affect the interests c	of both the state	and Indian Tribe or oth	erwise have an
184.4	impact on T	ribal-state relations. A	At a minimum, a	a compact agreed to on	behalf of the state
184.5	under this se	ection must address:			
184.6	<u>(1) the e</u>	nforcement of crimina	al and civil laws	<u>s;</u>	
184.7	(2) the re	gulation of the comm	nercial producti	on, processing, sale or d	listribution, and
184.8	possession of	of adult-use cannabis	flower and adul	t-use cannabinoid produ	<u>icts;</u>
184.9	<u>(3) medi</u>	cal and pharmaceutic	al research invo	lving adult-use cannabi	s flower and
184.10	adult-use ca	nnabinoid products;			
184.11	(4) the ta	exation of adult-use ca	annabis flower	and adult-use cannabing	oid products,
184.12	including es	tablishing an appropr	iate amount and	l method of revenue sha	ring;
184.13	(5) the in	nmunities of an Indian	Tribe or preem	otion of state law regardi	ng the production,
184.14	processing,	or sale or distribution	of adult-use ca	nnabis flower and adult	-use cannabinoid
184.15	products; an	<u>d</u>			
184.16	<u>(6) the m</u>	nethod of resolution for	or disputes invo	lving the compact, inclu	uding the use of
184.17	mediation of	r other alternative dis	pute resolution	processes and procedure	<u>es.</u>
184.18	<u>(b) In ad</u>	dressing the issues ide	ntified under pa	ragraph (a), the governo	r or the governor's
184.19	designee sha	all only enter into agre	eements that:		
184.20	<u>(1) provi</u>	ide for the preservatio	n of public hea	Ith and safety;	
184.21	<u>(2)</u> ensur	e the security of prod	uction, processi	ng, retail, and research	facilities on Tribal
184.22	land; and				
184.23	<u>(3)</u> estab	lish provisions regula	ting business in	volving adult-use canna	abis flower and
184.24	adult-use ca	nnabinoid products th	nat pass between	n Tribal land and non-Tr	ribal land in the
184.25	state.				
184.26	<u>Subd. 4.</u>	Assessments and ch	arges. Notwith	standing any law to the	contrary, any
184.27	compact agr	eed to under this sect	ion shall establ	sh all taxes, fees, assess	sments, and other
184.28	charges relat	ted to the production, p	processing, sale	or distribution, and posse	ession of adult-use
184.29	cannabis flo	wer and adult-use car	nabinoid produ	icts.	
184.30	<u>Subd. 5.</u>	Civil and criminal in	mmunities. <u>Th</u>	e following acts, when p	performed by a
184.31	validly licen	sed cannabis retailer c	or an employee of	of a cannabis retailer ope	rated by an Indian

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185.1	Tribe pursuant	to a compact enter	ed into under th	iis section, do not con	stitute a criminal or
185.2	civil offense u	nder state law:			
185.3	(1) the cult	ivation of cannabis	flower, as defin	ned in section 342.01,	subdivision 16;
185.4	(2) the pos	session, purchase, a	and receipt of a	lult-use cannabis flow	er and adult-use
185.5	cannabinoid pr	oducts that are prop	perly packaged	and labeled as authoriz	ed under a compact
185.6	entered into pu	ursuant to this section	on; and		
185.7	(3) the deli	very, distribution, a	and sale of adul	use cannabis flower	and adult-use
185.8	cannabinoid p	coducts as authorized	ed under a com	pact entered into pursu	ant to this section
185.9	and that takes	place on the premis	ses of a medical	cannabis retailer on T	ribal land to any
185.10	person 21 year	rs of age or older.			
185.11	<u>Subd. 6.</u> P	ublication; report.	(a) The govern	or shall post any com	pact entered into
185.12	under this sect	ion on a publicly a	ccessible websi	te.	
185.13	(b) The go	vernor, the attorney	general, and th	e governor's designee	shall report to the
185.14	legislative con	mittees having jur	isdiction over h	ealth, taxation, and co	mmerce annually.
185.15	This report sha	ull contain informat	ion on compact	s negotiated and an ou	tline of prospective
185.16	negotiations.				
185.17 185.18	Sec. 3. Minn read:	esota Statutes 2022	2, section 13.41	l, is amended by addir	ng a subdivision to
185.19	Subd. 12.	Cannabis business	es. Data submit	ted to the Office of Car	nabis Management
185.20	for a cannabis l	ousiness license and	data relating to	investigations and disci	plinary proceedings
185.21	involving cann	abis businesses lice	nsed by the Off	ce of Cannabis Manag	ement are classified
185.22	under section ?	342.18, subdivision	<u>ı 6.</u>		
185.23	Sec. 4. Minn	esota Statutes 2022	2, section 13.87	l, is amended by addin	ng a subdivision to
185.24	read:				
185.25	Subd. 15.	Cannabis Expunge	ement Board ro	ecords. Data collected	, created, received,
185.26	maintained, or	disseminated by th	ne Cannabis Exp	oungement Board are	classified under
185.27	section 609A.0	06, subdivision 8.			
185.28	Sec. 5. Minn	esota Statutes 2022	2, section 16B.2	975, subdivision 8, is	amended to read:

185.29 Subd. 8. **Canine management.** (a) The commissioner may give and convey to a canine's 185.30 handler the state's entirety of the right, title, interest, and estate in and to a canine who is 185.31 retired from service, with whom the handler trained and worked while the canine was in

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service to the state. The handler is solely responsible for all future expenses related to the
retired canine. The commissioner must allow the handler an opportunity to accept the canine
before any other placement options are considered.

(b) If the canine's handler does not accept the canine, the commissioner must ensure that the canine is placed in a home where the canine will be safe and well-cared for.

186.6 Sec. 6. Minnesota Statutes 2022, section 34A.01, subdivision 4, is amended to read:

Subd. 4. **Food.** "Food" means every ingredient used for, entering into the consumption of, or used or intended for use in the preparation of food, drink, confectionery, or condiment for humans or other animals, whether simple, mixed, or compound; and articles used as components of these ingredients, except that edible cannabinoid products, as defined in section 151.72, subdivision 1, paragraph (c) 342.01, subdivision 29, are not food.

186.12 **EFFECTIVE DATE.** This section is effective July 1, 2024.

186.13 Sec. 7. [120B.215] EDUCATION ON CANNABIS USE AND SUBSTANCE USE.

186.14 Subdivision 1. Model program. The commissioner of education, in consultation with

186.15 the commissioners of health and human services, local district and school health education

186.16 specialists, and other qualified experts, shall identify one or more model programs that may

186.17 be used to educate middle school and high school students on the health effects on children

186.18 and adolescents of cannabis use and substance use consistent with local standards as required

186.19 in section 120B.021, subdivision 1, paragraph (a), clause (6), for elementary and secondary

186.20 school students. The commissioner must publish a list of model programs that include

186.21 written materials, curriculum resources, and training for instructors by June 1, 2025. A

186.22 model program identified by the commissioner must be medically accurate, age and

186.23 developmentally appropriate, culturally inclusive, and grounded in science, and must address:

186.24 (1) the physical and mental health effects of cannabis use and substance use by children,

adolescents, and persons under 25 years of age, including effects on the developing brains

- 186.26 of children, adolescents, and persons under 25 years of age;
- 186.27 (2) unsafe or unhealthy behaviors associated with cannabis use and substance use;
- 186.28 (3) signs of substance use disorders;
- 186.29 (4) treatment options; and
- 186.30 (5) healthy coping strategies for children and adolescents.

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Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district 187.1 or charter school must implement a comprehensive education program on cannabis use and 187.2 187.3 substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: 187.4 187.5 (1) respect community values and encourage students to communicate with parents, 187.6 guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate 187.7 information about cannabis use and substance use, and treatment for a substance use disorder. 187.8 (b) District efforts to develop, implement, or improve instruction or curriculum as a 187.9 result of the provisions of this section must be consistent with sections 120B.10 and 120B.11. 187.10 Subd. 3. Parental review. Notwithstanding any law to the contrary, each school district 187.11 shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older 187.12 to review the content of the instructional materials to be provided to a minor child or to an 187.13 adult student pursuant to this section. The district or charter school must allow a parent or 187.14 adult student to opt out of instruction under this section with no academic or other penalty 187.15 for the student and must inform parents and adult students of this right to opt out. 187.16 Subd. 4. Youth council. A school district or charter school may establish one or more 187.17 youth councils in which student members of the council receive education and training on 187.18 cannabis use and substance use and provide peer-to-peer education on these topics. 187.19 Sec. 8. [144.196] CANNABIS DATA COLLECTION AND BIENNIAL REPORTS. 187.20 Subdivision 1. General. The commissioner of health shall engage in research and data 187.21 collection activities to measure the prevalence of cannabis flower use and the use of 187.22

187.23 cannabinoid products in the state by persons under 21 years of age and by persons 21 years

187.24 of age or older, and the trends in hospital-treated cannabis poisoning and adverse events.

187.25 In order to collect data, the commissioner may modify existing data collection tools used

187.26 by the department or other state agencies or may establish one or more new data collection187.27 tools.

187.28 Subd. 2. Statewide assessment; baseline data; updates. (a) The commissioner shall

187.29 conduct a statewide assessment to establish a baseline for the prevalence of cannabis flower

187.30 use and the use of cannabinoid products in the state, and the trends in hospital-treated

187.31 cannabis poisoning and adverse events broken out by:

187.32 (1) the current age of the customer;

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188.1	(2) the age	e at which the custor	ner began consu	ming cannabis flowe	r or cannabinoid
188.2	products;		0		
100.2	·				
188.3	(3) whethe	er the customer cons	sumes cannabis f	lower or cannabinoic	l products, and by
188.4	type of cannal	pinoid product that	the customer cor	sumes, if applicable;	
188.5	(4) the am	ount of cannabis flo	ower or cannabin	oid product typically	consumed at one
188.6	time;				
188.7	(5) the typ	ical frequency of co	onsumption; and		
188.8	<u>(6) other c</u>	riteria specified by	the commissione	er.	
188.9	<u>(b)</u> The ini	itial assessment mus	st be completed b	by July 1, 2024. The	commissioner shall
188.10	collect update	d data under this su	bdivision at leas	t every two years the	reafter.
188.11	<u>Subd. 3.</u> R	eports. Beginning .	January 1, 2025,	and every two years	thereafter, the
188.12	commissioner	shall issue a public	report on the pr	evalence of cannabis	flower use and the
188.13	use of cannab	inoid products in the	e state by person	s under age 21 and b	y persons age 21 or
188.14	older, and the	trends in hospital-tr	reated cannabis p	ooisoning and adverse	e events. The report
188.15	may include re	ecommendations fro	m the commissio	oner for changes to thi	s chapter that would
188.16	discourage or	prevent personal us	e of cannabis flo	wer or cannabinoid	products by persons
188.17	under age 21, 1	that would discourag	ge personal use of	f cannabis flower or ca	annabinoid products
188.18	by pregnant of	r breastfeeding indi	viduals, that wou	ald prevent access to	cannabis flower or
188.19	cannabinoid p	products by young c	hildren, or that w	ould otherwise prom	note public health.

188.20 Sec. 9. [144.197] CANNABIS EDUCATION PROGRAMS.

188.21Subdivision 1. Youth education. The commissioner of health, in collaboration with188.22local health departments, shall conduct a long-term, coordinated education program to raise188.23public awareness about and address the top three adverse health effects, as determined by188.24the commissioner, associated with the use of cannabis flower or cannabinoid products by188.25persons under age 25. In conducting this education program, the commissioner shall engage188.26and consult with youth around the state on program content and on methods to effectively188.27disseminate program information to youth around the state.

188.28Subd. 2. Education for pregnant and breastfeeding individuals; individuals who188.29may become pregnant. The commissioner of health, in consultation with the commissioners188.30of human services and education, shall conduct a long-term, coordinated program to educate188.31pregnant individuals, breastfeeding individuals, and individuals who may become pregnant188.32on the adverse health effects of prenatal exposure to cannabis flower or cannabinoid products188.33and on the adverse health effects experienced by infants and children who are exposed to

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189.1 cannabis flower or cannabinoid products in breast milk, from secondhand smoke, or by
 189.2 ingesting cannabinoid products. This education program must also educate individuals on
 189.3 what constitutes a substance use disorder, signs of a substance use disorder, and treatment
 189.4 options for persons with a substance use disorder.

Subd. 3. Home visiting programs. The commissioner of health shall provide training,
 technical assistance, and education materials to local public health home visiting programs,

189.7 Tribal home visiting programs, and child welfare workers regarding the safe and unsafe use

189.8 <u>of cannabis flower or cannabinoid products in homes with infants and young children.</u>

189.9 Training, technical assistance, and education materials shall address substance use, the signs

189.10 of a substance use disorder, treatment options for persons with a substance use disorder,

189.11 the dangers of driving under the influence of cannabis flower or cannabinoid products, how

189.12 to safely consume cannabis flower or cannabinoid products in homes with infants and young

189.13 children, and how to prevent infants and young children from being exposed to cannabis

189.14 flower or cannabinoid products by ingesting cannabinoid products or through secondhand
189.15 smoke.

189.16 Subd. 4. Local and Tribal health departments. The commissioner of health shall

189.17 distribute grants to local health departments and Tribal health departments for these

189.18 departments to create and disseminate educational materials on cannabis flower and

189.19 cannabinoid products and to provide safe use and prevention training, education, technical

189.20 assistance, and community engagement regarding cannabis flower and cannabinoid products.

189.21 Sec. 10. Minnesota Statutes 2022, section 152.22, is amended by adding a subdivision to189.22 read:

189.23Subd. 5d. Indian lands. (a) "Indian lands" means all lands within the limits of any Indian189.24reservation within the boundaries of Minnesota and any lands within the boundaries of

189.25 Minnesota title to which are either held in trust by the United States or over which an Indian

189.26 Tribe exercises governmental power.

189.27 (b) This subdivision expires January 1, 2024.

- 189.28 Sec. 11. Minnesota Statutes 2022, section 152.22, is amended by adding a subdivision to189.29 read:
- 189.30 Subd. 15. Tribal medical cannabis board. (a) "Tribal medical cannabis board" means

189.31 an agency established by each federally recognized Tribal government and duly authorized

189.32 by that Tribe's governing body to perform regulatory oversight and monitor compliance

189.33 with a Tribal medical cannabis program and applicable regulations.

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190.1	<u>(b) This</u>	subdivision expires Ja	anuary 1, 2024.		
190.2	Sec. 12. M	linnesota Statutes 202	2, section 152.2	2, is amended by add	ing a subdivision to
190.3	read:				
190.4	Subd. 16	5. <u>Tribal medical can</u>	nabis program.	(a) "Tribal medical	cannabis program"
190.5	means a pro	gram established by a	federally recog	nized Tribal governn	nent within the
190.6	boundaries	of Minnesota regardin	g the commercia	al production, proces	sing, sale or
190.7	distribution,	and possession of me	edical cannabis a	and medical cannabis	products.
190.8	<u>(b)</u> This	subdivision expires Ja	anuary 1, 2024.		
190.9	Sec. 13. M	linnesota Statutes 202	2, section 152.2	2, is amended by add	ing a subdivision to
190.10	read:				
190.11	<u>Subd. 17</u>	. <u>Tribal medical cann</u>	abis program m	nanufacturer. <u>(</u> a)"Tri	bal medical cannabis
190.12	program ma	nufacturer" means an	entity designate	d by a Tribal medica	l cannabis board
190.13	within the b	oundaries of Minneso	ta or a federally	recognized Tribal go	vernment within the
190.14	boundaries of	of Minnesota to engag	ge in production,	processing, and sale	or distribution of
190.15	medical can	nabis and medical can	nabis products u	under that Tribe's Trib	al medical cannabis
190.16	program.				
190.17	<u>(b) This</u>	subdivision expires Ja	anuary 1, 2024.		
190.18	Sec. 14. M	linnesota Statutes 202	2, section 152.2	2, is amended by add	ling a subdivision to
190.19	read:				
190.20	<u>Subd. 18</u>	<u>8. Tribal medical can</u>	nabis program	patient. (a) "Tribal 1	medical cannabis
190.21	program pat	ient" means a person	who possesses a	valid registration ve	rification card or
190.22	equivalent d	locument that is issued	d under the laws	or regulations of a T	ribal nation within
190.23	the boundar	ies of Minnesota and t	that verifies that	the person is enrolle	d in or authorized to
190.24	participate i	n that Tribal nation's	Tribal medical ca	annabis program.	
190.25	(b) This	subdivision expires Ja	anuary 1, 2024.		
190.26	Sec. 15. M	linnesota Statutes 202	2, section 152.2	9, subdivision 4, is a	mended to read:
190.27	Subd. 4.	Report. (a) Each man	nufacturer shall	report to the commis	sioner on a monthly
190.28	basis the fol	lowing information or	n each individua	l patient for the mont	h prior to the report:
190.29	(1) the at	mount and dosages of	medical cannab	vis distributed;	
190.30	(2) the c	hemical composition	of the medical ca	annabis; and	

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191.1	(3) the tracking number a	ssigned to any medica	al cannabis distribu	ted.
191.2	(b) For transactions invol	ving Tribal medical c	annabis program pa	ntients, each
191.3	manufacturer shall report to t	he commissioner on a	weekly basis the fo	ollowing information
191.4	on each individual Tribal mee	dical cannabis program	n patient for the we	ek prior to the report:
191.5	(1) the name of the Tribal	medical cannabis prog	ram in which the Tr	ibal medical cannabis
191.6	program patient is enrolled;			
191.7	(2) the amount and dosag	es of medical cannabi	s distributed;	
191.8	(3) the chemical composi	tion of the medical ca	nnabis distributed;	and
191.9	(4) the tracking number a	ssigned to the medica	l cannabis distribut	ed.
191.10	Sec. 16. Minnesota Statutes	~ 2022 section 152.20	is amended by ad	ding a subdivision to
191.10	read:	5 2022, Section 152.25	, is amended by ad	
191.12	Subd. 5. Distribution to	Fribal madical cannal	nis program pation	t (a) A manufacturer
191.12	may distribute medical canna			
191.14	cannabis program patient.			
191.15	(b) Prior to distribution, t	he Tribal medical can	nabis program patie	ent must provide to
191.16	the manufacturer:			
191.17	(1) a valid medical cannal	ois registration verifica	ation card or equiva	lent document issued
191.18	by a Tribal medical cannabis	program that indicates	that the Tribal medi	cal cannabis program
191.19	patient is authorized to use m	nedical cannabis on In	dian lands over wh	ich the Tribe has
191.20	jurisdiction; and			
191.21	(2) a valid photographic i	dentification card issu	ed by the Tribal m	edical cannabis
191.22	program, a valid driver's lice	nse, or a valid state id	entification card.	
191.23	(c) A manufacturer shall d	istribute medical canna	abis to a Tribal medi	cal cannabis program
191.24	patient only in a form allowe	d under section 152.2	2, subdivision 6.	
191.25	(d) This subdivision expire	res January 1, 2024.		
191.26	Sec. 17. [152.291] TRIBAI	MEDICAL CANNA	ABIS PROGRAM	MANUFACTURER
191.27	TRANSPORTATION.			
191.28	(a) A Tribal medical canr	nabis program manufa	cturer may transpo	rt medical cannabis

191.28 (a) A Tribal medical cannabis program manufacturer may transport medical cannabis
191.29 to testing laboratories in the state and to other Indian lands.

192.1 (b) A Tribal medical cannabis program manufacturer must staff a motor vehicle used to

192.2 transport medical cannabis with at least two employees of the manufacturer. Each employee

192.3 in the transport vehicle must carry identification specifying that the employee is an employee

192.4 of the manufacturer, and one employee in the transport vehicle must carry a detailed

192.5 transportation manifest that includes the place and time of departure, the address of the

192.6 destination, and a description and count of the medical cannabis being transported.

- 192.7 (c) This section expires January 1, 2024.
- 192.8 Sec. 18. Minnesota Statutes 2022, section 152.30, is amended to read:

192.9 **152.30 PATIENT DUTIES.**

(a) A patient shall apply to the commissioner for enrollment in the registry program by
submitting an application as required in section 152.27 and an annual registration fee as
determined under section 152.35.

192.13 (b) As a condition of continued enrollment, patients shall agree to:

(1) continue to receive regularly scheduled treatment for their qualifying medicalcondition from their health care practitioner; and

192.16 (2) report changes in their qualifying medical condition to their health care practitioner.

192.17 (c) A patient shall only receive medical cannabis from a registered manufacturer <u>or</u>

192.18 <u>Tribal medical cannabis program</u> but is not required to receive medical cannabis products

192.19 from only a registered manufacturer or Tribal medical cannabis program.

192.20 Sec. 19. Minnesota Statutes 2022, section 152.32, is amended to read:

192.21 152.32 PROTECTIONS FOR REGISTRY PROGRAM OR TRIBAL MEDICAL 192.22 CANNABIS PROGRAM PARTICIPATION.

Subdivision 1. Presumption. (a) There is a presumption that a patient enrolled in the
registry program under sections 152.22 to 152.37 or a Tribal medical cannabis program
patient is engaged in the authorized use of medical cannabis.

192.26 (b) The presumption may be rebutted by evidence that:

192.27 (1) a patient's conduct related to use of medical cannabis was not for the purpose of

192.28 treating or alleviating the patient's qualifying medical condition or symptoms associated

192.29 with the patient's qualifying medical condition-; or

192.30 (2) a Tribal medical cannabis program patient's use of medical cannabis was not for a
 192.31 purpose authorized by the Tribal medical cannabis program.

193.1 Subd. 2. Criminal and civil protections. (a) Subject to section 152.23, the following
193.2 are not violations under this chapter:

BD

(1) use or possession of medical cannabis or medical cannabis products by a patient
enrolled in the registry program, or; possession by a registered designated caregiver or the
parent, legal guardian, or spouse of a patient if the parent, legal guardian, or spouse is listed
on the registry verification; or use or possession of medical cannabis or medical cannabis
products by a Tribal medical cannabis program patient;

(2) possession, dosage determination, or sale of medical cannabis or medical cannabis
products by a medical cannabis manufacturer, employees of a manufacturer, <u>a Tribal medical</u>
<u>cannabis program manufacturer, employees of a Tribal medical cannabis program</u>

193.11 <u>manufacturer</u>, a laboratory conducting testing on medical cannabis, or employees of the
193.12 laboratory; and

(3) possession of medical cannabis or medical cannabis products by any person whilecarrying out the duties required under sections 152.22 to 152.37.

(b) Medical cannabis obtained and distributed pursuant to sections 152.22 to 152.37 and
associated property is not subject to forfeiture under sections 609.531 to 609.5316.

(c) The commissioner, members of a Tribal medical cannabis board, the commissioner's 193.17 or Tribal medical cannabis board's staff, the commissioner's or Tribal medical cannabis 193.18 board's agents or contractors, and any health care practitioner are not subject to any civil or 193.19 disciplinary penalties by the Board of Medical Practice, the Board of Nursing, or by any 193.20 business, occupational, or professional licensing board or entity, solely for the participation 193.21 in the registry program under sections 152.22 to 152.37 or in a Tribal medical cannabis 193.22 program. A pharmacist licensed under chapter 151 is not subject to any civil or disciplinary 193.23 penalties by the Board of Pharmacy when acting in accordance with the provisions of 193.24 sections 152.22 to 152.37. Nothing in this section affects a professional licensing board 193.25 from taking action in response to violations of any other section of law. 193.26

(d) Notwithstanding any law to the contrary, the commissioner, the governor of
Minnesota, or an employee of any state agency may not be held civilly or criminally liable
for any injury, loss of property, personal injury, or death caused by any act or omission
while acting within the scope of office or employment under sections 152.22 to 152.37.

(e) Federal, state, and local law enforcement authorities are prohibited from accessing
the patient registry under sections 152.22 to 152.37 except when acting pursuant to a valid
search warrant.

(f) Notwithstanding any law to the contrary, neither the commissioner nor a public
employee may release data or information about an individual contained in any report,
document, or registry created under sections 152.22 to 152.37 or any information obtained
about a patient participating in the program, except as provided in sections 152.22 to 152.37.

(g) No information contained in a report, document, or registry or obtained from a patient
under sections 152.22 to 152.37 or from a Tribal medical cannabis program patient may be
admitted as evidence in a criminal proceeding unless independently obtained or in connection
with a proceeding involving a violation of sections 152.22 to 152.37.

(h) Notwithstanding section 13.09, any person who violates paragraph (e) or (f) is guiltyof a gross misdemeanor.

(i) An attorney may not be subject to disciplinary action by the Minnesota Supreme
Court, a Tribal court, or the professional responsibility board for providing legal assistance
to prospective or registered manufacturers or others related to activity that is no longer
subject to criminal penalties under state law pursuant to sections 152.22 to 152.37, or for
providing legal assistance to a Tribal medical cannabis program or a Tribal medical cannabis
program manufacturer.

194.17 (j) Possession of a registry verification or application for enrollment in the program by 194.18 a person entitled to possess or apply for enrollment in the registry program does The 194.19 following do not constitute probable cause or reasonable suspicion, nor and shall it not be 194.20 used to support a search of the person or property of the person possessing or applying for 194.21 the registry verification or equivalent, or otherwise subject the person or property of the 194.22 person to inspection by any governmental agency:

(1) possession of a registry verification or application for enrollment in the registry
 program by a person entitled to possess a registry verification or apply for enrollment in
 the registry program; or

(2) possession of a verification or equivalent issued by a Tribal medical cannabis program
 or application for enrollment in a Tribal medical cannabis program by a person entitled to
 possess such a verification or application.

Subd. 3. **Discrimination prohibited.** (a) No school or landlord may refuse to enroll or lease to and may not otherwise penalize a person solely for the person's status as a patient enrolled in the registry program under sections 152.22 to 152.37 or for the person's status as a Tribal medical cannabis program patient, unless failing to do so would violate federal law or regulations or cause the school or landlord to lose a monetary or licensing-related benefit under federal law or regulations.

(b) For the purposes of medical care, including organ transplants, a registry program
enrollee's use of medical cannabis under sections 152.22 to 152.37, or a Tribal medical
<u>cannabis program patient's use of medical cannabis as authorized by the Tribal medical</u>
<u>cannabis program</u>, is considered the equivalent of the authorized use of any other medication
used at the discretion of a physician, advanced practice registered nurse, or physician assistant
and does not constitute the use of an illicit substance or otherwise disqualify a patient from
needed medical care.

(c) Unless a failure to do so would violate federal law or regulations or cause an employer
to lose a monetary or licensing-related benefit under federal law or regulations, an employer
may not discriminate against a person in hiring, termination, or any term or condition of
employment, or otherwise penalize a person, if the discrimination is based upon either any
of the following:

(1) the person's status as a patient enrolled in the registry program under sections 152.22
to 152.37; or

195.15 (2) the person's status as a Tribal medical cannabis program patient; or

195.16 (2)(3) a patient's positive drug test for cannabis components or metabolites, unless the 195.17 patient used, possessed, or was impaired by medical cannabis on the premises of the place 195.18 of employment or during the hours of employment.

(d) An employee who is required to undergo employer drug testing pursuant to section
181.953 may present verification of enrollment in the patient registry or of enrollment in a
<u>Tribal medical cannabis program as part of the employee's explanation under section 181.953</u>,
subdivision 6.

(e) A person shall not be denied custody of a minor child or visitation rights or parenting
time with a minor child solely based on the person's status as a patient enrolled in the registry
program under sections 152.22 to 152.37, or on the person's status as a Tribal medical
cannabis program patient. There shall be no presumption of neglect or child endangerment
for conduct allowed under sections 152.22 to 152.37 or under a Tribal medical cannabis
program, unless the person's behavior is such that it creates an unreasonable danger to the
safety of the minor as established by clear and convincing evidence.

195.30 Sec. 20. Minnesota Statutes 2022, section 152.33, subdivision 1, is amended to read:

195.31 Subdivision 1. Intentional diversion; criminal penalty. In addition to any other

195.32 applicable penalty in law, a manufacturer or an agent of a manufacturer who intentionally

195.33 transfers medical cannabis to a person other than another registered manufacturer, a patient,

<u>a Tribal medical cannabis program patient</u>, a registered designated caregiver or, if listed on
the registry verification, a parent, legal guardian, or spouse of a patient is guilty of a felony
punishable by imprisonment for not more than two years or by payment of a fine of not
more than \$3,000, or both. A person convicted under this subdivision may not continue to
be affiliated with the manufacturer and is disqualified from further participation under
sections 152.22 to 152.37.

196.7 Sec. 21. Minnesota Statutes 2022, section 175.45, subdivision 1, is amended to read:

Subdivision 1. **Duties; goal.** The commissioner of labor and industry shall convene industry representatives, identify occupational competency standards, and provide technical assistance to develop dual-training programs. The competency standards shall be identified for employment in occupations in advanced manufacturing, health care services, information technology, and agriculture, and the legal cannabis industry. Competency standards are not rules and are exempt from the rulemaking provisions of chapter 14, and the provisions in section 14.386 concerning exempt rules do not apply.

196.15 Sec. 22. Minnesota Statutes 2022, section 181.938, subdivision 2, is amended to read:

Subd. 2. Prohibited practice. (a) An employer may not refuse to hire a job applicant 196.16 or discipline or discharge an employee because the applicant or employee engages in or has 196.17 engaged in the use or enjoyment of lawful consumable products, if the use or enjoyment 196.18 takes place off the premises of the employer during nonworking hours. For purposes of this 196.19 section, "lawful consumable products" means products whose use or enjoyment is lawful 196.20 and which are consumed during use or enjoyment, and includes food, alcoholic or 196.21 nonalcoholic beverages, and tobacco, cannabis flower, as defined in section 342.01, 196.22 subdivision 16, and cannabinoid products, as defined in section 342.01, subdivision 12. 196.23

(b) Cannabis flower and cannabinoid products are lawful consumable products for the 196.24 purpose of Minnesota law, regardless of whether federal or other state law considers cannabis 196.25 use, possession, impairment, sale, or transfer to be unlawful. Nothing in this section shall 196.26 196.27 be construed to limit an employer's ability to discipline or discharge an employee for cannabis flower or cannabinoid product use, possession, impairment, sale, or transfer during working 196.28 hours, on work premises, or while operating an employer's vehicle, machinery, or equipment, 196.29 or if a failure to do so would violate federal or state law or regulations or cause an employer 196.30 to lose a monetary or licensing-related benefit under federal law or regulations. 196.31

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197.1 Sec. 23. Minnesota Statutes 2022, section 181.950, subdivision 2, is amended to read:

Subd. 2. Confirmatory test; confirmatory retest. "Confirmatory test" and "confirmatory
retest" mean a drug or alcohol test <u>or cannabis test</u> that uses a method of analysis allowed
under one of the programs listed in section 181.953, subdivision 1.

197.5 Sec. 24. Minnesota Statutes 2022, section 181.950, subdivision 4, is amended to read:

197.6 Subd. 4. **Drug.** "Drug" means a controlled substance as defined in section 152.01,

197.7 subdivision 4, but does not include marijuana, tetrahydrocannabinols, cannabis flower as

197.8 defined in section 342.01, subdivision 16, or cannabinoid products as defined in section
197.9 342.01, subdivision 12.

197.10 Sec. 25. Minnesota Statutes 2022, section 181.950, subdivision 5, is amended to read:

197.11 Subd. 5. Drug and alcohol testing. "Drug and alcohol testing," "drug or alcohol testing,"

197.12 and "drug or alcohol test" mean analysis of a body component sample according to the

197.13 standards established under one of the programs listed in section 181.953, subdivision 1,

197.14 for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites

^{197.15} in the sample tested. "Drug and alcohol testing," "drug or alcohol testing," and "drug or

197.16 alcohol test" do not include cannabis or cannabis testing, unless stated otherwise.

197.17 Sec. 26. Minnesota Statutes 2022, section 181.950, is amended by adding a subdivision197.18 to read:

197.19Subd. 5a. Cannabis testing. "Cannabis testing" means the analysis of a body component197.20sample according to the standards established under one of the programs listed in section197.21181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis197.22flower, as defined in section 342.01, subdivision 16, cannabinoid products, as defined in197.23section 342.01, subdivision 12, or cannabis metabolites in the sample tested. The definitions197.24in this section apply to cannabis testing unless stated otherwise.

Sec. 27. Minnesota Statutes 2022, section 181.950, subdivision 8, is amended to read:
Subd. 8. Initial screening test. "Initial screening test" means a drug or alcohol test or
cannabis test which uses a method of analysis under one of the programs listed in section

197.28 181.953, subdivision 1.

Sec. 28. Minnesota Statutes 2022, section 181.950, subdivision 13, is amended to read: 198.1

Subd. 13. Safety-sensitive position. "Safety-sensitive position" means a job, including 198.2 any supervisory or management position, in which an impairment caused by drug or, alcohol, 198.3 or cannabis usage would threaten the health or safety of any person. 198.4

Sec. 29. Minnesota Statutes 2022, section 181.951, subdivision 4, is amended to read: 198.5

Subd. 4. Random testing. An employer may request or require employees to undergo 198.6 cannabis testing or drug and alcohol testing on a random selection basis only if (1) they are 198.7 employed in safety-sensitive positions, or (2) they are employed as professional athletes if 198.8 the professional athlete is subject to a collective bargaining agreement permitting random 198.9 testing but only to the extent consistent with the collective bargaining agreement. 198.10

Sec. 30. Minnesota Statutes 2022, section 181.951, is amended by adding a subdivision 198.11 to read: 198.12

Subd. 8. Limitations on cannabis testing. (a) An employer must not request or require 198.13 a job applicant to undergo cannabis testing solely for the purpose of determining the presence 198.14 or absence of cannabis as a condition of employment unless otherwise required by state or 198.15 federal law. 198.16

(b) Unless otherwise required by state or federal law, an employer must not refuse to 198.17 hire a job applicant solely because the job applicant submits to a cannabis test authorized 198.18 by this section and the results of the test indicate the presence of cannabis. 198.19

(c) An employer must not request or require an employee or job applicant to undergo 198.20 cannabis testing on an arbitrary or capricious basis.

(d) An employer may request or require an employee to undergo cannabis testing 198.22

conducted by a testing laboratory that participates in one of the programs listed in section

181.953, subdivision 1, if the employer has a reasonable suspicion that while the employee 198.24

is working or while the employee is on the employer's premises or operating the employer's 198.25

- 198.26 vehicle, machinery, or equipment, the employee:
- (1) as the result of consuming cannabis flower or a cannabinoid product, does not possess 198.27
- that clearness of intellect and control of self that the employee otherwise would have; 198.28
- (2) has violated the employer's written work rules prohibiting cannabis use, possession, 198.29

impairment, sale, or transfer, provided that the work rules for cannabis and cannabis testing 198.30

are in writing and in a written policy that contains the minimum information required in 198.31

section 181.952; or 198.32

198.21

198.23

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199.1	(3) has sustai	ned a personal in	njury or has a ca	used a work-related ac	cident as provided
199.2	in subdivision 5,	-			
199.3	(e) Cannabis	testing authorize	ed under paragra	ph (d) must comply wi	ith the safeguards
199.4		byees provided in			
199.5	Sec. 31. Minne	esota Statutes 202	22, section 181.9	951, is amended by add	ling a subdivision
199.6	to read:				
199.7	Subd. 9. Can	nabis testing ex	ceptions. For th	e following positions,	cannabis and its
199.8	metabolites are o	considered a drug	g and subject to	the drug and alcohol te	sting provisions in
199.9	sections 181.950	to 181.957:			
199.10	(1) a safety-s	ensitive position	, as defined in so	ection 181.950, subdiv	ision 13;
199.11	<u>(2)</u> a peace o	fficer position, as	s defined in sect	ion 626.84, subdivision	<u>n 1;</u>
199.12	(3) a firefigh	ter position, as d	efined in section	299N.01, subdivision	3;
199.13	(4) a position	requiring face-t	o-face care trai	ning, education, superv	vision counseling
199.13	<u> </u>	medical assistance		ing, education, superv	ision, counseing,
100 15	(i) children;				
199.15	<u> </u>				
199.16	<u>(ii) vulnerabl</u>	e adults, as defin	ed in section 62	6.5572, subdivision 21	; or
199.17	(iii) patients	who receive heal	th care services	from a provider for the	e treatment,
199.18	examination, or	emergency care	of a medical, psy	ychiatric, or mental cor	ndition;
199.19	(5) a position	requiring a comr	nercial driver's l	icense or requiring an e	mployee to operate
199.20	a motor vehicle	for which state o	r federal law rec	uires drug or alcohol t	esting of a job
199.21	applicant or an e	mployee;			
199.22	(6) a position	of employment	funded by a fed	eral grant; or	
199.23	(7) any other	position for whi	ch state or feder	al law requires testing	of a job applicant
199.24	or an employee	for cannabis.			
199.25		esota Statutes 202	22, section 181.9	952, is amended by add	ling a subdivision
199.26	to read:				
199.27	Subd. 3. Can	nabis policy. (a)	Unless otherwi	se provided by state or	federal law, an
199.28				te cannabis flower or ca	
199.29	use, possession,	impairment, sale	, or transfer whi	le an employee is worl	king or while an

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200.1 employee is on the employer's premises or operating the employer's vehicle, machinery, or
 200.2 equipment.

(b) An employer may only enact and enforce written work rules prohibiting cannabis
flower and cannabinoid product use, possession, impairment, sale, or transfer while an
employee is working or while an employee is on the employer's premises or operating the
employer's vehicle, machinery, or equipment in a written policy that contains the minimum
information required by this section.

200.8 Sec. 33. Minnesota Statutes 2022, section 181.953, is amended to read:

200.9 **181.953 RELIABILITY AND FAIRNESS SAFEGUARDS.**

Subdivision 1. Use of licensed, accredited, or certified laboratory required. (a) An employer who requests or requires an employee or job applicant to undergo drug or alcohol testing or cannabis testing shall use the services of a testing laboratory that meets one of the following criteria for drug testing:

(1) is certified by the National Institute on Drug Abuse as meeting the mandatory
guidelines published at 53 Federal Register 11970 to 11989, April 11, 1988;

200.16 (2) is accredited by the College of American Pathologists, 325 Waukegan Road,

Northfield, Illinois, 60093-2750, under the forensic urine drug testing laboratory program;or

(3) is licensed to test for drugs by the state of New York, Department of Health, underPublic Health Law, article 5, title V, and rules adopted under that law.

200.21 (b) For alcohol testing, the laboratory must either be:

(1) licensed to test for drugs and alcohol by the state of New York, Department of Health,
under Public Health Law, article 5, title V, and the rules adopted under that law; or

(2) accredited by the College of American Pathologists, 325 Waukegan Road, Northfield,
Illinois, 60093-2750, in the laboratory accreditation program.

Subd. 3. Laboratory testing, reporting, and sample retention requirements. A testing laboratory that is not certified by the National Institute on Drug Abuse according to subdivision 1 shall follow the chain-of-custody procedures prescribed for employers in subdivision 5. A testing laboratory shall conduct a confirmatory test on all samples that produced a positive test result on an initial screening test. A laboratory shall disclose to the employer a written test result report for each sample tested within three working days after a negative test result on an initial screening test or, when the initial screening test produced a positive test result, within three working days after a confirmatory test. A test report must

201.2 indicate the drugs, alcohol, or drug or alcohol metabolites, or cannabis or cannabis

201.3 <u>metabolites</u> tested for and whether the test produced negative or positive test results. A

201.4 laboratory shall retain and properly store for at least six months all samples that produced201.5 a positive test result.

Subd. 4. **Prohibitions on employers.** An employer may not conduct drug or alcohol testing <u>or cannabis testing</u> of its own employees and job applicants using a testing laboratory owned and operated by the employer; except that, one agency of the state may test the employees of another agency of the state. Except as provided in subdivision 9, an employer may not request or require an employee or job applicant to contribute to, or pay the cost of, drug or alcohol testing or cannabis testing under sections 181.950 to 181.954.

Subd. 5. Employer chain-of-custody procedures. An employer shall establish its own reliable chain-of-custody procedures to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The procedures must require the following:

(1) possession of a sample must be traceable to the employee from whom the sample is
collected, from the time the sample is collected through the time the sample is delivered to
the laboratory;

(2) the sample must always be in the possession of, must always be in view of, or mustbe placed in a secured area by a person authorized to handle the sample;

201.20 (3) a sample must be accompanied by a written chain-of-custody record; and

(4) individuals relinquishing or accepting possession of the sample must record the time
the possession of the sample was transferred and must sign and date the chain-of-custody
record at the time of transfer.

Subd. 6. **Rights of employees and job applicants.** (a) Before requesting an employee or job applicant to undergo drug or alcohol testing <u>or requesting cannabis testing</u>, an employer shall provide the employee or job applicant with a form, developed by the employer, on which to acknowledge that the employee or job applicant has seen the employer's drug and alcohol testing <u>or cannabis testing policy</u>.

(b) If an employee or job applicant tests positive for drug use, the employee must be given written notice of the right to explain the positive test and the employer may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result. (c) Within three working days after notice of a positive test result on a confirmatory test,
the employee or job applicant may submit information to the employer, in addition to any
information already submitted under paragraph (b), to explain that result, or may request a
confirmatory retest of the original sample at the employee's or job applicant's own expense
as provided under subdivision 9.

Subd. 7. Notice of test results. Within three working days after receipt of a test result 202.6 report from the testing laboratory, an employer shall inform in writing an employee or job 202.7 202.8 applicant who has undergone drug or alcohol testing or cannabis testing of (1) a negative test result on an initial screening test or of a negative or positive test result on a confirmatory 202.9 test and (2) the right provided in subdivision 8. In the case of a positive test result on a 202.10 confirmatory test, the employer shall also, at the time of this notice, inform the employee 202.11 or job applicant in writing of the rights provided in subdivisions 6, paragraph (b), 9, and 202.12 either subdivision 10 or 11, whichever applies. 202.13

Subd. 8. **Right to test result report.** An employee or job applicant has the right to request and receive from the employer a copy of the test result report on any drug or alcohol test or cannabis test.

Subd. 9. Confirmatory retests. An employee or job applicant may request a confirmatory 202.17 retest of the original sample at the employee's or job applicant's own expense after notice 202.18 of a positive test result on a confirmatory test. Within five working days after notice of the 202.19 confirmatory test result, the employee or job applicant shall notify the employer in writing 202.20 of the employee's or job applicant's intention to obtain a confirmatory retest. Within three 202.21 working days after receipt of the notice, the employer shall notify the original testing 202.22 laboratory that the employee or job applicant has requested the laboratory to conduct the 202.23 confirmatory retest or transfer the sample to another laboratory licensed under subdivision 202.24 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that the 202.25 chain-of-custody procedures in subdivision 3 are followed during transfer of the sample to 202.26 the other laboratory. The confirmatory retest must use the same drug or, alcohol, or cannabis 202.27 threshold detection levels as used in the original confirmatory test. If the confirmatory retest 202.28 does not confirm the original positive test result, no adverse personnel action based on the 202.29 original confirmatory test may be taken against the employee or job applicant. 202.30

Subd. 10. Limitations on employee discharge, discipline, or discrimination. (a) An employer may not discharge, discipline, discriminate against, or request or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.

(b) In addition to the limitation under paragraph (a), an employer may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test <u>or cannabis test</u> requested by the employer unless the following conditions have been met:

(1) the employer has first given the employee an opportunity to participate in, at the
employee's own expense or pursuant to coverage under an employee benefit plan, either a
drug or, alcohol, or cannabis counseling or rehabilitation program, whichever is more
appropriate, as determined by the employer after consultation with a certified chemical use
counselor or a physician trained in the diagnosis and treatment of substance use disorder;
and

(2) the employee has either refused to participate in the counseling or rehabilitation
program or has failed to successfully complete the program, as evidenced by withdrawal
from the program before its completion or by a positive test result on a confirmatory test
after completion of the program.

(c) Notwithstanding paragraph (a), an employer may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the employer believes that it is reasonably necessary to protect the health or safety of the employee, coemployees, or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.

(d) An employer may not discharge, discipline, discriminate against, or request or require
rehabilitation of an employee on the basis of medical history information revealed to the
employer pursuant to subdivision 6 unless the employee was under an affirmative duty to
provide the information before, upon, or after hire.

(e) An employee must be given access to information in the employee's personnel file
relating to positive test result reports and other information acquired in the drug and alcohol
testing process <u>or cannabis testing process</u> and conclusions drawn from and actions taken
based on the reports or other acquired information.

203.30 Subd. 10a. Additional limitations for cannabis. An employer may discipline, discharge,

203.31 or take other adverse personnel action against an employee for cannabis flower or

203.32 cannabinoid product use, possession, impairment, sale, or transfer while an employee is

203.33 working, on the employer's premises, or operating the employer's vehicle, machinery, or

203.34 equipment as follows:

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204.1	<u> </u>		0	er or a cannabinoid pro	
204.2	does not posses	s that clearness of	intellect and co	ntrol of self that the e	mployee otherwise
204.3	would have;				
204.4	(2) if cannab	is testing that the e	mnlover request	ed or required pursuan	t to section 181 951
204.4	(2) if callido	is testing that the e	inployer request	ed of required pursual	<i>t</i> to section 101.751,
204.5	subdivision 8, p	aragraphs (d) and	(e), verifies the	presence of cannabis	following a
204.6	confirmatory te	<u>st;</u>			
204.7	(3) as provid	led in the employe	er's written work	rules for cannabis ar	nd cannabis testing,
204.8	provided that th	e rules are in writ	ing and in a writ	tten policy that contai	ns the minimum

204.9 information required by section 181.952; or

204.10 (4) as otherwise authorized under state or federal law.

Subd. 11. Limitation on withdrawal of job offer. If a job applicant has received a job offer made contingent on the applicant passing drug and alcohol testing, the employer may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test.

204.15 Sec. 34. Minnesota Statutes 2022, section 181.954, is amended to read:

204.16 **181.954 PRIVACY, CONFIDENTIALITY, AND PRIVILEGE SAFEGUARDS.**

Subdivision 1. **Privacy limitations.** A laboratory may only disclose to the employer test result data regarding the presence or absence of drugs, alcohol, or their metabolites in a sample tested.

Subd. 2. **Confidentiality limitations.** Test result reports and other information acquired in the drug or alcohol testing <u>or cannabis testing</u> process are, with respect to private sector employees and job applicants, private and confidential information, and, with respect to public sector employees and job applicants, private data on individuals as that phrase is defined in chapter 13, and may not be disclosed by an employer or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee or job applicant tested.

204.27 Subd. 3. Exceptions to privacy and confidentiality disclosure

204.28 limitations. Notwithstanding subdivisions 1 and 2, evidence of a positive test result on a
204.29 confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective
204.30 bargaining agreement, an administrative hearing under chapter 43A or other applicable state
204.31 or local law, or a judicial proceeding, provided that information is relevant to the hearing
204.32 or proceeding; (2) disclosed to any federal agency or other unit of the United States
204.33 government as required under federal law, regulation, or order, or in accordance with

205.1 compliance requirements of a federal government contract; and (3) disclosed to a substance
205.2 abuse treatment facility for the purpose of evaluation or treatment of the employee.

Subd. 4. **Privilege.** Positive test results from an employer drug or alcohol testing <u>or</u> cannabis testing program may not be used as evidence in a criminal action against the employee or job applicant tested.

205.6 Sec. 35. Minnesota Statutes 2022, section 181.955, is amended to read:

205.7 **181.955 CONSTRUCTION.**

Subdivision 1. Freedom to collectively bargain. Sections 181.950 to 181.954 shall not be construed to limit the parties to a collective bargaining agreement from bargaining and agreeing with respect to a drug and alcohol testing <u>or a cannabis testing</u> policy that meets or exceeds, and does not otherwise conflict with, the minimum standards and requirements for employee protection provided in those sections.

205.13 Subd. 2. Employee protections under existing collective bargaining

agreements. Sections 181.950 to 181.954 shall not be construed to interfere with or diminish
any employee protections relating to drug and alcohol testing or cannabis testing already
provided under collective bargaining agreements in effect on the effective date of those
sections that exceed the minimum standards and requirements for employee protection
provided in those sections.

205.19 Subd. 3. **Professional athletes.** Sections 181.950 to 181.954 shall not be construed to 205.20 interfere with the operation of a drug and alcohol testing <u>or cannabis testing program if</u>:

205.21 (1) the drug and alcohol testing program is permitted under a contract between the 205.22 employer and employees; and

205.23 (2) the covered employees are employed as professional athletes.

Upon request of the commissioner of labor and industry, the exclusive representative of the employees and the employer shall certify to the commissioner of labor and industry that the drug and alcohol testing <u>or cannabis testing</u> program permitted under the contract should operate without interference from the sections specified in this subdivision. This subdivision must not be construed to create an exemption from controlled substance crimes in chapter 152.

Sec. 36. Minnesota Statutes 2022, section 181.957, subdivision 1, is amended to read: Subdivision 1. **Excluded employees and job applicants.** Except as provided under subdivision 2, the employee and job applicant protections provided under sections 181.950 to 181.956 do not apply to employees and job applicants where the specific work performed requires those employees and job applicants to be subject to drug and alcohol testing <u>or</u> cannabis testing pursuant to:

(1) federal regulations that specifically preempt state regulation of drug and alcohol
 testing <u>or cannabis testing</u> with respect to those employees and job applicants;

206.9 (2) federal regulations or requirements necessary to operate federally regulated facilities;

206.10 (3) federal contracts where the drug and alcohol testing <u>or cannabis testing</u> is conducted
206.11 for security, safety, or protection of sensitive or proprietary data; or

(4) state agency rules that adopt federal regulations applicable to the interstate component
of a federally regulated industry, and the adoption of those rules is for the purpose of
conforming the nonfederally regulated intrastate component of the industry to identical
regulation.

206.16 Sec. 37. Minnesota Statutes 2022, section 245C.08, subdivision 1, is amended to read:

Subdivision 1. Background studies conducted by Department of Human Services. (a)
For a background study conducted by the Department of Human Services, the commissioner
shall review:

(1) information related to names of substantiated perpetrators of maltreatment of
vulnerable adults that has been received by the commissioner as required under section
626.557, subdivision 9c, paragraph (j);

206.23 (2) the commissioner's records relating to the maltreatment of minors in licensed 206.24 programs, and from findings of maltreatment of minors as indicated through the social 206.25 service information system;

(3) information from juvenile courts as required in subdivision 4 for individuals listed
in section 245C.03, subdivision 1, paragraph (a), when there is reasonable cause;

(4) information from the Bureau of Criminal Apprehension, including information
regarding a background study subject's registration in Minnesota as a predatory offender
under section 243.166;

(5) except as provided in clause (6), information received as a result of submission of
 fingerprints for a national criminal history record check, as defined in section 245C.02,

subdivision 13c, when the commissioner has reasonable cause for a national criminal history
record check as defined under section 245C.02, subdivision 15a, or as required under section
144.057, subdivision 1, clause (2);

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(6) for a background study related to a child foster family setting application for licensure,
foster residence settings, children's residential facilities, a transfer of permanent legal and
physical custody of a child under sections 260C.503 to 260C.515, or adoptions, and for a
background study required for family child care, certified license-exempt child care, child
care centers, and legal nonlicensed child care authorized under chapter 119B, the
commissioner shall also review:

207.10 (i) information from the child abuse and neglect registry for any state in which the 207.11 background study subject has resided for the past five years;

(ii) when the background study subject is 18 years of age or older, or a minor under
section 245C.05, subdivision 5a, paragraph (c), information received following submission
of fingerprints for a national criminal history record check; and

(iii) when the background study subject is 18 years of age or older or a minor under
section 245C.05, subdivision 5a, paragraph (d), for licensed family child care, certified
license-exempt child care, licensed child care centers, and legal nonlicensed child care
authorized under chapter 119B, information obtained using non-fingerprint-based data
including information from the criminal and sex offender registries for any state in which
the background study subject resided for the past five years and information from the national
crime information database and the national sex offender registry; and

(7) for a background study required for family child care, certified license-exempt child
care centers, licensed child care centers, and legal nonlicensed child care authorized under
chapter 119B, the background study shall also include, to the extent practicable, a name
and date-of-birth search of the National Sex Offender Public website.

(b) Except as otherwise provided in this paragraph, notwithstanding expungement by a 207.26 court, the commissioner may consider information obtained under paragraph (a), clauses 207.27 (3) and (4), unless the commissioner received notice of the petition for expungement and 207.28 the court order for expungement is directed specifically to the commissioner. The 207.29 commissioner may not consider information obtained under paragraph (a), clauses (3) and 207.30 (4), or from any other source that identifies a violation of chapter 152 without determining 207.31 if the offense involved the possession of marijuana or tetrahydrocannabinol and, if so, 207.32 whether the person received a grant of expungement or order of expungement, or the person 207.33

207.34 was resentenced to a lesser offense. If the person received a grant of expungement or order

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of expungement, the commissioner may not consider information related to that violation
 but may consider any other relevant information arising out of the same incident.

(c) The commissioner shall also review criminal case information received according
to section 245C.04, subdivision 4a, from the Minnesota court information system that relates
to individuals who have already been studied under this chapter and who remain affiliated
with the agency that initiated the background study.

(d) When the commissioner has reasonable cause to believe that the identity of a
background study subject is uncertain, the commissioner may require the subject to provide
a set of classifiable fingerprints for purposes of completing a fingerprint-based record check
with the Bureau of Criminal Apprehension. Fingerprints collected under this paragraph
shall not be saved by the commissioner after they have been used to verify the identity of
the background study subject against the particular criminal record in question.

(e) The commissioner may inform the entity that initiated a background study under
NETStudy 2.0 of the status of processing of the subject's fingerprints.

208.15 Sec. 38. Minnesota Statutes 2022, section 256.01, subdivision 18c, is amended to read:

Subd. 18c. **Drug convictions.** (a) The state court administrator shall provide a report every six months by electronic means to the commissioner of human services, including the name, address, date of birth, and, if available, driver's license or state identification card number, date of the sentence, effective date of the sentence, and county in which the conviction occurred, of each person convicted of a felony under chapter 152, except for convictions under section 152.0263 or 152.0264, during the previous six months.

(b) The commissioner shall determine whether the individuals who are the subject of the data reported under paragraph (a) are receiving public assistance under chapter 256D or 256J, and if the <u>an</u> individual is receiving assistance under chapter 256D or 256J, the commissioner shall instruct the county to proceed under section 256D.024 or 256J.26, whichever is applicable, for this individual.

(c) The commissioner shall not retain any data received under paragraph (a) or (d) that
does not relate to an individual receiving publicly funded assistance under chapter 256D or
208.29 256J.

(d) In addition to the routine data transfer under paragraph (a), the state court
 administrator shall provide a onetime report of the data fields under paragraph (a) for
 individuals with a felony drug conviction under chapter 152 dated from July 1, 1997, until

209.1 the date of the data transfer. The commissioner shall perform the tasks identified under

209.2 paragraph (b) related to this data and shall retain the data according to paragraph (c).

209.3 Sec. 39. Minnesota Statutes 2022, section 256B.0625, subdivision 13d, is amended to read:

Subd. 13d. Drug formulary. (a) The commissioner shall establish a drug formulary. Its
establishment and publication shall not be subject to the requirements of the Administrative
Procedure Act, but the Formulary Committee shall review and comment on the formulary
contents.

209.9 (b) The formulary shall not include:

(1) drugs, active pharmaceutical ingredients, or products for which there is no federalfunding;

209.12 (2) over-the-counter drugs, except as provided in subdivision 13;

(3) drugs or active pharmaceutical ingredients when used for the treatment of impotenceor erectile dysfunction;

209.15 (4) drugs or active pharmaceutical ingredients for which medical value has not been209.16 established;

(5) drugs from manufacturers who have not signed a rebate agreement with the
Department of Health and Human Services pursuant to section 1927 of title XIX of the
Social Security Act; and

209.20 (6) medical cannabis <u>flower</u> as defined in section <u>152.22</u>, <u>subdivision 6</u> <u>342.01</u>,
209.21 <u>subdivision 49</u>, or medical cannabinoid products as defined in section 342.01, subdivision
209.22 47.

(c) If a single-source drug used by at least two percent of the fee-for-service medical
assistance recipients is removed from the formulary due to the failure of the manufacturer
to sign a rebate agreement with the Department of Health and Human Services, the
commissioner shall notify prescribing practitioners within 30 days of receiving notification
from the Centers for Medicare and Medicaid Services (CMS) that a rebate agreement was
not signed.

Sec. 40. Minnesota Statutes 2022, section 256D.024, subdivision 1, is amended to read:
 Subdivision 1. Person convicted of drug offenses. (a) If an applicant or recipient has
 been convicted of a drug offense after July 1, 1997, except for convictions related to cannabis,

marijuana, or tetrahydrocannabinols, the assistance unit is ineligible for benefits under this 210.1 chapter until five years after the applicant has completed terms of the court-ordered sentence, 210.2 210.3 unless the person is participating in a drug treatment program, has successfully completed a drug treatment program, or has been assessed by the county and determined not to be in 210.4 need of a drug treatment program. Persons subject to the limitations of this subdivision who 210.5 become eligible for assistance under this chapter shall be subject to random drug testing as 210.6 a condition of continued eligibility and shall lose eligibility for benefits for five years 210.7 210.8 beginning the month following:

(1) any positive test result for an illegal controlled substance <u>under chapter 152</u>; or

210.10 (2) discharge of sentence after conviction for another drug felony.

(b) For the purposes of this subdivision, "drug offense" means a conviction that occurred
after July 1, 1997, of sections 152.021 to 152.025, 152.0261, 152.0262, or 152.096. Drug
offense also means a conviction in another jurisdiction of the possession, use, or distribution
of a controlled substance, or conspiracy to commit any of these offenses, if the offense
occurred after July 1, 1997, and the conviction is a felony offense in that jurisdiction, or in
the case of New Jersey, a high misdemeanor for a crime that would be a felony if committed
in Minnesota.

210.18 Sec. 41. Minnesota Statutes 2022, section 256D.024, subdivision 3, is amended to read:

Subd. 3. Fleeing felons. An individual who is fleeing to avoid prosecution, or custody, or confinement after conviction for a crime that is a felony under the laws of the jurisdiction from which the individual flees, or in the case of New Jersey, is a high misdemeanor, would be a felony if committed in Minnesota, is ineligible to receive benefits under this chapter.

210.23 Sec. 42. Minnesota Statutes 2022, section 256J.26, subdivision 1, is amended to read:

Subdivision 1. **Person convicted of drug offenses.** (a) An individual who has been convicted of a felony level drug offense committed during the previous ten years from the date of application or recertification, except for convictions related to cannabis, marijuana, or tetrahydrocannabinols, is subject to the following:

(1) Benefits for the entire assistance unit must be paid in vendor form for shelter andutilities during any time the applicant is part of the assistance unit.

(2) The convicted applicant or participant shall be subject to random drug testing as a
condition of continued eligibility and following any positive test for an illegal controlled
substance <u>under chapter 152</u> is subject to the following sanctions:

(i) for failing a drug test the first time, the residual amount of the participant's grant after 211.1 making vendor payments for shelter and utility costs, if any, must be reduced by an amount 211.2 equal to 30 percent of the MFIP standard of need for an assistance unit of the same size. 211.3 When a sanction under this subdivision is in effect, the job counselor must attempt to meet 211.4 with the person face-to-face. During the face-to-face meeting, the job counselor must explain 211.5 the consequences of a subsequent drug test failure and inform the participant of the right to 211.6 appeal the sanction under section 256J.40. If a face-to-face meeting is not possible, the 211.7 211.8 county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face-to-face 211.9 meeting; or 211.10

(ii) for failing a drug test two times, the participant is permanently disqualified from 211.11 receiving MFIP assistance, both the cash and food portions. The assistance unit's MFIP 211.12 grant must be reduced by the amount which would have otherwise been made available to 211.13 the disqualified participant. Disqualification under this item does not make a participant 211.14 ineligible for the Supplemental Nutrition Assistance Program (SNAP). Before a 211.15 disqualification under this provision is imposed, the job counselor must attempt to meet 211.16 with the participant face-to-face. During the face-to-face meeting, the job counselor must 211.17 identify other resources that may be available to the participant to meet the needs of the 211.18 family and inform the participant of the right to appeal the disqualification under section 211.19 256J.40. If a face-to-face meeting is not possible, the county agency must send the participant 211.20 a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must 211.21 include the information required in the face-to-face meeting. 211.22

(3) A participant who fails a drug test the first time and is under a sanction due to other
MFIP program requirements is considered to have more than one occurrence of
noncompliance and is subject to the applicable level of sanction as specified under section
256J.46, subdivision 1, paragraph (d).

(b) Applicants requesting only SNAP benefits or participants receiving only SNAP
benefits, who have been convicted of a drug offense that occurred after July 1, 1997, <u>except</u>
<u>for convictions related to cannabis, marijuana, or tetrahydrocannabinols, may, if otherwise</u>
eligible, receive SNAP benefits if the convicted applicant or participant is subject to random
drug testing as a condition of continued eligibility. Following a positive test for an illegal
controlled substance <u>under chapter 152</u>, the applicant is subject to the following sanctions:
(1) for failing a drug test the first time, SNAP benefits shall be reduced by an amount

equal to 30 percent of the applicable SNAP benefit allotment. When a sanction under this
clause is in effect, a job counselor must attempt to meet with the person face-to-face. During

the face-to-face meeting, a job counselor must explain the consequences of a subsequent drug test failure and inform the participant of the right to appeal the sanction under section 256J.40. If a face-to-face meeting is not possible, a county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face-to-face meeting; and

(2) for failing a drug test two times, the participant is permanently disqualified from 212.6 receiving SNAP benefits. Before a disqualification under this provision is imposed, a job 212.7 counselor must attempt to meet with the participant face-to-face. During the face-to-face 212.8 meeting, the job counselor must identify other resources that may be available to the 212.9 participant to meet the needs of the family and inform the participant of the right to appeal 212.10 the disqualification under section 256J.40. If a face-to-face meeting is not possible, a county 212.11 agency must send the participant a notice of adverse action as provided in section 256J.31, 212.12 subdivisions 4 and 5, and must include the information required in the face-to-face meeting. 212.13

(c) For the purposes of this subdivision, "drug offense" means an offense that occurred 212.14 during the previous ten years from the date of application or recertification of sections 212.15 152.021 to 152.025, 152.0261, 152.0262, 152.096, or 152.137. Drug offense also means a 212.16 conviction in another jurisdiction of the possession, use, or distribution of a controlled 212.17 substance, or conspiracy to commit any of these offenses, if the offense occurred during 212.18 the previous ten years from the date of application or recertification and the conviction is 212.19 a felony offense in that jurisdiction, or in the case of New Jersey, a high misdemeanor for 212.20 a crime that would be a felony if committed in Minnesota. 212.21

212.22 Sec. 43. Minnesota Statutes 2022, section 256J.26, subdivision 3, is amended to read:

Subd. 3. Fleeing felons. An individual who is fleeing to avoid prosecution, or custody, or confinement after conviction for a crime that is a felony under the laws of the jurisdiction from which the individual flees, or in the case of New Jersey, is a high misdemeanor, would be a felony if committed in Minnesota, is disqualified from receiving MFIP.

212.27 Sec. 44. [340A.4022] RETAIL LICENSE NOT PROHIBITED; LOWER POTENCY 212.28 EDIBLE PRODUCTS.

212.29 (a) Nothing in this chapter:

212.30 (1) prohibits the issuance of a retail license or permit to a person also holding a lower
212.31 potency edible product retailer license;

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213.1	(2) allows a	ny agreement betw	veen a licensing at	uthority and retail licen	se or permit holder
213.2	<u></u>			o holding a lower pote	
213.3	retailer license	; or			
213.4	(3) allows t	he revocation or s	uspension of a re	tail license or permit,	or the imposition
213.5	of a penalty on	a retail license or	permit holder, du	ue to the retail license	or permit holder
213.6	also holding a	lower potency edil	ole product retail	er license.	
213.7	(b) For pur	poses of this sectio	on, "lower potenc	y edible product retail	er license" means
213.8	a license issued	d by the Office of (Cannabis Manag	ement under section 3	42.40.
213.9	Sec. 45. Mini	nesota Statutes 202	22, section 340A.	412, subdivision 14, is	s amended to read:
213.10	Subd. 14. E	Exclusive liquor st	ores. (a) Except a	as otherwise provided	in this subdivision,
213.11	an exclusive lie	quor store may sel	l only the follow	ing items:	
213.12	(1) alcoholi	ic beverages;			
213.13	(2) tobacco	products;			
213.14	(3) ice;				
213.15	(4) beverage	es, either liquid or p	owder, specifical	ly designated for mixir	ig with intoxicating
213.16	liquor;				
213.17	(5) soft drir	ıks;			
213.18	(6) liqueur-	filled candies;			
213.19	(7) food pro	oducts that contain	more than one-h	alf of one percent alco	ohol by volume;
213.20	(8) cork ext	traction devices;			
213.21	(9) books a	nd videos on the u	se of alcoholic b	everages;	
213.22	(10) magazi	ines and other publ	ications publishe	d primarily for informa	ation and education
213.23	on alcoholic be	everages;			
213.24	(11) multip	le-use bags design	ed to carry purch	ased items;	
213.25	(12) device	s designed to ensu	re safe storage a	nd monitoring of alcol	ol in the home, to
213.26	prevent access	by underage drink	ters;		
213.27	(13) home	brewing equipmen	t;		
213.28	(14) clothin	ig marked with the	specific name, b	rand, or identifying log	go of the exclusive
213.29	liquor store, an	d bearing no other	name, brand, or	identifying logo;	

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214.1	(15) citrus f	ruit; and			
214.2	(16) glasswa	are- <u>; and</u>			
214.3	<u>(17) lower p</u>	ootency edible produc	cts as defined in s	ection 342.01, subd	ivision 45.
214.4	(b) An exclu	usive liquor store that	t has an on-sale, o	r combination on-sa	ale and off-sale
214.5	license may sel	l food for on-premise	e consumption wh	en authorized by th	e municipality
214.6	issuing the licer	ise.			
214.7	(c) An exclu	isive liquor store may	y offer live or reco	orded entertainment	•
214.8	<u>EFFECTIV</u>	E DATE. This section	on is effective Jul	y 1, 2024.	
214.9	Sec. 46. Minr	esota Statutes 2022,	section 609B.425	, subdivision 2, is a	mended to read:
214.10	Subd. 2. Be	nefit eligibility. (a) A	person convicted	l of a drug offense a	fter July 1, 1997,
214.11	except for conv	ictions related to cann	nabis, marijuana, c	or tetrahydrocannabi	nols, is ineligible
214.12	for general assis	stance benefits and Su	pplemental Secur	ity Income under ch	apter 256D until:
214.13	(1) five year	rs after completing th	e terms of a court	-ordered sentence;	or
214.14	(2) unless th	ne person is participat	ting in a drug trea	tment program, has	successfully
214.15	completed a pro	ogram, or has been det	termined not to be	in need of a drug tro	eatment program.
214.16	(b) A person	n who becomes eligib	ble for assistance	under chapter 256D	is subject to
214.17	random drug tes	sting and shall lose eli	igibility for benefi	ts for five years beg	inning the month
214.18	following:				
214.19	(1) any posi	tive test for an illegal	l controlled substa	ance under chapter	<u>152;</u> or
214.20	(2) discharg	e of sentence for con	viction of another	drug felony.	
214.21	(c) Parole vi	olators and fleeing fe	lons are ineligible	for benefits and per	sons fraudulently
214.22	misrepresenting	g eligibility are also in	neligible to receiv	e benefits for ten ye	ears.
214.23	Sec. 47. Minr	esota Statutes 2022,	section 609B.435	, subdivision 2, is a	mended to read:
214.24	Subd. 2. Dr	ug offenders; rando	m testing; sancti	ons. A person who i	s an applicant for
214.25	benefits from th	e Minnesota family in	nvestment progra	m or MFIP, the vehi	cle for temporary
214.26	assistance for n	eedy families or TAN	VF, and who has b	een convicted of a	drug offense <u>,</u>
214.27	except for conv	ictions related to can	nabis, marijuana,	or tetrahydrocanna	binols, shall be
214.28	subject to certa	in conditions, includi	ng random drug t	esting, in order to re	eceive MFIP
214.29	benefits. Follow	ving any positive test	for a controlled s	ubstance under cha	pter 152, the
214.30	convicted appli	cant or participant is	subject to the foll	owing sanctions:	

215.1

(1) a first time drug test failure results in a reduction of benefits in an amount equal to

30 percent of the MFIP standard of need; and 215.2 (2) a second time drug test failure results in permanent disqualification from receiving 215.3 MFIP assistance. 215.4 A similar disqualification sequence occurs if the applicant is receiving Supplemental Nutrition 215.5 Assistance Program (SNAP) benefits. 215.6 Sec. 48. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 215.7 to read: 215.8 Subd. 13. Adult-use cannabis flower. "Adult-use cannabis flower" has the meaning 215.9 given in section 342.01, subdivision 4. 215.10 Sec. 49. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 215.11 215.12 to read: Subd. 14. Adult-use cannabinoid product. "Adult-use cannabis product" has the 215.13 meaning given in section 342.01, subdivision 2. 215.14 Sec. 50. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 215.15 215.16 to read: Subd. 15. Medical cannabis flower. "Medical cannabis flower" has the meaning given 215.17 in section 342.01, subdivision 49. 215.18

Sec. 51. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
to read:

215.21Subd. 16. Medical cannabinoid product. "Medical cannabinoid product" has the215.22meaning given in section 342.01, subdivision 47.

215.23 Sec. 52. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
215.24 to read:

215.25 Subd. 17. Patient. "Patient" has the meaning given in section 342.01, subdivision 54.

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Sec. 53. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
to read:

216.3 Subd. 18. Qualifying medical condition. "Qualifying medical condition" has the meaning
216.4 given in section 342.01, subdivision 56.

Sec. 54. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
to read:

216.7 <u>Subd. 19. Registry or registry program.</u> "Registry" or "registry program" has the
216.8 meaning given in section 342.01, subdivision 58.

Sec. 55. Minnesota Statutes 2022, section 624.713, subdivision 1, is amended to read:
Subdivision 1. Ineligible persons. The following persons shall not be entitled to possess

ammunition or a pistol or semiautomatic military-style assault weapon or, except for clause
(1), any other firearm:

(1) a person under the age of 18 years except that a person under 18 may possess 216.13 ammunition designed for use in a firearm that the person may lawfully possess and may 216.14 carry or possess a pistol or semiautomatic military-style assault weapon (i) in the actual 216.15 presence or under the direct supervision of the person's parent or guardian, (ii) for the 216.16 purpose of military drill under the auspices of a legally recognized military organization 216.17 and under competent supervision, (iii) for the purpose of instruction, competition, or target 216.18 practice on a firing range approved by the chief of police or county sheriff in whose 216.19 jurisdiction the range is located and under direct supervision; or (iv) if the person has 216.20 successfully completed a course designed to teach marksmanship and safety with a pistol 216.21 or semiautomatic military-style assault weapon and approved by the commissioner of natural 216.22 resources; 216.23

(2) except as otherwise provided in clause (9), a person who has been convicted of, or
adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, in
this state or elsewhere, a crime of violence. For purposes of this section, crime of violence
includes crimes in other states or jurisdictions which would have been crimes of violence
as herein defined if they had been committed in this state;

(3) a person who is or has ever been committed in Minnesota or elsewhere by a judicial determination that the person is mentally ill, developmentally disabled, or mentally ill and dangerous to the public, as defined in section 253B.02, to a treatment facility, or who has ever been found incompetent to stand trial or not guilty by reason of mental illness, unless

the person's ability to possess a firearm and ammunition has been restored under subdivision4;

(4) a person who has been convicted in Minnesota or elsewhere of a misdemeanor or
gross misdemeanor violation of chapter 152, unless three years have elapsed since the date
of conviction and, during that time, the person has not been convicted of any other such
violation of chapter 152 or a similar law of another state; or a person who is or has ever
been committed by a judicial determination for treatment for the habitual use of a controlled
substance or marijuana, as defined in sections 152.01 and 152.02, unless the person's ability
to possess a firearm and ammunition has been restored under subdivision 4;

(5) a person who has been committed to a treatment facility in Minnesota or elsewhere
by a judicial determination that the person is chemically dependent as defined in section
253B.02, unless the person has completed treatment or the person's ability to possess a
firearm and ammunition has been restored under subdivision 4. Property rights may not be
abated but access may be restricted by the courts;

(6) a peace officer who is informally admitted to a treatment facility pursuant to section
253B.04 for chemical dependency, unless the officer possesses a certificate from the head
of the treatment facility discharging or provisionally discharging the officer from the
treatment facility. Property rights may not be abated but access may be restricted by the
courts;

(7) a person, including a person under the jurisdiction of the juvenile court, who has
been charged with committing a crime of violence and has been placed in a pretrial diversion
program by the court before disposition, until the person has completed the diversion program
and the charge of committing the crime of violence has been dismissed;

(8) except as otherwise provided in clause (9), a person who has been convicted in
another state of committing an offense similar to the offense described in section 609.224,
subdivision 3, against a family or household member or section 609.2242, subdivision 3,
unless three years have elapsed since the date of conviction and, during that time, the person
has not been convicted of any other violation of section 609.224, subdivision 3, or 609.2242,
subdivision 3, or a similar law of another state;

(9) a person who has been convicted in this state or elsewhere of assaulting a family or
household member and who was found by the court to have used a firearm in any way
during commission of the assault is prohibited from possessing any type of firearm or
ammunition for the period determined by the sentencing court;

217.34 (10) a person who:

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(i) has been convicted in any court of a crime punishable by imprisonment for a termexceeding one year;

(ii) is a fugitive from justice as a result of having fled from any state to avoid prosecution
for a crime or to avoid giving testimony in any criminal proceeding;

218.5 (iii) is an unlawful user of any controlled substance as defined in chapter 152. The use

218.6 of medical cannabis flower or medical cannabinoid products by a patient enrolled in the

218.7 registry program or the use of adult-use cannabis flower or adult-use cannabinoid products

218.8 by a person 21 years of age or older does not constitute the unlawful use of a controlled

218.9 substance under this item;

(iv) has been judicially committed to a treatment facility in Minnesota or elsewhere as
a person who is mentally ill, developmentally disabled, or mentally ill and dangerous to the
public, as defined in section 253B.02;

218.13 (v) is an alien who is illegally or unlawfully in the United States;

(vi) has been discharged from the armed forces of the United States under dishonorableconditions;

(vii) has renounced the person's citizenship having been a citizen of the United States;
or

(viii) is disqualified from possessing a firearm under United States Code, title 18, section
922(g)(8) or (9), as amended through March 1, 2014;

(11) a person who has been convicted of the following offenses at the gross misdemeanor 218.20 level, unless three years have elapsed since the date of conviction and, during that time, the 218.21 person has not been convicted of any other violation of these sections: section 609.229 218.22 (crimes committed for the benefit of a gang); 609.2231, subdivision 4 (assaults motivated 218.23 by bias); 609.255 (false imprisonment); 609.378 (neglect or endangerment of a child); 218.24 609.582, subdivision 4 (burglary in the fourth degree); 609.665 (setting a spring gun); 609.71 218.25 (riot); or 609.749 (harassment or stalking). For purposes of this paragraph, the specified 218.26 gross misdemeanor convictions include crimes committed in other states or jurisdictions 218.27 which would have been gross misdemeanors if conviction occurred in this state; 218.28

(12) a person who has been convicted of a violation of section 609.224 if the court determined that the assault was against a family or household member in accordance with section 609.2242, subdivision 3 (domestic assault), unless three years have elapsed since the date of conviction and, during that time, the person has not been convicted of another violation of section 609.224 or a violation of a section listed in clause (11); or

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(13) a person who is subject to an order for protection as described in section 260C.201, 219.1 subdivision 3, paragraph (d), or 518B.01, subdivision 6, paragraph (g). 219.2

219.3 A person who issues a certificate pursuant to this section in good faith is not liable for damages resulting or arising from the actions or misconduct with a firearm or ammunition 219.4 219.5 committed by the individual who is the subject of the certificate.

The prohibition in this subdivision relating to the possession of firearms other than 219.6 pistols and semiautomatic military-style assault weapons does not apply retroactively to 219.7 persons who are prohibited from possessing a pistol or semiautomatic military-style assault 219.8 weapon under this subdivision before August 1, 1994. 219.9

219.10 The lifetime prohibition on possessing, receiving, shipping, or transporting firearms and ammunition for persons convicted or adjudicated delinquent of a crime of violence in clause 219.11 (2), applies only to offenders who are discharged from sentence or court supervision for a 219.12 crime of violence on or after August 1, 1993. 219.13

Participation as a patient in the registry program or use of adult-use cannabis flower or 219.14 adult-use cannabinoid products by a person 21 years of age or older does not disqualify the 219.15 person from possessing firearms and ammunition under this section. 219.16

For purposes of this section, "judicial determination" means a court proceeding pursuant 219.17 to sections 253B.07 to 253B.09 or a comparable law from another state. 219.18

Sec. 56. Minnesota Statutes 2022, section 624.714, subdivision 6, is amended to read: 219.19

Subd. 6. Granting and denial of permits. (a) The sheriff must, within 30 days after the 219.20 date of receipt of the application packet described in subdivision 3: 219.21

(1) issue the permit to carry; 219.22

(2) deny the application for a permit to carry solely on the grounds that the applicant 219.23 219.24 failed to qualify under the criteria described in subdivision 2, paragraph (b); or

(3) deny the application on the grounds that there exists a substantial likelihood that the 219.25 applicant is a danger to self or the public if authorized to carry a pistol under a permit. 219.26

(b) Failure of the sheriff to notify the applicant of the denial of the application within 219.27 30 days after the date of receipt of the application packet constitutes issuance of the permit 219.28 to carry and the sheriff must promptly fulfill the requirements under paragraph (c). To deny 219.29 the application, the sheriff must provide the applicant with written notification and the 219.30 specific factual basis justifying the denial under paragraph (a), clause (2) or (3), including 219.31 the source of the factual basis. The sheriff must inform the applicant of the applicant's right 219.32

to submit, within 20 business days, any additional documentation relating to the propriety
of the denial. Upon receiving any additional documentation, the sheriff must reconsider the
denial and inform the applicant within 15 business days of the result of the reconsideration.
Any denial after reconsideration must be in the same form and substance as the original
denial and must specifically address any continued deficiencies in light of the additional
documentation submitted by the applicant. The applicant must be informed of the right to
seek de novo review of the denial as provided in subdivision 12.

(c) Upon issuing a permit to carry, the sheriff must provide a laminated permit card to the applicant by first class mail unless personal delivery has been made. Within five business days, the sheriff must submit the information specified in subdivision 7, paragraph (a), to the commissioner for inclusion solely in the database required under subdivision 15, paragraph (a). The sheriff must transmit the information in a manner and format prescribed by the commissioner.

(d) Within five business days of learning that a permit to carry has been suspended or
revoked, the sheriff must submit information to the commissioner regarding the suspension
or revocation for inclusion solely in the databases required or permitted under subdivision
15.

(e) Notwithstanding paragraphs (a) and (b), the sheriff may suspend the application process if a charge is pending against the applicant that, if resulting in conviction, will prohibit the applicant from possessing a firearm.

(f) A sheriff shall not deny an application for a permit to carry solely because the applicant
 is a patient enrolled in the registry program and uses medical cannabis flower or medical
 cannabinoid products for a qualifying medical condition or because the person is 21 years
 of age or older and uses adult-use cannabis flower or adult-use cannabinoid products.

220.25 Sec. 57. Minnesota Statutes 2022, section 624.7142, subdivision 1, is amended to read:

Subdivision 1. Acts prohibited. A person may not carry a pistol on or about the person's
clothes or person in a public place:

(1) when the person is under the influence of a controlled substance, as defined in section152.01, subdivision 4;

(2) when the person is under the influence of a combination of any two or more of theelements named in clauses (1) and (4);

(3) when the person is under the influence of an intoxicating substance as defined in
section 169A.03, subdivision 11a, and the person knows or has reason to know that the
substance has the capacity to cause impairment;

221.4 (4) when the person is under the influence of alcohol;

221.5 (5) when the person's alcohol concentration is 0.10 or more; or

(6) when the person's alcohol concentration is less than 0.10, but more than 0.04; or

221.7 (7) when the person is enrolled as a patient in the registry program, uses medical cannabis

221.8 flower or medical cannabinoid products, and knows or has reason to know that the medical

221.9 cannabis flower or medical cannabinoid products used by the person has the capacity to

221.10 cause impairment.

221.11 Sec. 58. Minnesota Statutes 2022, section 624.7151, is amended to read:

221.12 **624.7151 STANDARDIZED FORMS.**

By December 1, 1992, the commissioner shall adopt statewide standards governing the form and contents, as required by sections 624.7131 to 624.714, of every application for a pistol transferee permit, pistol transferee permit, report of transfer of a pistol, application for a permit to carry a pistol, and permit to carry a pistol that is granted or renewed on or after January 1, 1993.

Every application for a pistol transferee permit, pistol transferee permit, report of transfer 221.18 of a pistol, application for a permit to carry a pistol, and permit to carry a pistol that is 221.19 received, granted, or renewed by a police chief or county sheriff on or after January 1, 1993, 221.20 must meet the statewide standards adopted by the commissioner. Notwithstanding the 221.21 previous sentence, neither failure of the Department of Public Safety to adopt standards nor 221.22 failure of the police chief or county sheriff to meet them shall delay the timely processing 221.23 of applications nor invalidate permits issued on other forms meeting the requirements of 221.24 sections 624.7131 to 624.714. 221.25

Any form used for the purpose of approving or disapproving a person from purchasing, owning, possessing, or carrying a firearm that inquires about the applicant's use of controlled substances shall specifically authorize a patient in the registry program to refrain from reporting the use of medical cannabis flower and medical cannabinoid products and shall specifically authorize a person 21 years of age or older from refraining from reporting the use of adult-use cannabis flower or adult-use cannabinoid products.

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222.1	Sec. 59. [624.7152] LAWI	FUL CANNABIS US	ERS.	
222.2	(a) A person may not be	denied the right to put	rchase, own, posses	s, or carry a firearm
222.3	solely on the basis that the p	erson is a patient in th	e registry program.	
222.4	(b) A person may not be	denied the right to pu	rchase, own, posses	s, or carry a firearm
222.5	solely on the basis that the po	erson is 21 years of ag	ge or older and uses	adult-use cannabis
222.6	flower or adult-use cannabin	oid products.		
222.7	(c) A state or local agency	y may not access a data	abase containing the	identities of patients
222.8	in the registry program to ob	tain information for th	ne purpose of appro	ving or disapproving
222.9	a person from purchasing, ov	wning, possessing, or	carrying a firearm.	
222.10	(d) A state or local agency	y may not use informa	tion gathered from a	a database containing
222.11	the identities of patients in the	ne registry program to	obtain information	for the purpose of
222.12	approving or disapproving a	person from purchasi	ng, owning, posses	sing, or carrying a
222.13	firearm.			
222.14	(e) A state or local agenc	y may not inquire abo	out a person's status	as a patient in the
222.15	registry program for the purp	ose of approving or d	isapproving the per-	son from purchasing,
222.16	owning, possessing, or carry	ing a firearm.		
222.17	(f) A state or local agency	y may not inquire abo	ut the use of adult-	use cannabis flower
222.18	or adult-use cannabinoid pro	ducts by a person 21	years of age or olde	r for the purpose of
222.19	approving or disapproving th	ne person from purcha	asing, owning, posse	essing, or carrying a
222.20	firearm.			
222.21	Sec. 60. REPEALER.			
222.21				
222.22	(a) Minnesota Rules, part			
222.23	4770.0600; 4770.0800; 4770			<u>.</u>
222.24	4770.1400; 4770.1460; 4770			
222.25	4770.2000; 4770.2100; 4770	, , , , , , , , , , , , , , , , , , , ,	,	· · · · · · · · · · · · · · · · · · ·
222.26	<u>4770.4000; 4770.4002; 4770</u>	, , , , , , , , , , , , , , , , , , , ,	,	· · · · · · · · · · · · · · · · · · ·
222.27 222.28	4770.4009; 4770.4010; 4770 4770.4017; 4770.4018; and 4			5, 4770.4010,
222.29	(b) Minnesota Statutes 20			, 4, 5, 5a, 5b, 6, 7, 8.
222.30	9, 10, 11, 12, 13, and 14; 152			
222.31	152.26; 152.261; 152.27, sub			
222.32	3; 152.29, subdivisions 1, 2,			
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		222		

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223.1	152.33, subdiv	visions 1, 1a, 2, 3, 4.	, 5, and 6; 152.	34; 152.35; 152.36, s	ubdivisions 1, 1a, 2,
223.2		d 152.37, are repeal			
223.3	(c) Minnes	sota Statutes 2022, s	ection 152.027	, subdivisions 3 and 4	4. are repealed.
					<u>., </u>
223.4	(d) Minnes	sota Statutes 2022, s	ection 152.21,	is repeated.	
223.5				are effective January	
223.6	(c) is effective	August 1, 2023. Pa	ragraph (d) is e	effective July 1, 2023	<u>.</u>
223.7			ARTICLI	E 7	
223.8	Т	EMPORARY REC	GULATION C	OF CERTAIN PROD	OUCTS
223.9	Section 1. M	linnesota Statutes 20	022, section 34	A.01, subdivision 4, i	is amended to read:
223.10	Subd. 4. F	ood. "Food" means	every ingredier	nt used for, entering i	nto the consumption
223.11	of, or used or i	ntended for use in th	e preparation o	f food, drink, confect	ionery, or condiment
223.12	for humans or	other animals, whet	ther simple, mi	xed, or compound; an	nd articles used as
223.13	components of	f these ingredients, e	except that edib	ole cannabinoid produ	icts, as defined in
223.14	section 151.72	2, subdivision 1, para	agraph (c) (f) , a	are not food.	
223.15	<u>EFFECTI</u>	VE DATE. This see	ction is effectiv	e the day following f	inal enactment.
223.16	Sec. 2. Minn	iesota Statutes 2022	, section 144.99	9, subdivision 1, is ar	nended to read:
223.17	Subdivision	n 1. Remedies avail a	able. The provi	sions of chapters 103I	and 157 and sections
223.18	115.71 to 115.	77; 144.12, subdivis	sion 1, paragraj	ohs (1), (2), (5), (6), (10), (12), (13), (14),
223.19	and (15); 144.	1201 to 144.1204; 14	44.121; 144.121	15; 144.1222; 144.35;	144.381 to 144.385;
223.20	144.411 to 144	4.417; 144.495; 144	.71 to 144.74;	144.9501 to 144.9512	2; 144.97 to 144.98;
223.21	144.992; <u>151.</u>	<u>72;</u> 152.22 to 152.37	7; 326.70 to 32	6.785; 327.10 to 327.	131; and 327.14 to
223.22	327.28 and all	rules, orders, stipul	ation agreemer	nts, settlements, comp	pliance agreements,
223.23	licenses, regist	trations, certificates,	and permits ad	opted or issued by the	department or under
223.24	any other law	now in force or later	r enacted for th	e preservation of pub	olic health may, in
223.25	addition to pro	ovisions in other stat	tutes, be enforc	ed under this section	
223.26	<u>EFFECTI</u>	VE DATE. This see	ction is effectiv	e the day following f	inal enactment.
223.27	Sec. 3. Minn	iesota Statutes 2022	, section 151.72	2, is amended to read	:
223.28	151.72 SA	LE OF CERTAIN	CANNABING	DID PRODUCTS.	
223.29	Subdivisio	n 1. Definitions. (a)	For the purpos	es of this section, the	following terms have
223.30	the meanings	given.	_		

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(a) "Synthetically derived cannabinoid" means a cannabinoid extracted from a hemp 224.1 plant or hemp plant parts whose chemical makeup is changed after extraction to create a 224.2 224.3 different cannabinoid or other chemical compound by applying a catalyst other than heat or light. Synthetically derived cannabinoid includes but is not limited to any 224.4 tetrahydrocannabinol created from cannabidiol. 224.5 (b) "Batch" means a specific quantity of a specific product containing cannabinoids 224.6 derived from hemp, including an edible cannabinoid product, that is manufactured at the 224.7 same time and using the same methods, equipment, and ingredients that is uniform and 224.8 intended to meet specifications for identity, strength, purity, and composition, and that is 224.9 manufactured, packaged, and labeled according to a single batch production record executed 224.10 and documented during the same cycle of manufacture and produced by a continuous 224.11 224.12 process. (b) (c) "Certified hemp" means hemp plants that have been tested and found to meet the 224.13 requirements of chapter 18K and the rules adopted thereunder. 224.14 (d) "Commissioner" means the commissioner of health. 224.15 (e) "Distributor" means a person who sells, arranges a sale, or delivers a product 224 16 containing cannabinoids derived from hemp, including an edible cannabinoid product, that 224.17 the person did not manufacture to a retail establishment for sale to consumers. Distributor 224.18 does not include a common carrier used only to complete delivery to a retailer. 224.19 (c) (f) "Edible cannabinoid product" means any product that is intended to be eaten or 224.20 consumed as a beverage by humans, contains a cannabinoid in combination with food 224.21 ingredients, and is not a drug. 224.22 224.23 (d) (g) "Hemp" has the meaning given to "industrial hemp" in section 18K.02, subdivision 3. 224.24 224.25 (e) (h) "Label" has the meaning given in section 151.01, subdivision 18. (f) (i) "Labeling" means all labels and other written, printed, or graphic matter that are: 224.26 224.27 (1) affixed to the immediate container in which a product regulated under this section 224.28 is sold; (2) provided, in any manner, with the immediate container, including but not limited to 224.29 outer containers, wrappers, package inserts, brochures, or pamphlets; or 224.30 224.31 (3) provided on that portion of a manufacturer's website that is linked by a scannable

224.32 barcode or matrix barcode.

(g) (j) "Matrix barcode" means a code that stores data in a two-dimensional array of
 geometrically shaped dark and light cells capable of being read by the camera on a
 smartphone or other mobile device.

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225.4 (h)(k) "Nonintoxicating cannabinoid" means substances extracted from certified hemp 225.5 plants that do not produce intoxicating effects when consumed by any route of administration.

(1) "Artificial cannabinoid" means a substance with a similar chemical structure and
 pharmacological activity to a cannabinoid, but which is not extracted or derived from hemp
 plants, or hemp plant parts and is instead created or produced by chemical or biochemical
 synthesis.

Subd. 2. Scope. (a) This section applies to the sale of any product that contains
cannabinoids extracted from hemp and that is an edible cannabinoid product or is intended
for human or animal consumption by any route of administration.

(b) This section does not apply to any product dispensed by a registered medical cannabismanufacturer pursuant to sections 152.22 to 152.37.

(c) The <u>board commissioner</u> must have no authority over food products, as defined in
section 34A.01, subdivision 4, that do not contain cannabinoids extracted or derived from
hemp.

Subd. 3. Sale of cannabinoids derived from hemp. (a) Notwithstanding any other section of this chapter, a product containing nonintoxicating cannabinoids, including an edible cannabinoid product, may be sold for human or animal consumption only if all of the requirements of this section are met, provided that a product sold for human or animal consumption does not contain more than 0.3 percent of any tetrahydrocannabinol and an edible cannabinoid product does not contain an amount of any tetrahydrocannabinol that exceeds the limits established in subdivision 5a, paragraph (f).

(b) No other substance extracted or otherwise derived from hemp may be sold for humanconsumption if the substance is intended:

(1) for external or internal use in the diagnosis, cure, mitigation, treatment, or preventionof disease in humans or other animals; or

(2) to affect the structure or any function of the bodies of humans or other animals.

(c) No product containing any cannabinoid or tetrahydrocannabinol extracted or otherwisederived from hemp may be sold to any individual who is under the age of 21.

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(d) Products that meet the requirements of this section are not controlled substancesunder section 152.02.

Subd. 4. **Testing requirements.** (a) A manufacturer of a product regulated under this section must submit representative samples <u>of each batch</u> of the product to an independent, accredited laboratory in order to certify that the product complies with the standards adopted by the board<u>on or before July 1, 2023, or the standards adopted by the commissioner</u>.

Testing must be consistent with generally accepted industry standards for herbal and botanical
substances, and, at a minimum, the testing must confirm that the product:

(1) contains the amount or percentage of cannabinoids that is stated on the label of theproduct;

(2) does not contain more than trace amounts of any mold, residual solvents or other
 <u>catalysts</u>, pesticides, fertilizers, or heavy metals; and

(3) does not contain more than 0.3 percent of any tetrahydrocannabinol.

226.14 (b) A manufacturer of a product regulated under this section must disclose all known

226.15 information regarding pesticides, fertilizers, solvents, or other foreign materials applied to

226.16 industrial hemp or added to industrial hemp during any production or processing stages of

226.17 any batch from which a representative sample has been sent for testing, including any

226.18 catalysts used to create synthetically derived cannabinoids. Disclosure must be made to the

226.19 laboratory performing testing or sampling and, upon request, to the commissioner. Disclosure

226.20 must include all information known to the licensee regardless of whether the application or

226.21 addition was made intentionally or accidentally, or by the manufacturer or any other person.

226.22 (b) (c) Upon the request of the board commissioner, the manufacturer of the product 226.23 must provide the board commissioner with the results of the testing required in this section.

(d) The commissioner may determine that any testing laboratory that does not operate
 formal management systems under the International Organization for Standardization is not
 an accredited laboratory and require that a representative sample of a batch of the product
 be retested by a testing laboratory that meets this requirement.

(e) (e) Testing of the hemp from which the nonintoxicating cannabinoid was derived,
or possession of a certificate of analysis for such hemp, does not meet the testing requirements
of this section.

226.31 Subd. 5. Labeling requirements. (a) A product regulated under this section must bear 226.32 a label that contains, at a minimum:

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(1) the name, location, contact phone number, and website of the manufacturer of theproduct;

(2) the name and address of the independent, accredited laboratory used by themanufacturer to test the product; and

227.5 (3) the batch number; and

227.6 (3)(4) an accurate statement of the amount or percentage of cannabinoids found in each 227.7 unit of the product meant to be consumed.

(b) The information in paragraph (a) may be provided on an outer package if theimmediate container that holds the product is too small to contain all of the information.

(c) The information required in paragraph (a) may be provided through the use of a
scannable barcode or matrix barcode that links to a page on the manufacturer's website if
that page contains all of the information required by this subdivision.

(d) The label must also include a statement stating that the product does not claim to
diagnose, treat, cure, or prevent any disease and has not been evaluated or approved by the
United States Food and Drug Administration (FDA) unless the product has been so approved.

(e) The information required by this subdivision must be prominently and conspicuously
placed on the label or displayed on the website in terms that can be easily read and understood
by the consumer.

(f) The labeling must not contain any claim that the product may be used or is effective for the prevention, treatment, or cure of a disease or that it may be used to alter the structure or function of human or animal bodies, unless the claim has been approved by the FDA.

Subd. 5a. Additional requirements for edible cannabinoid products. (a) In addition to the testing and labeling requirements under subdivisions 4 and 5, an edible cannabinoid must meet the requirements of this subdivision.

(b) An edible cannabinoid product must not:

(1) bear the likeness or contain cartoon-like characteristics of a real or fictional person,animal, or fruit that appeals to children;

(2) be modeled after a brand of products primarily consumed by or marketed to children;

(3) be made by applying an extracted or concentrated hemp-derived cannabinoid to acommercially available candy or snack food item;

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(4) be substantively similar to a meat food product; poultry food product as defined in
 section 31A.02, subdivision 10; or a dairy product as defined in section 32D.01, subdivision
 7;

 $\frac{(4)(5)}{(5)}$ contain an ingredient, other than a hemp-derived cannabinoid, that is not approved by the United States Food and Drug Administration for use in food;

228.6 (5) (6) be packaged in a way that resembles the trademarked, characteristic, or 228.7 product-specialized packaging of any commercially available food product; or

 $\frac{(6)(7)}{(6)(7)}$ be packaged in a container that includes a statement, artwork, or design that could reasonably mislead any person to believe that the package contains anything other than an edible cannabinoid product.

(c) An edible cannabinoid product must be prepackaged in packaging or a container that is child-resistant, tamper-evident, and opaque or placed in packaging or a container that is child-resistant, tamper-evident, and opaque at the final point of sale to a customer. The requirement that packaging be child-resistant does not apply to an edible cannabinoid product that is intended to be consumed as a beverage and which contains no more than a trace amount of any tetrahydrocannabinol total of 0.25 milligrams of all tetrahydrocannabinols.

(d) If an edible cannabinoid product is intended for more than a single use or contains
multiple servings, each serving must be indicated by scoring, wrapping, or other indicators
designating the individual serving size that appear on the edible cannabinoid product.

(e) A label containing at least the following information must be affixed to the packagingor container of all edible cannabinoid products sold to consumers:

228.22 (1) the serving size;

228.23 (2) the cannabinoid profile per serving and in total;

(3) a list of ingredients, including identification of any major food allergens declaredby name; and

(4) the following statement: "Keep this product out of reach of children."

(f) An edible cannabinoid product must not contain more than five milligrams of any
tetrahydrocannabinol in a single serving, or more than a total of 50 milligrams of any
tetrahydrocannabinol per package.

(g) An edible cannabinoid product may contain delta-8 tetrahydrocannabinol or delta-9

228.31 tetrahydrocannabinol that is extracted from hemp plants or hemp plant parts or is an

228.32 synthetically derived cannabinoid. Edible cannabinoid products are prohibited from

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229.1 229.2 229.3	THC-O, and H	y other synthetically de IHC, unless the comm n edible cannabinoid p	nissioner auth	orizes use of the synt	hetically derived
229.4		ng artificial cannabino			
229.5	Subd. 5b. I	Registration; prohib	itions. (a) On	or before October 1,	2023, every person
229.6	selling edible	cannabinoid products	to consumers	must apply for regis	tration with the
229.7	commissioner	in a form and manne	r established b	by the commissioner.	After October 1,
229.8	2023, the sale	of edible cannabinoid	products by a	person that is not reg	istered is prohibited.
229.9	(b) The con	mmissioner shall appr	rove complete	d registration applica	tions unless the
229.10	applicant is op	perating in violation o	f this section	or the commissioner	reasonably believes
229.11	that the applic	ant will operate in vio	olation of this	section.	
229.12	(c) The cor	mmissioner shall not	charge a fee fo	or registration under t	his subdivision.
229.13	(d) A regis	tered retailer shall no	<u>t:</u>		
229.14	(1) permit	the on-site consumpti	ion of edible c	annabinoid products;	or
229.15	(2) provide	e free samples of edib	le cannabinoi	d products, except that	at a retailer may
229.16	provide a singl	le package of an edibl	e cannabinoid	product with the purc	chase of a childproof
229.17	packaging con	tainer or other device	e designed to e	ensure the safe storag	e and monitoring of
229.18	edible cannabi	inoid products in the l	home to preve	nt access by individu	als under 21 years
229.19	of age.				
229.20	<u>Subd. 5c.</u>	Age verification. (a) P	Prior to initiation	ng a sale of an edible c	annabinoid product,
229.21	an employee o	of a retailer must verif	fy that the cust	tomer is at least 21 ye	ears of age.
229.22	(b) Proof o	f age may be establis	hed only by o	ne of the following:	
229.23	<u>(1) a valid</u>	driver's license or ide	entification can	d issued by Minneso	ta, another state, or
229.24	a province of C	Canada and including	the photograp	h and date of birth of	the licensed person;
229.25	<u>(2) a valid</u>	Tribal identification of	card as defined	d in section 171.072,	paragraph (b);
229.26	<u>(3)</u> a valid	passport issued by the	e United State	<u>s;</u>	
229.27	<u>(4) a valid</u>	instructional permit i	ssued under se	ection 171.05 to a per	rson of legal age to
229.28	purchase edibl	le cannabinoid produc	cts, which incl	udes a photograph ar	nd the date of birth
229.29	of the person i	ssued the permit; or			
229.30	<u>(5) in the c</u>	ase of a foreign natio	nal, by a valic	l passport.	

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230.1 (c) A registered retailer may seize a form of identification listed under paragraph (b) if

230.2 the registered retailer has reasonable grounds to believe that the form of identification has

230.3 <u>been altered or falsified or is being used to violate any law. A registered retailer that seizes</u>

230.4 <u>a form of identification as authorized under this paragraph must deliver it to a law</u>

230.5 enforcement agency within 24 hours of seizing it.

Subd. 6. <u>Noncompliant products;</u> enforcement. (a) A product regulated under this section, including an edible cannabinoid product, shall be considered an adulterated drug a noncompliant product if the product is offered for sale in this state or if the product is manufactured, imported, distributed, or stored with the intent to be offered for sale in this

230.10 state in violation of any provision of this section, including but not limited to if:

230.11 (1) it consists, in whole or in part, of any filthy, putrid, or decomposed substance;

(2) it has been produced, prepared, packed, or held under unsanitary conditions where
it may have been rendered injurious to health, or where it may have been contaminated with
filth;

(3) its container is composed, in whole or in part, of any poisonous or deleterioussubstance that may render the contents injurious to health;

(4) it contains any food additives, color additives, or excipients that have been found bythe FDA to be unsafe for human or animal consumption;

(5) it contains an amount or percentage of nonintoxicating cannabinoids that is differentthan the amount or percentage stated on the label;

(6) it contains more than 0.3 percent of any tetrahydrocannabinol or, if the product is
an edible cannabinoid product, an amount of tetrahydrocannabinol that exceeds the limits
established in subdivision 5a, paragraph (f); or

(7) it contains more than trace amounts of mold, residual solvents, pesticides, fertilizers,
or heavy metals.

(b) A product regulated under this section shall be considered a misbranded drug
 <u>noncompliant product</u> if the product's labeling is false or misleading in any manner or in
 violation of the requirements of this section.

(c) The board's authority to issue cease and desist orders under section 151.06; to embargo
adulterated and misbranded drugs under section 151.38; and to seek injunctive relief under
section 214.11, extends to any commissioner may assume that any product regulated under
this section that is present in the state, other than a product lawfully possessed for personal
use, has been manufactured, imported, distributed, or stored with the intent to be offered

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231.1	for sale in this	s state if a product of	f the same type	and brand was sold in	the state on or after
231.2	July 1, 2023,	or if the product is i	n the possessic	on of a person who has	sold any product in
231.3	violation of th	nis section.			
231.4	<u>(d)</u> The co	mmissioner may en	force this secti	on, including enforcem	ent against a
231.5	manufacturer	or distributor of a pr	oduct regulated	l under this section, und	er sections 144.989
231.6	to 144.993.				
231.7	<u>(e)</u> The co	mmissioner may en	ter into an inte	ragency agreement with	h the Office of
231.8	Cannabis Mar	nagement to perform	inspections an	d take other enforceme	nt actions on behalf
231.9	of the commis	ssioner.			
231.10	<u>Subd. 7.</u> V	iolations; criminal	penalties. (a) N	Iotwithstanding section	144.99, subdivision
231.11	11, a person w	who does any of the f	ollowing regar	ding a product regulate	d under this section
231.12	is guilty of a g	gross misdemeanor a	and may be ser	tenced to imprisonmer	it for not more than
231.13	one year or to	payment of a fine of	of not more that	n \$3,000, or both:	
231.14	<u>(1) knowii</u>	ngly alters or otherw	vise falsifies te	sting results;	
231.15	(2) intentio	onally alters or falsi	fies any inform	nation required to be ine	cluded on the label
231.16	of an edible c	annabinoid product;	or		
231.17	(3) intentio	onally makes a false	material state	ment to the commission	ner.
231.18	(b) Notwit	thstanding section 1	44.99, subdivis	sion 11, a person who d	oes any of the
231.19	following on	the premises of a reg	gistered retailer	or another business th	at sells retail goods
231.20	to customers	is guilty of a gross n	nisdemeanor a	nd may be sentenced to	imprisonment for
231.21	not more than	one year or to payr	nent of a fine c	of not more than \$3,000	, or both:
231.22	<u>(1) sells an</u>	n edible cannabinoic	l product know	ring that the product do	es not comply with
231.23	the limits on t	he amount or types	of cannabinoid	ls that a product may co	ontain;
231.24	(2) sells an	n edible cannabinoic	l product know	ving that the product do	es not comply with
231.25	the applicable	e testing, packaging,	or labeling rec	uirements; or	
231.26	(3) sells an	n edible cannabinoid	l product to a p	person under the age of	21, except that it is
231.27	an affirmative	e defense to a charge	under this cla	use if the defendant pro	oves by a
231.28	preponderanc	e of the evidence the	at the defendar	t reasonably and in goo	od faith relied on
231.29	proof of age a	s described in subdi	vision 5c.		
231.30	EFFECT	IVE DATE. This se	ction is effecti	ve the day following fin	nal enactment.

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232.1	Sec. 4. Minr	nesota Statutes 2022, s	section 340A	.412, subdivision 14,	is amended to read:
232.2	Subd. 14.	Exclusive liquor stor	es. (a) Excep	t as otherwise provided	d in this subdivision,
232.3	an exclusive l	iquor store may sell o	nly the follow	ving items:	
232.4	(1) alcoho	lic beverages;			
232.5	(2) tobacco	o products;			
232.6	(3) ice;				
232.7	(4) beverag	ges, either liquid or pov	wder, specifica	ally designated for mix	ing with intoxicating
232.8	liquor;				
232.9	(5) soft dri	inks;			
232.10	(6) liqueur	-filled candies;			
232.11	(7) food pr	roducts that contain m	nore than one	-half of one percent al	cohol by volume;
232.12	(8) cork ex	straction devices;			
232.13	(9) books	and videos on the use	of alcoholic	beverages;	
232.14	(10) magaz	zines and other publica	ations publish	ed primarily for inform	nation and education
232.15	on alcoholic b	veverages;			
232.16	(11) multij	ple-use bags designed	to carry pure	hased items;	
232.17	(12) device	es designed to ensure	safe storage	and monitoring of alco	ohol in the home, to
232.18	prevent access	s by underage drinker	s;		
232.19	(13) home	brewing equipment;			
232.20	(14) clothi	ng marked with the sp	pecific name,	brand, or identifying l	ogo of the exclusive
232.21	liquor store, a	nd bearing no other na	ame, brand, o	or identifying logo;	
232.22	(15) citrus	fruit; and			
232.23	(16) glassv	ware- <u>; and</u>			
232.24	<u>(17) edible</u>	e cannabinoid product	s as defined i	n section 151.72, subd	livision 1, paragraph
232.25	<u>(f).</u>				
232.26		clusive liquor store the			
232.27 232.28	license may so issuing the lic	ell food for on-premis ense.	e consumptio	on when authorized by	the municipality
202.20		1 • 1•	CC 1:	1 1 4 4 1	

232.29 (c) An exclusive liquor store may offer live or recorded entertainment.

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233.1	<u>EFFECTI</u>	VE DATE. This se	ction is effective	the day following fi	inal enactment.
233.2	Sec. 5. <u>EDIB</u>	LE CANNABIN	DID PRODUCT	S; ENFORCEMEN	<u>NT.</u>
233.3	(a) The Dep	partment of Health	shall enforce the	provisions of Minnes	sota Statutes, section
233.4	151.72, and all	rules, orders, stipu	lation agreemen	ts, settlements, comp	oliance agreements,
233.5	and registration	ns related to that see	ction adopted or	issued by the Office of	of Medical Cannabis
233.6	or the Departm	ent of Health pursu	ant to the Health	Enforcement Conso	lidation Act of 1993
233.7	contained in M	innesota Statutes, s	sections 144.989	to 144.993. The con	missioner of health
233.8	may assign enf	orcement responsi	bilities to the Of	fice of Medical Canr	abis.
233.9	(b) The enfo	preement authority	under paragraph	(a) shall transfer to th	e Office of Cannabis
233.10	Management a	t any such time tha	t the powers and	duties of the Departr	nent of Health, with
233.11	respect to the r	nedical cannabis pr	rogram under M	innesota Statutes 202	22, sections 152.22
233.12	to 152.37, are t	ransferred to the O	ffice of Cannabis	Management. The d	lirector of the Office
233.13	of Cannabis Ma	anagement may assi	ign enforcement	responsibilities to the	Division of Medical
233.14	Cannabis.				
233.15	(c) This sec	tion shall expire or	n July 1, 2024.		
233.16	EFFECTIV	VE DATE. This se	ction is effective	the day following fi	inal enactment.
233.17	Sec. 6. <u>REPI</u>	EALER.			
233.18	Minnesota	Statutes 2022, sect	ion 151.72, is re	pealed.	
233.19	EFFECTI	VE DATE. This se	ction is effective	July 1, 2024.	
233.20			ARTICLE	8	
233.21		SCHE	DULING OF M	IARIJUANA	
233.22	Section 1. M	innesota Statutes 2	022, section 152	.02, subdivision 2, is	amended to read:
233.23	Subd. 2. Sc	hedule I. (a) Scheo	dule I consists of	the substances listed	l in this subdivision.
233.24	(b) Opiates	. Unless specificall	y excepted or un	less listed in another	schedule, any of the
233.25	following subs	tances, including tl	heir analogs, ison	mers, esters, ethers, s	salts, and salts of
233.26	isomers, esters	, and ethers, when	ever the existenc	e of the analogs, isor	ners, esters, ethers,
233.27	and salts is pos	sible:			
233.28	(1) acetylm	ethadol;			
233.29	(2) allylpro	dine;			

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234.1	(3) alpha	acetylmethadol (exce	pt levo-alphacet	ylmethadol, also knov	vn as levomethadyl
234.2	acetate);				
234.3	(4) alpha	ameprodine;			
234.4	(5) alpha	amethadol;			
234.5	(6) alpha	a-methylfentanyl benz	zethidine;		
234.6	(7) betac	etylmethadol;			
234.7	(8) betan	neprodine;			
234.8	(9) betan	nethadol;			
234.9	(10) beta	aprodine;			
234.1	0 (11) clon	nitazene;			
234.1	1 (12) dext	tromoramide;			
234.1	2 (13) dian	npromide;			
234.1	3 (14) diet	hyliambutene;			
234.1	4 (15) dife	noxin;			
234.1	5 (16) dim	enoxadol;			
234.1	6 (17) dim	epheptanol;			
234.1	7 (18) dim	ethyliambutene;			
234.1	8 (19) diox	xaphetyl butyrate;			
234.1	9 (20) dipi	panone;			
234.2	0 (21) ethy	/lmethylthiambutene;	;		
234.2	1 (22) etom	nitazene;			
234.2	2 (23) etox	xeridine;			
234.2	3 (24) fure	ethidine;			
234.2	4 (25) hyd	roxypethidine;			
234.2	5 (26) keto	obemidone;			
234.2	6 (27) leve	omoramide;			
234.2	7 (28) leve	ophenacylmorphan;			

0.		/ III Eligiossilient
235.1	(29) 3-methylfentanyl;	
235.2	(30) acetyl-alpha-methylfentanyl;	
235.3	(31) alpha-methylthiofentanyl;	
235.4	(32) benzylfentanyl beta-hydroxyfentanyl;	
235.5	(33) beta-hydroxy-3-methylfentanyl;	
235.6	(34) 3-methylthiofentanyl;	
235.7	(35) thenylfentanyl;	
235.8	(36) thiofentanyl;	
235.9	(37) para-fluorofentanyl;	
235.10	(38) morpheridine;	
235.11	(39) 1-methyl-4-phenyl-4-propionoxypiperidine;	
235.12	(40) noracymethadol;	
235.13	(41) norlevorphanol;	
235.14	(42) normethadone;	
235.15	(43) norpipanone;	
235.16	(44) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine (PEPAP);	
235.17	(45) phenadoxone;	
235.18	(46) phenampromide;	
235.19	(47) phenomorphan;	
235.20	(48) phenoperidine;	
235.21	(49) piritramide;	
235.22	(50) proheptazine;	
235.23	(51) properidine;	
235.24	(52) propiram;	
235.25	(53) racemoramide;	
235.26	(54) tilidine;	
235.27	(55) trimeperidine;	

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236.1 (56) N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl);

236.2 (57) 3,4-dichloro-N-[(1R,2R)-2-(dimethylamino)cyclohexyl]-N-

236.3 methylbenzamide(U47700);

236.4 (58) N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide(furanylfentanyl);

236.5 (59) 4-(4-bromophenyl)-4-dimethylamino-1-phenethylcyclohexanol (bromadol);

(60) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide (Cyclopropryl
 fentanyl);

236.8 (61) N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide) (butyryl fentanyl);

236.9 (62) 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine) (MT-45);

236.10 (63) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide (cyclopentyl
236.11 fentanyl);

236.12 (64) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutyryl fentanyl);

236.13 (65) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (valeryl fentanyl);

236.14 (66) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide

236.15 (para-chloroisobutyryl fentanyl);

236.16 (67) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide (para-fluorobutyryl
236.17 fentanyl);

236.18 (68) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide

236.19 (para-methoxybutyryl fentanyl);

236.20 (69) N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide (ocfentanil);

236.21 (70) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide (4-fluoroisobutyryl
236.22 fentanyl or para-fluoroisobutyryl fentanyl);

236.23 (71) N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide (acryl fentanyl or236.24 acryloylfentanyl);

236.25 (72) 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (methoxyacetyl
236.26 fentanyl);

236.27 (73) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide (ortho-fluorofentanyl)
236.28 or 2-fluorofentanyl);

236.29 (74) N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide
236.30 (tetrahydrofuranyl fentanyl); and

(75) Fentanyl-related substances, their isomers, esters, ethers, salts and salts of isomers,
esters and ethers, meaning any substance not otherwise listed under another federal

237.3 Administration Controlled Substance Code Number or not otherwise listed in this section,

and for which no exemption or approval is in effect under section 505 of the Federal Food,
Drug, and Cosmetic Act, United States Code, title 21, section 355, that is structurally related

237.6 to fentanyl by one or more of the following modifications:

(i) replacement of the phenyl portion of the phenethyl group by any monocycle, whetheror not further substituted in or on the monocycle;

(ii) substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo,
haloalkyl, amino, or nitro groups;

237.11 (iii) substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether,

237.12 hydroxyl, halo, haloalkyl, amino, or nitro groups;

(iv) replacement of the aniline ring with any aromatic monocycle whether or not furthersubstituted in or on the aromatic monocycle; or

237.15 (v) replacement of the N-propionyl group by another acyl group.

237.16 (c) Opium derivatives. Any of the following substances, their analogs, salts, isomers,

237.17 and salts of isomers, unless specifically excepted or unless listed in another schedule,

237.18 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- 237.19 (1) acetorphine;
- 237.20 (2) acetyldihydrocodeine;
- 237.21 (3) benzylmorphine;
- 237.22 (4) codeine methylbromide;
- 237.23 (5) codeine-n-oxide;
- 237.24 (6) cyprenorphine;
- 237.25 (7) desomorphine;
- 237.26 (8) dihydromorphine;
- 237.27 (9) drotebanol;
- 237.28 (10) etorphine;
- 237.29 (11) heroin;
- 237.30 (12) hydromorphinol;

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238.1	(13) methylde	esorphine;			
238.2	(14) methyldi	hydromorphine;			
238.3	(15) morphin	e methylbromide;			
238.4	(16) morphin	e methylsulfonate	• •		
238.5	(17) morphin	e-n-oxide;			
238.6	(18) myrophi	ne;			
238.7	(19) nicocode	eine;			
238.8	(20) nicomor	phine;			
238.9	(21) normorp	hine;			
238.10	(22) pholcodi	ne; and			
238.11	(23) thebacor	l.			
238.12	. ,		-	nixture or preparation	-
238.13 238.14		C		salts, isomers (whethe cally excepted or unle	
238.14	•		· ·	salts, isomers, and sal	
238.16	possible:				
238.17	(1) methylene	edioxy amphetami	ne;		
238.18	(2) methylene	edioxymethamphe	tamine;		
238.19	(3) methylene	edioxy-N-ethylam	phetamine (Ml	DEA);	
238.20	(4) n-hydroxy	-methylenedioxya	amphetamine;		
238.21	(5) 4-bromo-2	2,5-dimethoxyamp	phetamine (DC	0B);	
238.22	(6) 2,5-dimet	hoxyamphetamine	e (2,5-DMA);		
238.23	(7) 4-methox	yamphetamine;			
238.24	(8) 5-methox	y-3, 4-methylened	lioxyamphetam	nine;	
238.25	(9) alpha-ethy	ltryptamine;			
238.26	(10) bufoteni	ne;			
238.27	(11) diethyltr	yptamine;			
238.28	(12) dimethyl	tryptamine;			

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239.1	(13) 3,4,5	-trimethoxyampheta	amine;		
239.2	(14) 4-me	thyl-2, 5-dimethoxy	yamphetamine (I	DOM);	
239.3	(15) iboga	ine;			
239.4	(16) lyserg	gic acid diethylamic	de (LSD);		
239.5	(17) mesca	aline;			
239.6	(18) parah	exyl;			
239.7	(19) N-eth	yl-3-piperidyl benz	zilate;		
239.8	(20) N-me	ethyl-3-piperidyl be	nzilate;		
239.9	(21) psiloo	cybin;			
239.10	(22) psiloo	cyn;			
239.11	(23) tenoc	yclidine (TPCP or	TCP);		
239.12	(24) N-eth	yl-1-phenyl-cyclob	nexylamine (PCE	2);	
239.13	(25) 1-(1-]	phenylcyclohexyl)	pyrrolidine (PCF	y);	
239.14	(26) 1-[1-((2-thienyl)cyclohex	xyl]-pyrrolidine (ТСРу);	
239.15	(27) 4-chl	oro-2,5-dimethoxya	amphetamine (D	OC);	
239.16	(28) 4-eth	yl-2,5-dimethoxyar	nphetamine (DO	ET);	
239.17	(29) 4-iod	o-2,5-dimethoxyan	nphetamine (DO	[);	
239.18	(30) 4-bro	mo-2,5-dimethoxy	phenethylamine	(2C-B);	
239.19	(31) 4-chl	oro-2,5-dimethoxyj	ohenethylamine	(2C-C);	
239.20	(32) 4-me	thyl-2,5-dimethoxy	phenethylamine	(2C-D);	
239.21	(33) 4-eth	yl-2,5-dimethoxypl	nenethylamine (2	сс-Е);	
239.22	(34) 4-iod	o-2,5-dimethoxyph	enethylamine (2	C-I);	
239.23	(35) 4-pro	pyl-2,5-dimethoxy	phenethylamine	(2C-P);	
239.24	(36) 4-isoj	propylthio-2,5-dime	ethoxyphenethyl	amine (2C-T-4);	
239.25	(37) 4-pro	pylthio-2,5-dimeth	oxyphenethylam	ine (2C-T-7);	
239.26		bromo-2,3,6,7-tetra	hydrofuro [2,3-f][1]benzofuran-4-yl)eth	anamine
239.27	(2-CB-FLY);				

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- (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY); 240.1 (40) alpha-methyltryptamine (AMT); 240.2 (41) N,N-diisopropyltryptamine (DiPT); 240.3 (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT); 240.4 (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET); 240.5 (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT); 240.6 (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT); 240.7 (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT); 240.8 240.9 (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT); (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT); 240.10 (49) 5-methoxy-α-methyltryptamine (5-MeO-AMT); 240.11 (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT); 240.12 (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT); 240.13 (52) 5-methoxy-N-methyl-N-isopropyltryptamine (5-MeO-MiPT); 240.14 (53) 5-methoxy-α-ethyltryptamine (5-MeO-AET); 240.15 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT); 240.16 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET); 240.17 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT); 240.18 240.19 (57) methoxetamine (MXE); (58) 5-iodo-2-aminoindane (5-IAI); 240.20 (59) 5,6-methylenedioxy-2-aminoindane (MDAI); 240.21 (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe); 240.22 (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe); 240.23 (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe); 240.24 (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H); 240.25
 - 240.26 (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
 - 240.27 (65) N,N-Dipropyltryptamine (DPT);

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- 241.1 (66) 3-[1-(Piperidin-1-yl)cyclohexyl]phenol (3-HO-PCP);
- 241.2 (67) N-ethyl-1-(3-methoxyphenyl)cyclohexanamine (3-MeO-PCE);
- 241.3 (68) 4-[1-(3-methoxyphenyl)cyclohexyl]morpholine (3-MeO-PCMo);
- 241.4 (69) 1-[1-(4-methoxyphenyl)cyclohexyl]-piperidine (methoxydine, 4-MeO-PCP);

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- 241.5 (70) 2-(2-Chlorophenyl)-2-(ethylamino)cyclohexan-1-one (N-Ethylnorketamine,
- 241.6 ethketamine, NENK);
- 241.7 (71) methylenedioxy-N,N-dimethylamphetamine (MDDMA);
- 241.8 (72) 3-(2-Ethyl(methyl)aminoethyl)-1H-indol-4-yl (4-AcO-MET); and
- 241.9 (73) 2-Phenyl-2-(methylamino)cyclohexanone (deschloroketamine).

(e) Peyote. All parts of the plant presently classified botanically as Lophophora williamsii 241.10 Lemaire, whether growing or not, the seeds thereof, any extract from any part of the plant, 241.11 and every compound, manufacture, salts, derivative, mixture, or preparation of the plant, 241.12 its seeds or extracts. The listing of peyote as a controlled substance in Schedule I does not 241.13 apply to the nondrug use of peyote in bona fide religious ceremonies of the American Indian 241.14 Church, and members of the American Indian Church are exempt from registration. Any 241.15 person who manufactures peyote for or distributes peyote to the American Indian Church, 241.16 however, is required to obtain federal registration annually and to comply with all other 241.17 requirements of law. 241.18

(f) Central nervous system depressants. Unless specifically excepted or unless listed in
another schedule, any material compound, mixture, or preparation which contains any
quantity of the following substances, their analogs, salts, isomers, and salts of isomers
whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- 241.23 (1) mecloqualone;
- 241.24 (2) methaqualone;
- 241.25 (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;
- 241.26 (4) flunitrazepam;

241.27 (5) 2-(2-Methoxyphenyl)-2-(methylamino)cyclohexanone (2-MeO-2-deschloroketamine,
241.28 methoxyketamine);

- 241.29 (6) tianeptine;
- 241.30 (7) clonazolam;

(8) etizolam; 242.1 (9) flubromazolam; and 242.2 (10) flubromazepam. 242.3 (g) Stimulants. Unless specifically excepted or unless listed in another schedule, any 242.4 material compound, mixture, or preparation which contains any quantity of the following 242.5 substances, their analogs, salts, isomers, and salts of isomers whenever the existence of the 242.6 242.7 analogs, salts, isomers, and salts of isomers is possible: (1) aminorex; 242.8 242.9 (2) cathinone; (3) fenethylline; 242.10 (4) methcathinone; 242.11 (5) methylaminorex; 242.12 (6) N,N-dimethylamphetamine; 242.13 (7) N-benzylpiperazine (BZP); 242.14 (8) methylmethcathinone (mephedrone); 242.15 (9) 3,4-methylenedioxy-N-methylcathinone (methylone); 242.16 (10) methoxymethcathinone (methedrone); 242.17 (11) methylenedioxypyrovalerone (MDPV); 242.18 (12) 3-fluoro-N-methylcathinone (3-FMC); 242.19 (13) methylethcathinone (MEC); 242.20 (14) 1-benzofuran-6-ylpropan-2-amine (6-APB); 242.21 (15) dimethylmethcathinone (DMMC); 242.22 (16) fluoroamphetamine; 242.23 (17) fluoromethamphetamine; 242.24 (18) α-methylaminobutyrophenone (MABP or buphedrone); 242.25 (19) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone); 242.26 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378); 242.27

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243.1 (21) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl) pentan-1-one (naphthylpyrovalerone or 243.2 naphyrone);

- 243.3 (22) (alpha-pyrrolidinopentiophenone (alpha-PVP);
- 243.4 (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or MPHP);
- 243.5 (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- 243.6 (25) 4-methyl-N-ethylcathinone (4-MEC);
- 243.7 (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
- 243.8 (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- 243.9 (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone);
- 243.10 (29) 4-fluoro-N-methylcathinone (4-FMC);
- 243.11 (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);
- 243.12 (31) alpha-pyrrolidinobutiophenone (α -PBP);
- 243.13 (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);
- 243.14 (33) 1-phenyl-2-(1-pyrrolidinyl)-1-heptanone (PV8);
- 243.15 (34) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB);
- 243.16 (35) 4-methyl-alpha-ethylaminopentiophenone (4-MEAPP);
- 243.17 (36) 4'-chloro-alpha-pyrrolidinopropiophenone (4'-chloro-PPP);
- 243.18 (37) 1-(1,3-Benzodioxol-5-yl)-2-(dimethylamino)butan-1-one (dibutylone, bk-DMBDB);
- 243.19 (38) 1-(3-chlorophenyl) piperazine (meta-chlorophenylpiperazine or mCPP);

243.20 (39) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one (N-ethylpentylone, ephylone);
243.21 and

(40) any other substance, except bupropion or compounds listed under a different
schedule, that is structurally derived from 2-aminopropan-1-one by substitution at the
1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the
compound is further modified in any of the following ways:

(i) by substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy,
haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring
system by one or more other univalent substituents;

(ii) by substitution at the 3-position with an acyclic alkyl substituent;

(iii) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or
methoxybenzyl groups; or

244.3 (iv) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(h) Marijuana, tetrahydrocannabinols, and synthetic cannabinoids. Unless specifically
excepted or unless listed in another schedule, any natural or synthetic material, compound,
mixture, or preparation that contains any quantity of the following substances, their analogs,
isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence
of the isomers, esters, ethers, or salts is possible:

244.9 **(1) marijuana;**

(2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis, except 244.10 that tetrahydrocannabinols do not include any material, compound, mixture, or preparation 244.11 that qualifies as industrial hemp as defined in section 18K.02, subdivision 3; synthetic 244.12 equivalents of the substances contained in the cannabis plant or in the resinous extractives 244.13 of the plant; or synthetic substances with similar chemical structure and pharmacological 244.14 activity to those substances contained in the plant or resinous extract, including, but not 244.15 limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans tetrahydrocannabinol, and 3,4 244.16 cis or trans tetrahydrocannabinol; 244.17

244.18 (3) (h) Synthetic Artificial cannabinoids, including the following substances:

(i) (1) Naphthoylindoles, which are any compounds containing a 3-(1-napthoyl)indole
structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
extent and whether or not substituted in the naphthyl ring to any extent. Examples of
naphthoylindoles include, but are not limited to:

244.25 (A) (i) 1-Pentyl-3-(1-naphthoyl)indole (JWH-018 and AM-678);

- 244.26 (B) (ii) 1-Butyl-3-(1-naphthoyl)indole (JWH-073);
- 244.27 (C) (iii) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);
- 244.28 (D) (iv) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);
- 244.29 $(\underline{E})(\underline{v})$ 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);
- 244.30 (F) (vi) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);
- 244.31 (G) (vii) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);

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245.1	(H)<u>(viii)</u> 1	-Pentyl-3-(4-ethyl-	1-naphthoyl)indo	ole (JWH-210);	
245.2	(I) <u>(</u>ix) 1-P	entyl-3-(4-chloro-1	-naphthoyl)indo	le (JWH-398);	
245.3	(J)<u>(x)</u> 1-(5	-fluoropentyl)-3-(1	-naphthoyl)indo	le (AM-2201).	
245.4	(ii) (2) Nap	othylmethylindoles,	, which are any c	ompounds containin	g a
245.5	1H-indol-3-yl-	(1-naphthyl)metha	ne structure with	substitution at the n	itrogen atom of the
245.6	indole ring by	an alkyl, haloalkyl	, alkenyl, cycloal	lkylmethyl, cycloalk	ylethyl,
245.7	1-(N-methyl-2	-piperidinyl)methy	l or 2-(4-morpho	linyl)ethyl group, wi	hether or not further
245.8	substituted in t	the indole ring to a	ny extent and wh	ether or not substitut	ted in the naphthyl
245.9	ring to any ext	ent. Examples of n	aphthylmethylin	doles include, but are	e not limited to:
245.10	(A)<u>(i)</u> 1-Po	entyl-1H-indol-3-y	l-(1-naphthyl)me	thane (JWH-175);	
245.11	(B)<u>(ii)</u> 1-P	entyl-1H-indol-3-y	rl-(4-methyl-1-na	uphthyl)methane (JW	/H-184).
245.12	(iii)(3) Nap	ohthoylpyrroles, whi	ich are any compo	ounds containing a 3-((1-naphthoyl)pyrrole
245.13	structure with	substitution at the 1	nitrogen atom of	the pyrrole ring by a	ın alkyl, haloalkyl,
245.14	alkenyl, cycloa	alkylmethyl, cycloa	alkylethyl, 1-(N-1	nethyl-2-piperidinyl)methyl or
245.15	2-(4-morpholi	nyl)ethyl group wh	ether or not furth	ner substituted in the	pyrrole ring to any
245.16	extent, whethe	r or not substituted	in the naphthyl	ring to any extent. E	xamples of
245.17	naphthoylpyrr	oles include, but ar	e not limited to,		
245.18	(5-(2-fluoroph	enyl)-1-pentylpyrro	ol-3-yl)-naphthal	en-1-ylmethanone (J	JWH-307).
245.19	(iv) (4) Naj	phthylmethylinden	es, which are any	compounds contain	ning a
245.20	naphthylidene	indene structure wi	th substitution at	the 3-position of the	e indene ring by an
245.21	alkyl, haloalky	vl, alkenyl, cycloalk	cylmethyl, cycloa	alkylethyl,	
245.22	1-(N-methyl-2	-piperidinyl)methy	l or 2-(4-morpho	linyl)ethyl group wł	nether or not further
245.23	substituted in t	the indene ring to a	ny extent, wheth	er or not substituted	in the naphthyl ring
245.24	to any extent.	Examples of naphtl	hylemethylinden	es include, but are no	ot limited to,
245.25	E-1-[1-(1-napl	nthalenylmethylene	e)-1H-inden-3-yl]pentane (JWH-176)	
245.26	(v)(5) Pher	nylacetylindoles, wl	nich are any comp	oounds containing a 3	3-phenylacetylindole
245.27	structure with	substitution at the 1	nitrogen atom of	the indole ring by ar	n alkyl, haloalkyl,
245.28	alkenyl, cycloa	alkylmethyl, cycloa	alkylethyl, 1-(N-1	methyl-2-piperidinyl)methyl or
245.29	2-(4-morpholi	nyl)ethyl group wh	ether or not furth	er substituted in the	indole ring to any
245.30	extent, whethe	r or not substituted	in the phenyl rir	ng to any extent. Exa	imples of
245.31	phenylacetylin	doles include, but	are not limited to	:	
245.32	(A) <u>(i)</u> 1-(2	-cyclohexylethyl)-	3-(2-methoxyphe	enylacetyl)indole (Ro	CS-8);
245.33	(B) (ii) 1-p	entyl-3-(2-methoxy	yphenylacetyl)in	dole (JWH-250);	

- 246.1 (C) (iii) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);
- 246.2 (D) (iv) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).
- 246.3 (vi) (6) Cyclohexylphenols, which are compounds containing a

246.4 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic
246.5 ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,

1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted
in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include, but are not
limited to:

246.9 (A) (i) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);

246.10 (B) (ii) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol

246.11 (Cannabicyclohexanol or CP 47,497 C8 homologue);

246.12 (C) (iii) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl] 246.13 -phenol (CP 55,940).

246.14 (vii) (7) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole 246.15 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,

246.16 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or

246.17 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any

extent and whether or not substituted in the phenyl ring to any extent. Examples ofbenzoylindoles include, but are not limited to:

246.20 (A) (i) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);

246.21 (B) (ii) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);

246.22 (C) (iii) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone 246.23 (WIN 48,098 or Pravadoline).

- 246.24 (viii) (8) Others specifically named:
- 246.25 (A) (i) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
- 246.26 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);
- 246.27 (B) (ii) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
- 246.28 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);
- 246.29 (C) (iii) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]
- 246.30 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);
- 246.31 (D) (iv) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);

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247.1 247.2	(<u>E) (v)</u> (1-(5- (XLR-11);	fluoropentyl)-1H-ind	lol-3-yl)(2,2,3,3-	tetramethylcyclopro	opyl)methanone
247.3 247.4	(F) (vi) 1-per (AKB-48(APIN	ntyl-N-tricyclo[3.3.1. ACA));	13,7]dec-1-yl-1H	I-indazole-3-carbox	kamide
247.5 247.6	(G)<u>(vii)</u>N-(((5-Fluoro-AKB-	3s,5s,7s)-adamantan- 48);	1-yl)-1-(5-fluoro	opentyl)-1H-indazol	e-3-carboxamide
247.7	(H) <u>(</u>viii) 1-p	entyl-8-quinolinyl es	ter-1H-indole-3-	carboxylic acid (PE	3-22);
247.8 247.9	(<u>I) (ix)</u> 8-qui PB-22);	nolinyl ester-1-(5-flu	oropentyl)-1H-ir	idole-3-carboxylic a	acid (5-Fluoro
247.10 247.11	(J) (x) N-[(1S (AB-PINACA);)-1-(aminocarbonyl)-2	2-methylpropyl]-	1-pentyl-1H-indazol	e- 3-carboxamide
247.12 247.13	· · · ·	1S)-1-(aminocarbony arboxamide (AB-FU	, .	yl]-1-[(4-fluoropher	nyl)methyl]-
247.14 247.15		1S)-1-(aminocarbony oxamide(AB-CHMIN		yl]-1-(cyclohexylm	nethyl)-1H-
247.16 247.17	\ <u> </u>	-methyl 2-(1-(5-fluor c (5-fluoro-AMB);	ropentyl)-1H-ind	lazole-3-carboxami	do)-3-
247.18	(N)<u>(xiv)</u>[1-(5-fluoropentyl)-1H-ir	ndazol-3-yl](napł	nthalen-1-yl) methar	none (THJ-2201);
247.19 247.20	(O) (xv)(1-((FUBIMINA);	5-fluoropentyl)-1H-b	enzo[d]imidazol	-2-yl)(naphthalen-1	-yl)methanone)
247.21	(<u>P) (xvi)</u> (7-r	nethoxy-1-(2-morpho	olinoethyl)-N-((1	S,2S,4R)-1,3,3-trin	nethylbicyclo
247.22	[2.2.1]heptan-2-	yl)-1H-indole-3-carb	oxamide (MN-2:	5 or UR-12);	
247.23)-N-(1-amino-3-meth	-	-yl)-1-(5-fluoropent	tyl)
247.24		rboxamide (5-fluoro-		1) 1 (5 flygerer outsi	
247.25 247.26	-1H-indole-3-ca	-(1-amino-3-phenyl-1 rboxamide;	r-oxopropan-2-y	I)-I-(3-Illoropenty))
247.27	(S) (xix) N-(1-amino-3-phenyl-1-	oxopropan-2-yl)·	-1-(5-fluoropentyl)	
247.28	-1H-indazole-3-	carboxamide;			
247.29 247.30	(<u>T) (xx)</u> metl -3,3-dimethylbu	nyl 2-(1-(cyclohexyln tanoate;	nethyl)-1H-indol	le-3-carboxamido)	

- 248.1 (U) (xxi) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1(cyclohexylmethyl)-1
- 248.2 H-indazole-3-carboxamide (MAB-CHMINACA);
- 248.3 (V)(xxii)
- 248.4 N-(1-Amino-3,3-dimethyl-1-oxo-2-butanyl)-1-pentyl-1H-indazole-3-carboxamide
- 248.5 (ADB-PINACA);
- 248.6 (W)(xxiii) methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate (FUB-AMB);
- 248.7 (X) (xxiv)
- 248.8 N-[(1S)-2-amino-2-oxo-1-(phenylmethyl)ethyl]-1-(cyclohexylmethyl)-1H-Indazole-
- 248.9 3-carboxamide. (APP-CHMINACA);
- 248.10 $(\underline{Y})(\underline{xxv})$ quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FUB-PB-22); and
- 248.11 (Z) (xxvi) methyl N-[1-(cyclohexylmethyl)-1H-indole-3-carbonyl]valinate
- 248.12 (MMB-CHMICA).
- 248.13 (ix) (9) Additional substances specifically named:
- 248.14 (A) (i) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1
- 248.15 H-pyrrolo[2,3-B]pyridine-3-carboxamide (5F-CUMYL-P7AICA);
- 248.16 (B) (ii) 1-(4-cyanobutyl)-N-(2- phenylpropan-2-yl)-1 H-indazole-3-carboxamide
- 248.17 (4-CN-Cumyl-Butinaca);
- 248.18 (C) (iii) naphthalen-1-yl-1-(5-fluoropentyl)-1-H-indole-3-carboxylate (NM2201; 248.10 CPI 2201):
- 248.19 CBL2201);
- 248.20 (\underline{D}) (iv) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1
- 248.21 H-indazole-3-carboxamide (5F-ABPINACA);
- 248.22 $(\underline{E})(\underline{v})$ methyl-2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate 248.23 (MDMB CHMICA);
- 248.24 (F)(vi) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate
- 248.25 (5F-ADB; 5F-MDMB-PINACA); and
- 248.26 (G) (vii) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)
- 248.27 1H-indazole-3-carboxamide (ADB-FUBINACA).
- (i) A controlled substance analog, to the extent that it is implicitly or explicitly intendedfor human consumption.
- 248.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

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249.1 Sec. 2. Minnesota Statutes 2022, section 152.02, subdivision 4, is amended to read:

249.2 Subd. 4. Schedule III. (a) Schedule III consists of the substances listed in this subdivision.

(b) Stimulants. Unless specifically excepted or unless listed in another schedule, any
material, compound, mixture, or preparation which contains any quantity of the following
substances having a potential for abuse associated with a stimulant effect on the central
nervous system, including its salts, isomers, and salts of such isomers whenever the existence
of such salts, isomers, and salts of isomers is possible within the specific chemical
designation:

249.9 (1) benzphetamine;

249.10 (2) chlorphentermine;

249.11 (3) clortermine;

249.12 (4) phendimetrazine.

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any
material, compound, mixture, or preparation which contains any quantity of the following
substances having a potential for abuse associated with a depressant effect on the central
nervous system:

(1) any compound, mixture, or preparation containing amobarbital, secobarbital,
pentobarbital or any salt thereof and one or more other active medicinal ingredients which
are not listed in any schedule;

(2) any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or
any salt of any of these drugs and approved by the food and drug administration for marketing
only as a suppository;

(3) any substance which contains any quantity of a derivative of barbituric acid, or any
salt of a derivative of barbituric acid, except those substances which are specifically listed
in other schedules;

(4) any drug product containing gamma hydroxybutyric acid, including its salts, isomers,
and salts of isomers, for which an application is approved under section 505 of the federal
Food, Drug, and Cosmetic Act;

249.29 (5) any of the following substances:

249.30 (i) chlorhexadol;

249.31 (ii) ketamine, its salts, isomers and salts of isomers;

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250.1	(iii) lysergic	e acid;					
250.2	(iv) lysergic	acid amide;					
250.3	(v) methypr	ylon;					
250.4	(vi) sulfond	iethylmethane;					
250.5	(vii) sulfone	enthylmethane;					
250.6	6 (viii) sulfonmethane;						
250.7	(ix) tiletami	ne and zolazepam	and any salt the	reof;			
250.8	(x) embutra	mide;					
250.9	(xi) Peramp	anel [2-(2-oxo-1-p]	henyl-5-pyridin	-2-yl-1,2-Dihydropy	ridin-3-yl)		
250.10	benzonitrile].						

250.11 (d) Nalorphine.

(e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule,
any material, compound, mixture, or preparation containing any of the following narcotic
drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities
as follows:

(1) not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams
per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams
per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic
amounts;

(3) not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more than 90
milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized
therapeutic amounts;

(4) not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than
15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized
therapeutic amounts;

(5) not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not
more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients
in recognized therapeutic amounts;

(6) not more than 50 milligrams of morphine per 100 milliliters or per 100 grams withone or more active, nonnarcotic ingredients in recognized therapeutic amounts.

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- 251.1 (f) Anabolic steroids, human growth hormone, and chorionic gonadotropin.
- 251.2 (1) Anabolic steroids, for purposes of this subdivision, means any drug or hormonal
- substance, chemically and pharmacologically related to testosterone, other than estrogens,

251.4 progestins, corticosteroids, and dehydroepiandrosterone, and includes:

- 251.5 (i) 3[beta],17[beta]-dihydroxy-5[alpha]-androstane;
- 251.6 (ii) 3[alpha],17[beta]-dihydroxy-5[alpha]-androstane;
- 251.7 (iii) androstanedione (5[alpha]-androstan-3,17-dione);
- 251.8 (iv) 1-androstenediol (3[beta],17[beta]-dihydroxy-5[alpha]-androst-l-ene;
- 251.9 (v) 3[alpha],17[beta]-dihydroxy-5[alpha]-androst-1-ene);
- 251.10 (vi) 4-androstenediol (3[beta],17[beta]-dihydroxy-androst-4-ene);
- 251.11 (vii) 5-androstenediol (3[beta],17[beta]-dihydroxy-androst-5-ene);
- 251.12 (viii) 1-androstenedione (5[alpha]-androst-1-en-3,17-dione);
- 251.13 (ix) 4-androstenedione (androst-4-en-3,17-dione);
- 251.14 (x) 5-androstenedione (androst-5-en-3,17-dione);
- 251.15 (xi) bolasterone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- 251.16 (xii) boldenone (17[beta]-hydroxyandrost-1,4-diene-3-one);
- 251.17 (xiii) boldione (androsta-1,4-diene-3,17-dione);
- 251.18 (xiv) calusterone (7[beta],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- 251.19 (xv) clostebol (4-chloro-17[beta]-hydroxyandrost-4-en-3-one);
- 251.20 (xvi) dehydrochloromethyltestosterone
- 251.21 (4-chloro-17[beta]-hydroxy-17[alpha]-methylandrost-1,4-dien-3-one);
- 251.22 (xvii) desoxymethyltestosterone (17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol);
- 251.23 (xviii) [delta]1-dihydrotestosterone- (17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- 251.24 (xix) 4-dihydrotestosterone (17[beta]-hydroxy-androstan-3-one);
- 251.25 (xx) drostanolone (17[beta]hydroxy-2[alpha]-methyl-5[alpha]-androstan-3-one);
- 251.26 (xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-hydroxyestr-4-ene);
- 251.27 (xxii) fluoxymesterone
- 251.28 (9-fluoro-17[alpha]-methyl-11[beta],17[beta]-dihydroxyandrost-4-en-3-one);

252.1	(xxiii) formebolone
252.2	(2-formyl-17[alpha]-methyl-11[alpha],17[beta]-dihydroxyandrost-1,4-dien-3-one);
252.3	(xxiv) furazabol
252.4	(17[alpha]-methyl-17[beta]-hydroxyandrostano[2,3-c]-furazan)13[beta]-ethyl-17[beta]
252.5	-hydroxygon-4-en-3-one;
252.6	(xxv) 4-hydroxytestosterone (4,17[beta]-dihydroxyandrost-4-en-3-one);
252.7	(xxvi) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxyestr-4-en-3-one);
252.8	(xxvii) mestanolone (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one);
252.9	(xxviii) mesterolone (1[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one);
252.10	(xxix) methandienone (17[alpha]-methyl-17[beta]-hydroxyandrost-1,4-dien-3-one);
252.11	(xxx) methandriol (17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-5-ene);
252.12	(xxxi) methasterone (2 alpha-17 alpha-dimethyl-5 alpha-androstan-17beta-ol-3-one);
252.13	(xxxii) methenolone (1-methyl-17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
252.14	(xxxiii) 17[alpha]-methyl-3[beta],17[beta]-dihydroxy-5[alpha]-androstane;
252.15	(xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy-5[alpha]-androstane;
252.16	(xxxv) 17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-4-ene;
252.17	(xxxvi) 17[alpha]-methyl-4-hydroxynandrolone
252.18	(17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one);
252.19	(xxxvii) methyldienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9(10)-dien-3-one);
252.20	(xxxviii) methyltrienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9-11-trien-3-one);
252.21	(xxxix) methyltestosterone (17[alpha]-methyl-17[beta]-hydroxyandrost-4-en-3-one);
252.22	(xl) mibolerone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyestr-4-en-3-one);
252.23	(xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone
252.24	(17[beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-3-one);
252.25	(xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one);
252.26	(xliii) 19-nor-4-androstenediol (3[beta],17[beta]-dihydroxyestr-4-ene;
252.27	(xliv) 3[alpha],17[beta]-dihydroxyestr-4-ene); 19-nor-5-androstenediol
252.28	(3[beta],17[beta]-dihydroxyestr-5-ene;

252.29 (xlv) 3[alpha],17[beta]-dihydroxyestr-5-ene);

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253.1	(xlvi) 19-r	or-4,9(10)-androsta	dienedione (estr	a-4,9(10)-diene-3,17	-dione);			
253.2	(xlvii) 19-nor-5-androstenedione (estr-5-en-3,17-dione);							
253.3	(xlviii) no	(xlviii) norbolethone (13[beta],17[alpha]-diethyl-17[beta]-hydroxygon-4-en-3-one);						
253.4	(xlix) norc	clostebol (4-chloro-1	7[beta]-hydroxy	yestr-4-en-3-one);				
253.5	(l) noretha	ndrolone (17[alpha]	-ethyl-17[beta]-	hydroxyestr-4-en-3-o	one);			
253.6	(li) norme	thandrolone (17[alpl	na]-methyl-17[b	eta]-hydroxyestr-4-e	n-3-one);			
253.7	(lii) oxand	rolone (17[alpha]-me	ethyl-17[beta]-h	ydroxy-2-oxa-5[alpha	a]-androstan-3-one);			
253.8	(liii) oxym	nesterone (17[alpha]·	-methyl-4,17[be	ta]-dihydroxyandros	t-4-en-3-one);			
253.9	(liv) oxym	etholone						
253.10	(17[alpha]-me	thyl-2-hydroxymeth	ylene-17[beta]-	hydroxy-5[alpha]-an	drostan-3-one);			
253.11	(lv) prosta	nozol (17 beta-hydro	oxy-5 alpha-and	lrostano[3,2-C]pryazo	ole;			
253.12	(lvi) stano	zolol						
253.13	(17[alpha]-me	thyl-17[beta]-hydro	xy-5[alpha]-and	lrost-2-eno[3,2-c]-py	razole);			
253.14	(lvii) stent	oolone (17[beta]-hyd	lroxy-2-methyl-	5[alpha]-androst-1-er	n-3-one);			
253.15	(lviii) testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);							
253.16	(lix) testos	sterone (17[beta]-hyd	droxyandrost-4-	en-3-one);				
253.17	(lx) tetrah	ydrogestrinone						
253.18	(13[beta],17[a	alpha]-diethyl-17[bet	ta]-hydroxygon	-4,9,11-trien-3-one);				
253.19	(lxi) trenbe	olone (17[beta]-hydı	oxyestr-4,9,11-	trien-3-one);				
253.20	(lxii) any s	salt, ester, or ether of	f a drug or subst	ance described in thi	s paragraph.			
253.21	Anabolic stere	oids are not included	l if they are: (A)	expressly intended f	for administration			
253.22	through impla	nts to cattle or other	nonhuman speci	es; and (B) approved	by the United States			
253.23	Food and Dru	g Administration for	r that use;					
253.24	(2) Humar	n growth hormones.						
253.25	(3) Chorio	nic gonadotropin, ex	cept that a prod	uct containing choric	onic gonadotropin is			
253.26	not included i	f it is:						
253.27	(i) express	ly intended for admi	inistration to cat	ttle or other nonhuma	in species; and			
253.28	(ii) approv	red by the United Sta	ates Food and D	rug Administration f	or that use.			

254.1	(g) Hallucinogenic substances. Dronabinol (synthetic artificial) in sesame oil and
254.2	encapsulated in a soft gelatin capsule in a United States Food and Drug Administration
254.3	approved product.
254.4	(h) Any material, compound, mixture, or preparation containing the following narcotic
254.5	drug or its salt: buprenorphine.
254.6	(i) Marijuana, tetrahydrocannabinols, and artificial cannabinoids. Unless specifically
254.7	excepted or unless listed in another schedule, any natural or artificial material, compound,
254.8	mixture, or preparation that contains any quantity of the following substances, their analogs,
254.9	isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence
254.10	of the isomers, esters, ethers, or salts is possible:
254.11	(1) marijuana;
254.12	(2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis, except
254.13	that tetrahydrocannabinols do not include any material, compound, mixture, or preparation
254.14	that qualifies as industrial hemp as defined in section 18K.02, subdivision 3; artificial
254.15	equivalents of the substances contained in the cannabis plant or in the resinous extractives
254.16	of the plant; or artificial substances with similar chemical structure and pharmacological
254.17	activity to those substances contained in the plant or resinous extract, including but not
254.18	limited to 1 cis or trans tetrahydrocannabinol, 6 cis or trans tetrahydrocannabinol, and 3,4
254.19	cis or trans tetrahydrocannabinol.
254.20	EFFECTIVE DATE. This section is effective the day following final enactment.
234.20	LITTLE IIVE DIATE. This section is effective the day following that chaethent.
254.21	ARTICLE 9
254.22	APPROPRIATIONS
254.23	Section 1. APPROPRIATIONS.
254.24	Subdivision 1. Office of Cannabis Management. (a) \$ in fiscal year 2024 and
254.25	\$ in fiscal year 2025 are appropriated from the general fund to the Cannabis Management
254.26	Board for purposes of this act. The base for this appropriation is \$ in fiscal year 2026
254.27	and \$ in fiscal year 2027.
254.28	(b) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$
254.29	in fiscal year 2025 are for rulemaking. The base for this appropriation is \$ in fiscal year
254.30	2024 and thereafter.

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255.1	(c) Of the ba	se established in pa	aragraph (a), \$	in fiscal year 2020	6 and \$ in fiscal		
255.2	year 2027 are for cannabis industry community renewal grants. Of these amounts, up to						
255.3	three percent ma	ay be used for adm	inistrative expe	enses.			
255.4	(d) Of the ba	se established in pa	aragraph (a), \$	in fiscal year 2020	6 and \$ in fiscal		
255.5	year 2027 are fo	or the administratic	on of substance	use treatment, recove	ery, and prevention		
255.6	grants.						
255.7	Subd. 2. Der	partment of Agric	e ulture. <u>\$</u> in	n fiscal year 2024 and	\$ in fiscal year		
255.8	2025 are approp	riated from the ge	neral fund to th	e commissioner of ag	riculture for food		
255.9	safety and pestic	cide enforcement la	ab testing and r	ulemaking related to o	changes in cannabis		
255.10	laws. The base f	for this appropriati	on is \$ in f	iscal year 2026 and \$	in fiscal year		
255.11	<u>2027.</u>						
255.12	Subd. 3. Car	ınabis Expungem	ent Board. \$	in fiscal year 2024	and \$ in fiscal		
255.13	year 2025 are ap	propriated from th	ne general fund	to the Cannabis Expu	ingement Board for		
255.14	staffing and othe	er expenses related	l to reviewing c	riminal convictions ar	nd issuing decisions		
255.15	related to expungement and resentencing. The base for this appropriation is \$ in fiscal						
255.16	years 2026, 2027, and 2028. The base in fiscal year 2029 and thereafter is \$0.						
255.17	Subd. 4. Dep	partment of Com	merce. \$ in	fiscal year 2024 and	\$ in fiscal year		
255.18	2025 are approp	riated from the ge	neral fund to th	e commissioner of co	ommerce for the		
255.19	purposes of this	act. The base for t	this appropriation	on is \$ in fiscal y	ear 2026 and \$		
255.20	in fiscal year 20	<u>27.</u>					
255.21	Subd. 5. Der	partment of Corre	ections. An app	propriation to the com	missioner of		
255.22	corrections for c	orrectional institu	tions is reduced	l by \$ in fiscal ye	ar 2024 and \$		
255.23	in fiscal year 20	25. The base for th	nis appropriatio	n is reduced by \$	in fiscal year 2026		
255.24	and \$ in fise	cal year 2027.					
255.25	Subd. 6. Der	partment of Educ	ation. \$ in	fiscal year 2024 and	\$ in fiscal year		
255.26	2025 are approp	riated from the ge	neral fund to th	e commissioner of ed	lucation for the		
255.27	purposes of this	act.					
255.28	Subd. 7. Dep	partment of Emplo	oyment and Ec	onomic Developmen	it. (a) \$ in fiscal		
255.29	year 2024 and \$	in fiscal year	2025 are appro	priated from the gene	eral fund to the		
255.30	commissioner of	f employment and	economic devel	opment for the CanSta	artup, CanNavigate,		
255.31	and CanTrain pr	ograms. Any uner	ncumbered bala	nces remaining in the	first year do not		
255.32	cancel but are av	vailable for the sec	cond year.				

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256.1	(b) Of th	e amount appropriate	d under paragraph	n (a), \$ in fisca	al year 2024 and \$	
256.2		ar 2025 are for the Car				
256.3	(c) Of th	e amount appropriate	d under paragraph	ı (a), \$ in fisca	al year 2024 and \$	
256.4		ar 2025 are for the Car				
256.5	(d) Of th	e amount appropriate	d under paragraph	n (a). \$ in fisca	al year 2024 and \$	
256.6		or 2025 are for the Car		<u>(u)</u> , ¢ III 11340		
2567		nese amounts, up to fo		a used for adminis	strativa avnansas	
256.7	<u> </u>				· · · · · ·	
256.8		Department of Heal				
256.9		· · · · · · · · · · · · · · · · · · ·			health for the purposes	
256.10		The base for this appropriate the base for t	opriation is \$	in fiscal year 202	6 and \$ in fiscal	
256.11	<u>year 2027.</u>					
256.12	<u>(b) Of th</u>	e amount appropriate	d under paragraph	n (a), \$ in fisca	al year 2024 and \$	
256.13	in fiscal yea	ar 2025 are for educat	ion for individual	s who are pregnan	t, breastfeeding, or	
256.14	who may be	come pregnant. Of thi	s amount, \$ ea	ach year is for med	ia campaign contracts.	
256.15	The base for this appropriation is \$ in fiscal year 2026 and thereafter. Of the amounts					
256.16	appropriated in fiscal year 2026 and thereafter, \$ is for media campaign contracts.					
256.17	<u>(c)</u> Of th	e amount appropriate	d under paragraph	n (a), \$ in fisca	al year 2024 and \$	
256.18	in fiscal year 2025 are for data collection and reports. The base for this appropriation is					
256.19	\$ in fiscal year 2026 and \$ in fiscal year 2027.					
256.20	<u>(d)</u> Of th	e amount appropriate	d under paragraph	n (a), \$ in fisca	al year 2024 and \$	
256.21	in fiscal yea	ar 2025 are for testing	required by this a	act. The base for the	his appropriation is	
256.22	<u>\$ in fise</u>	cal year 2026 and the	reafter.			
256.23	<u>(e)</u> Of th	e amount appropriate	d under paragraph	n (a), \$ in fisca	al year 2024 and \$	
256.24	in fiscal yea	ar 2025 are for educat	ion for youth. Of	this amount, \$. each year is for	
256.25	statewide yo	outh awareness campa	aign contracts. Th	e base for this app	propriation is \$ in	
256.26	fiscal year 2	2026 and thereafter. O	of the amounts in t	fiscal year 2026 an	nd thereafter, \$ is	
256.27	for media ca	ampaign contracts.				
256.28	<u>(f) Of th</u>	e amount appropriated	d under paragraph	(a), \$ in fisca	ll year 2024 and \$	
256.29	in fiscal yea	ar 2025 are for grants	to local health de	partments for: (1)	creation and	
256.30	dissemination	on of educational mat	erials on cannabis	s flower and canna	abinoid products; and	
256.31	<u>(2) commur</u>	nity education, technic	cal assistance, and	l outreach on prev	rention and safe use	
256.32	regarding ca	annabis flower and ca	nnabinoid produc	ts. The commission	oner shall distribute	
256.33	these grants	according to a contra-	ct with the Local I	Public Health Asso	ociation of Minnesota.	

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257.1	Of the appropriations in this paragraph, the commissioner may withhold up to ten percent
257.2	for grant administration and technical assistance to local health departments. The base for
257.3	this appropriation is \$ in fiscal year 2026 and thereafter.
257.4	(g) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$
257.5	in fiscal year 2025 are for grants to Tribal health departments for: (1) creation and
257.6	dissemination of educational materials on cannabis flower and cannabinoid products; and
257.7	(2) community education, technical assistance, and outreach on prevention and safe use
257.8	regarding cannabis flower and cannabinoid products. Of the appropriations in this paragraph,
257.9	the commissioner may withhold up to ten percent for grant administration and technical
257.10	assistance to Tribal health departments. The base for this appropriation is \$ in fiscal
257.11	year 2026 and thereafter.
257.12	Subd. 9. Department of Health; Minnesota poison control system. § in fiscal
257.13	year 2024 and \$ in fiscal year 2025 are appropriated from the general fund to the
257.14	commissioner of health to support the poison control system and award or supplement grants
257.15	pursuant to Minnesota Statutes, section 145.93.
257.16	Subd. 10. Department of Human Services. (a) \$ in fiscal year 2024 and \$ in
257.17	fiscal year 2025 are appropriated from the general fund to the commissioner of human
257.18	services for the purposes of this act. The base for this appropriation is \$ in fiscal years
257.19	2026, 2027, and 2028. The base in fiscal year 2029 and thereafter is \$
257.20	(b) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$
257.21	in fiscal year 2025 are for the Background Studies Legal Division. The base for this
257.22	appropriation is \$ in fiscal years 2026, 2027, and 2028. The base in fiscal year 2029
257.23	and thereafter is \$0.
257.24	(c) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 is for
257.25	technology system changes. This is a onetime appropriation.
257.26	Subd. 11. Department of Labor and Industry. § in fiscal year 2024 and \$ in
257.27	fiscal year 2025 are appropriated from the general fund to the commissioner of labor and
257.28	industry to identify occupational competency standards and provide technical assistance
257.29	for developing dual-training programs under Minnesota Statutes, section 175.45, for the
257.30	legal cannabis industry.
257.31	Subd. 12. Department of Natural Resources. \$ in fiscal year 2024 is appropriated
257.32	from the general fund to the commissioner of natural resources for the purposes of this act.
257.33	This is a onetime appropriation.

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- Subd. 13. Office of Higher Education. \$..... in fiscal year 2024 and \$..... in fiscal
 year 2025 are appropriated from the general fund to the commissioner of higher education
 for transfer to the dual training account in the special revenue fund under Minnesota Statutes,
 section 136A.246, subdivision 10, for grants to employers in the legal cannabis industry.
 The commissioner shall give priority to applications from employers who are, or who are
 training employees who are, eligible to be social equity applicants under Minnesota Statutes,
 section 342.16.
- 258.8 Subd. 14. Pollution Control Agency. (a) \$..... in fiscal year 2024 and \$..... in fiscal
- 258.9 year 2025 are appropriated from the general fund to the commissioner of the Pollution
- 258.10 Control Agency for the purposes of this act. The base for this appropriation is \$..... in fiscal
- 258.11 year 2026 and \$0 in fiscal year 2027 and thereafter.
- 258.12 (b) Of the amount appropriated under paragraph (a), \$..... in fiscal year 2024 and \$.....
- 258.13 in fiscal year 2025 are for rulemaking. The base for this appropriation is \$0 in fiscal year
- 258.14 **2026** and thereafter.
- 258.15 (c) Of the amount appropriated under paragraph (a), \$..... in fiscal year 2024 is for
 258.16 wastewater staff. This is a onetime appropriation.
- 258.17 (d) Of the amount appropriated under paragraph (a), \$..... in fiscal year 2024 and \$.....
- 258.18 in fiscal year 2025 are for small business assistance staff. The base for this appropriation
- 258.19 is \$..... in fiscal year 2026 and \$0 in fiscal year 2027 and thereafter.
- 258.20 Subd. 15. Department of Public Safety; Bureau of Criminal Apprehension. (a) \$.....
- 258.21 in fiscal year 2024 and \$..... in fiscal year 2025 are appropriated from the general fund to
- 258.22 the commissioner of public safety for use by the Bureau of Criminal Apprehension. The
- 258.23 base for this appropriation is \$..... in fiscal years 2026, 2027, and 2028. The base in fiscal
- 258.24 year 2029 and thereafter is \$.....
- 258.25 (b) Of the amount appropriated under paragraph (a), \$..... in fiscal year 2024 and \$.....

258.26 in fiscal year 2025 are for expenses related to identifying and providing records of convictions

- 258.27 for certain offenses involving the possession of cannabis that may be eligible for
- 258.28 expungement and resentencing. The base for this appropriation is \$..... in fiscal years 2026,
- 258.29 2027, and 2028. The base in fiscal year 2029 and thereafter is \$0.
- 258.30 (c) Of the amount appropriated under paragraph (a), \$..... in fiscal year 2024 and \$.....

258.31 in fiscal year 2025 are for forensic science services including additional staff, equipment,

258.32 and supplies.

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259.1	(d) Of the ar	nount appropriated	under paragra	ph (a), \$ in fiscal	year 2024 and \$		
259.2	in fiscal year 2025 are for investigation of diversion crimes.						
259.3	Subd. 16. D	epartment of Pub	lic Safety; Sta	t e Patrol. (a) \$ in	fiscal year 2024 and		
259.4				he general fund to the			
259.5	public safety fo	or use by the Minne	sota State Patr	ol for the purposes of	this act, including		
259.6	identifying and	investigating incide	ents and offense	es that involve driving	under the influence.		
259.7	<u>(b)</u> \$ in	fiscal year 2024 ar	nd \$ in fisc	al year 2025 are appr	copriated from the		
259.8	general fund to	the commissioner	of public safety	for use by the Minne	esota State Patrol for		
259.9	its drug evaluat	ion and classificati	on program fo	r drug recognition eva	aluator training,		
259.10	additional phlel	ootomists, and drug	g recognition to	aining for peace offic	ers, as defined in		
259.11	Minnesota Stat	utes, section 626.84	4, subdivision	l, paragraph (c).			
259.12	(c) \$ in	fiscal year 2024 is	appropriated f	rom the general fund	to the commissioner		
259.13	of public safety	for the Minnesota S	State Patrol for	the retirement and rep	placement of canines		
259.14	and the related canine and trooper training costs. This is a onetime appropriation and is						
259.15	available until June 30, 2025.						
259.16	<u>Subd. 17.</u> D	epartment of Rev	enue. <u>\$</u> in	fiscal year 2024 and	\$ in fiscal year		
259.17	2025 are approp	priated from the gen	eral fund to the	commissioner of reve	enue for the purposes		
259.18	of this act. The	base for this appro	priation is \$	in fiscal year 2026	and \$ in fiscal		
259.19	year 2027.						
259.20	<u>Subd. 18.</u>	upreme court. <u>\$</u>	in fiscal yea	r 2024 and \$ in f	iscal year 2025 are		
259.21	appropriated fro	om the general fund	d to the suprem	e court for reviewing	records and issuing		
259.22	orders related to	o the expungement	or resentencin	g of certain cannabis	offenses. The base		
259.23	for this appropriation is \$0 in fiscal year 2026 and thereafter.						
259.24	<u>Subd. 19.</u>	upreme court. <u>\$</u>	in fiscal yea	r 2024 and \$ in f	iscal year 2025 are		
259.25	appropriated from	om the general fund	d to the supren	e court for treatment	court operations.		
259.26	<u>Subd. 20.</u>	ubstance use treat	ment, recover	y, and prevention gra	ant account. Money		
259.27	for substance u	se treatment, recov	ery, and preven	ntion is transferred fro	om the general fund		
259.28	to the substance	e use treatment, rec	overy, and pre	vention grant account	established under		
259.29	Minnesota Statu	utes, section 342.72	. The transfer	s \$ in fiscal years	2024 and 2025. The		
259.30	base for this tra	nsfer is \$ in fis	scal year 2026	and \$ in fiscal ye	ear 2027.		

151.72 SALE OF CERTAIN CANNABINOID PRODUCTS.

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Certified hemp" means hemp plants that have been tested and found to meet the requirements of chapter 18K and the rules adopted thereunder.

(c) "Edible cannabinoid product" means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.

(d) "Hemp" has the meaning given to "industrial hemp" in section 18K.02, subdivision 3.

(e) "Label" has the meaning given in section 151.01, subdivision 18.

(f) "Labeling" means all labels and other written, printed, or graphic matter that are:

(1) affixed to the immediate container in which a product regulated under this section is sold;

(2) provided, in any manner, with the immediate container, including but not limited to outer containers, wrappers, package inserts, brochures, or pamphlets; or

(3) provided on that portion of a manufacturer's website that is linked by a scannable barcode or matrix barcode.

(g) "Matrix barcode" means a code that stores data in a two-dimensional array of geometrically shaped dark and light cells capable of being read by the camera on a smartphone or other mobile device.

(h) "Nonintoxicating cannabinoid" means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by any route of administration.

Subd. 2. **Scope.** (a) This section applies to the sale of any product that contains cannabinoids extracted from hemp and that is an edible cannabinoid product or is intended for human or animal consumption by any route of administration.

(b) This section does not apply to any product dispensed by a registered medical cannabis manufacturer pursuant to sections 152.22 to 152.37.

(c) The board must have no authority over food products, as defined in section 34A.01, subdivision 4, that do not contain cannabinoids extracted or derived from hemp.

Subd. 3. Sale of cannabinoids derived from hemp. (a) Notwithstanding any other section of this chapter, a product containing nonintoxicating cannabinoids, including an edible cannabinoid product, may be sold for human or animal consumption only if all of the requirements of this section are met, provided that a product sold for human or animal consumption does not contain more than 0.3 percent of any tetrahydrocannabinol and an edible cannabinoid product does not contain an amount of any tetrahydrocannabinol that exceeds the limits established in subdivision 5a, paragraph (f).

(b) No other substance extracted or otherwise derived from hemp may be sold for human consumption if the substance is intended:

(1) for external or internal use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or other animals; or

(2) to affect the structure or any function of the bodies of humans or other animals.

(c) No product containing any cannabinoid or tetrahydrocannabinol extracted or otherwise derived from hemp may be sold to any individual who is under the age of 21.

(d) Products that meet the requirements of this section are not controlled substances under section 152.02.

Subd. 4. **Testing requirements.** (a) A manufacturer of a product regulated under this section must submit representative samples of the product to an independent, accredited laboratory in order to certify that the product complies with the standards adopted by the board. Testing must be consistent with generally accepted industry standards for herbal and botanical substances, and, at a minimum, the testing must confirm that the product:

(1) contains the amount or percentage of cannabinoids that is stated on the label of the product;

(2) does not contain more than trace amounts of any mold, residual solvents, pesticides, fertilizers, or heavy metals; and

(3) does not contain more than 0.3 percent of any tetrahydrocannabinol.

(b) Upon the request of the board, the manufacturer of the product must provide the board with the results of the testing required in this section.

(c) Testing of the hemp from which the nonintoxicating cannabinoid was derived, or possession of a certificate of analysis for such hemp, does not meet the testing requirements of this section.

Subd. 5. Labeling requirements. (a) A product regulated under this section must bear a label that contains, at a minimum:

(1) the name, location, contact phone number, and website of the manufacturer of the product;

(2) the name and address of the independent, accredited laboratory used by the manufacturer to test the product; and

(3) an accurate statement of the amount or percentage of cannabinoids found in each unit of the product meant to be consumed.

(b) The information in paragraph (a) may be provided on an outer package if the immediate container that holds the product is too small to contain all of the information.

(c) The information required in paragraph (a) may be provided through the use of a scannable barcode or matrix barcode that links to a page on the manufacturer's website if that page contains all of the information required by this subdivision.

(d) The label must also include a statement stating that the product does not claim to diagnose, treat, cure, or prevent any disease and has not been evaluated or approved by the United States Food and Drug Administration (FDA) unless the product has been so approved.

(e) The information required by this subdivision must be prominently and conspicuously placed on the label or displayed on the website in terms that can be easily read and understood by the consumer.

(f) The labeling must not contain any claim that the product may be used or is effective for the prevention, treatment, or cure of a disease or that it may be used to alter the structure or function of human or animal bodies, unless the claim has been approved by the FDA.

Subd. 5a. Additional requirements for edible cannabinoid products. (a) In addition to the testing and labeling requirements under subdivisions 4 and 5, an edible cannabinoid must meet the requirements of this subdivision.

(b) An edible cannabinoid product must not:

(1) bear the likeness or contain cartoon-like characteristics of a real or fictional person, animal, or fruit that appeals to children;

(2) be modeled after a brand of products primarily consumed by or marketed to children;

(3) be made by applying an extracted or concentrated hemp-derived cannabinoid to a commercially available candy or snack food item;

(4) contain an ingredient, other than a hemp-derived cannabinoid, that is not approved by the United States Food and Drug Administration for use in food;

(5) be packaged in a way that resembles the trademarked, characteristic, or product-specialized packaging of any commercially available food product; or

(6) be packaged in a container that includes a statement, artwork, or design that could reasonably mislead any person to believe that the package contains anything other than an edible cannabinoid product.

(c) An edible cannabinoid product must be prepackaged in packaging or a container that is child-resistant, tamper-evident, and opaque or placed in packaging or a container that is child-resistant, tamper-evident, and opaque at the final point of sale to a customer. The requirement that packaging be child-resistant does not apply to an edible cannabinoid product that is intended to be consumed as a beverage and which contains no more than a trace amount of any tetrahydrocannabinol.

(d) If an edible cannabinoid product is intended for more than a single use or contains multiple servings, each serving must be indicated by scoring, wrapping, or other indicators designating the individual serving size.

(e) A label containing at least the following information must be affixed to the packaging or container of all edible cannabinoid products sold to consumers:

(1) the serving size;

(2) the cannabinoid profile per serving and in total;

(3) a list of ingredients, including identification of any major food allergens declared by name; and

(4) the following statement: "Keep this product out of reach of children."

(f) An edible cannabinoid product must not contain more than five milligrams of any tetrahydrocannabinol in a single serving, or more than a total of 50 milligrams of any tetrahydrocannabinol per package.

Subd. 6. **Enforcement.** (a) A product regulated under this section, including an edible cannabinoid product, shall be considered an adulterated drug if:

(1) it consists, in whole or in part, of any filthy, putrid, or decomposed substance;

(2) it has been produced, prepared, packed, or held under unsanitary conditions where it may have been rendered injurious to health, or where it may have been contaminated with filth;

(3) its container is composed, in whole or in part, of any poisonous or deleterious substance that may render the contents injurious to health;

(4) it contains any food additives, color additives, or excipients that have been found by the FDA to be unsafe for human or animal consumption;

(5) it contains an amount or percentage of nonintoxicating cannabinoids that is different than the amount or percentage stated on the label;

(6) it contains more than 0.3 percent of any tetrahydrocannabinol or, if the product is an edible cannabinoid product, an amount of tetrahydrocannabinol that exceeds the limits established in subdivision 5a, paragraph (f); or

(7) it contains more than trace amounts of mold, residual solvents, pesticides, fertilizers, or heavy metals.

(b) A product regulated under this section shall be considered a misbranded drug if the product's labeling is false or misleading in any manner or in violation of the requirements of this section.

(c) The board's authority to issue cease and desist orders under section 151.06; to embargo adulterated and misbranded drugs under section 151.38; and to seek injunctive relief under section 214.11, extends to any violation of this section.

152.027 OTHER CONTROLLED SUBSTANCE OFFENSES.

Subd. 3. **Possession of marijuana in a motor vehicle.** A person is guilty of a misdemeanor if the person is the owner of a private motor vehicle, or is the driver of the motor vehicle if the owner is not present, and possesses on the person, or knowingly keeps or allows to be kept within the area of the vehicle normally occupied by the driver or passengers, more than 1.4 grams of marijuana. This area of the vehicle does not include the trunk of the motor vehicle if the vehicle is equipped with a trunk, or another area of the vehicle not normally occupied by the driver or passengers if the vehicle is not equipped with a trunk. A utility or glove compartment is deemed to be within the area occupied by the driver and passengers.

Subd. 4. **Possession or sale of small amounts of marijuana.** (a) A person who unlawfully sells a small amount of marijuana for no remuneration, or who unlawfully possesses a small amount of marijuana is guilty of a petty misdemeanor and shall be required to participate in a drug education program unless the court enters a written finding that a drug education program is inappropriate. The program must be approved by an area mental health board with a curriculum approved by the state alcohol and drug abuse authority.

(b) A person convicted of an unlawful sale under paragraph (a) who is subsequently convicted of an unlawful sale under paragraph (a) within two years is guilty of a misdemeanor and shall be

required to participate in a chemical dependency evaluation and treatment if so indicated by the evaluation.

(c) A person who is convicted of a petty misdemeanor under paragraph (a) who willfully and intentionally fails to comply with the sentence imposed, is guilty of a misdemeanor. Compliance with the terms of the sentence imposed before conviction under this paragraph is an absolute defense.

152.21 THC THERAPEUTIC RESEARCH ACT.

Subdivision 1. **Findings and purpose.** The legislature finds that scientific literature indicates promise for delta-9-tetrahydro-cannabinol (THC), the active component of marijuana, in alleviating certain side effects of cancer chemotherapy under strictly controlled medical circumstances.

The legislature also finds that further research and strictly controlled experimentation regarding the therapeutic use of THC is necessary and desirable. The intent of this section is to establish an extensive research program to investigate and report on the therapeutic effects of THC under strictly controlled circumstances in compliance with all federal laws and regulations promulgated by the federal Food and Drug Administration, the National Institute on Drug Abuse and the Drug Enforcement Administration. The intent of the legislature is to allow this research program the greatest possible access to qualified cancer patients residing in Minnesota who meet protocol requirements. The establishment of this research program is not intended in any manner whatsoever to condone or promote the illicit recreational use of marijuana.

Subd. 2. **Definitions.** For purposes of this section, the following terms shall have the meanings given.

(a) "Commissioner" means the commissioner of health.

(b) "Marijuana" means marijuana as defined in section 152.01, subdivision 9, and delta-9-tetrahydro-cannabinol (THC), tetrahydrocannabinols or a chemical derivative of tetrahydrocannabinols, and all species of the genus Cannabis.

(c) "Principal investigator" means the individual responsible for the medical and scientific aspects of the research, development of protocol, and contacting and qualifying the clinical investigators in the state.

(d) "Clinical investigators" means those individuals who conduct the clinical trials.

(e) "Sponsor" means that individual or organization who, acting on behalf of the state, has the total responsibility for the state program.

Subd. 3. **Research grant.** The commissioner of health shall grant funds to the principal investigator selected by the commissioner pursuant to subdivision 4 for the purpose of conducting a research program under a protocol approved by the FDA regarding the therapeutic use of oral THC and other dosage forms, if available, according to the guidelines and requirements of the federal Food and Drug Administration, the Drug Enforcement Administration and the National Institute on Drug Abuse. The commissioner shall ensure that the research principal investigator complies with the requirements of subdivision 5. The commissioner may designate the principal investigator as the sponsor.

Subd. 4. **Principal investigator.** Within three months of April 25, 1980, the commissioner shall, in consultation with a representative chosen by the state Board of Pharmacy and a representative chosen by the state Board of Medical Examiners, select a person or research organization to be the principal investigator of the research program.

Subd. 5. Duties. The principal investigator shall:

(1) apply to the Food and Drug Administration for a notice of "Claimed Investigational Exemption for a New Drug (IND)" pursuant to the Federal Food, Drug and Cosmetic Act, United States Code, title 21, section 301, et seq., and shall comply with all applicable laws and regulations of the federal Food and Drug Administration, the Drug Enforcement Administration, and the National Institute on Drug Abuse in establishing the program;

(2) notify every oncologist in the state of the program, explain the purposes and requirements of the program to them, provide on request each of them with a copy of the approved protocol which shall include summaries of current papers in medical journals reporting on research concerning the safety, efficacy and appropriate use of THC in alleviating the nausea and emetic effects of cancer chemotherapy, and provide on request each of them with a bibliography of other articles published in medical journals;

(3) allow each oncologist (clinical investigator) in the state who meets or agrees to meet all applicable federal requirements for investigational new drug research and who so requests to be included in the research program as a clinical investigator to conduct the clinical trials;

(4) provide explanatory information and assistance to each clinical investigator in understanding the nature of therapeutic use of THC within program requirements, including the informed consent document contained in the protocol, informing and counseling patients involved in the program regarding the appropriate use and the effects of therapeutic use of THC;

(5) apply to contract with the National Institute on Drug Abuse for receipt of dosage forms of THC, fully characterized as to contents and delivery to the human system, pursuant to regulations promulgated by the National Institute on Drug Abuse, and the federal Food and Drug Administration. The principal investigator shall ensure delivery of the THC dosages to clinical investigators as needed for participation in the program;

(6) conduct the research program in compliance with federal laws and regulations promulgated by the federal Food and Drug Administration, the Drug Enforcement Administration, the National Institute on Drug Abuse, and the purposes and provisions of this section;

(7) submit periodic reports as determined by the commissioner on the numbers of oncologists and patients involved in the program and the results of the program;

(8) submit reports on intermediate or final research results, as appropriate, to the major scientific journals in the United States; and

(9) otherwise comply with the provisions of this section.

Subd. 6. **Exemption from criminal sanctions.** For the purposes of this section, the following are not violations under this chapter:

(1) use or possession of THC, or both, by a patient in the research program;

(2) possession, prescribing use of, administering, or dispensing THC, or any combination of these actions, by the principal investigator or by any clinical investigator; and

(3) possession or distribution of THC, or both, by a pharmacy registered to handle Schedule I substances which stores THC on behalf of the principal investigator or a clinical investigator.

THC obtained and distributed pursuant to this section is not subject to forfeiture under sections 609.531 to 609.5316.

For the purposes of this section, THC is removed from Schedule I contained in section 152.02, subdivision 2, and inserted in Schedule II contained in section 152.02, subdivision 3.

Subd. 7. Citation. This section may be cited as the "THC Therapeutic Research Act."

152.22 DEFINITIONS.

Subdivision 1. **Applicability.** For purposes of sections 152.22 to 152.37, the terms defined in this section have the meanings given them.

Subd. 2. Commissioner. "Commissioner" means the commissioner of health.

Subd. 3. **Disqualifying felony offense.** "Disqualifying felony offense" means a violation of a state or federal controlled substance law that is a felony under Minnesota law, or would be a felony if committed in Minnesota, regardless of the sentence imposed, unless the commissioner determines that the person's conviction was for the medical use of cannabis or assisting with the medical use of cannabis.

Subd. 4. **Health care practitioner.** "Health care practitioner" means a Minnesota licensed doctor of medicine, a Minnesota licensed physician assistant, or a Minnesota licensed advanced practice registered nurse who has the primary responsibility for the care and treatment of the qualifying medical condition of a person diagnosed with a qualifying medical condition.

Subd. 5. **Health records.** "Health records" means health records as defined in section 144.291, subdivision 2, paragraph (c).

Subd. 5a. **Hemp.** "Hemp" has the meaning given to industrial hemp in section 18K.02, subdivision 3.

Subd. 5b. **Hemp grower.** "Hemp grower" means a person licensed by the commissioner of agriculture under chapter 18K to grow hemp for commercial purposes.

Subd. 6. **Medical cannabis.** (a) "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of:

(1) liquid, including, but not limited to, oil;

(2) pill;

(3) vaporized delivery method with use of liquid or oil;

(4) combustion with use of dried raw cannabis; or

(5) any other method approved by the commissioner.

(b) This definition includes any part of the genus cannabis plant prior to being processed into a form allowed under paragraph (a), that is possessed by a person while that person is engaged in employment duties necessary to carry out a requirement under sections 152.22 to 152.37 for a registered manufacturer or a laboratory under contract with a registered manufacturer. This definition also includes any hemp acquired by a manufacturer by a hemp grower as permitted under section 152.29, subdivision 1, paragraph (b).

Subd. 7. **Medical cannabis manufacturer.** "Medical cannabis manufacturer" or "manufacturer" means an entity registered by the commissioner to cultivate, acquire, manufacture, possess, prepare, transfer, transport, supply, or dispense medical cannabis, delivery devices, or related supplies and educational materials.

Subd. 8. **Medical cannabis product.** "Medical cannabis product" means any delivery device or related supplies and educational materials used in the administration of medical cannabis for a patient with a qualifying medical condition enrolled in the registry program.

Subd. 9. **Patient.** "Patient" means a Minnesota resident who has been diagnosed with a qualifying medical condition by a health care practitioner and who has otherwise met any other requirements for patients under sections 152.22 to 152.37 to participate in the registry program under sections 152.22 to 152.37.

Subd. 10. **Patient registry number.** "Patient registry number" means a unique identification number assigned by the commissioner to a patient enrolled in the registry program.

Subd. 11. **Registered designated caregiver.** "Registered designated caregiver" means a person who:

(1) is at least 18 years old;

(2) does not have a conviction for a disqualifying felony offense;

(3) has been approved by the commissioner to assist a patient who requires assistance in administering medical cannabis or obtaining medical cannabis from a distribution facility; and

(4) is authorized by the commissioner to assist the patient with the use of medical cannabis.

Subd. 12. **Registry program.** "Registry program" means the patient registry established in sections 152.22 to 152.37.

Subd. 13. **Registry verification.** "Registry verification" means the verification provided by the commissioner that a patient is enrolled in the registry program and that includes the patient's name, registry number, and, if applicable, the name of the patient's registered designated caregiver or parent, legal guardian, or spouse.

Subd. 14. **Qualifying medical condition.** "Qualifying medical condition" means a diagnosis of any of the following conditions:

(1) cancer, if the underlying condition or treatment produces one or more of the following:

- (i) severe or chronic pain;
- (ii) nausea or severe vomiting; or
- (iii) cachexia or severe wasting;
- (2) glaucoma;

(3) human immunodeficiency virus or acquired immune deficiency syndrome;

- (4) Tourette's syndrome;
- (5) amyotrophic lateral sclerosis;
- (6) seizures, including those characteristic of epilepsy;
- (7) severe and persistent muscle spasms, including those characteristic of multiple sclerosis;
- (8) inflammatory bowel disease, including Crohn's disease;

(9) terminal illness, with a probable life expectancy of under one year, if the illness or its treatment produces one or more of the following:

(i) severe or chronic pain;

- (ii) nausea or severe vomiting; or
- (iii) cachexia or severe wasting; or

(10) any other medical condition or its treatment approved by the commissioner.

152.23 LIMITATIONS.

(a) Nothing in sections 152.22 to 152.37 permits any person to engage in and does not prevent the imposition of any civil, criminal, or other penalties for:

(1) undertaking any task under the influence of medical cannabis that would constitute negligence or professional malpractice;

- (2) possessing or engaging in the use of medical cannabis:
- (i) on a school bus or van;
- (ii) on the grounds of any preschool or primary or secondary school;
- (iii) in any correctional facility; or
- (iv) on the grounds of any child care facility or home day care;
- (3) vaporizing or combusting medical cannabis pursuant to section 152.22, subdivision 6:
- (i) on any form of public transportation;

(ii) where the vapor would be inhaled by a nonpatient minor child or where the smoke would be inhaled by a minor child; or

(iii) in any public place, including any indoor or outdoor area used by or open to the general public or a place of employment as defined under section 144.413, subdivision 1b; and

(4) operating, navigating, or being in actual physical control of any motor vehicle, aircraft, train, or motorboat, or working on transportation property, equipment, or facilities while under the influence of medical cannabis.

(b) Nothing in sections 152.22 to 152.37 require the medical assistance and MinnesotaCare programs to reimburse an enrollee or a provider for costs associated with the medical use of cannabis. Medical assistance and MinnesotaCare shall continue to provide coverage for all services related to treatment of an enrollee's qualifying medical condition if the service is covered under chapter 256B or 256L.

152.24 FEDERALLY APPROVED CLINICAL TRIALS.

The commissioner may prohibit enrollment of a patient in the registry program if the patient is simultaneously enrolled in a federally approved clinical trial for the treatment of a qualifying medical condition with medical cannabis. The commissioner shall provide information to all patients enrolled in the registry program on the existence of federally approved clinical trials for the treatment of the patient's qualifying medical condition with medical cannabis as an alternative to enrollment in the patient registry program.

152.25 COMMISSIONER DUTIES.

Subdivision 1. **Medical cannabis manufacturer registration.** (a) The commissioner shall register two in-state manufacturers for the production of all medical cannabis within the state. A registration agreement between the commissioner and a manufacturer is nontransferable. The commissioner shall register new manufacturers or reregister the existing manufacturers by December

1 every two years, using the factors described in this subdivision. The commissioner shall accept applications after December 1, 2014, if one of the manufacturers registered before December 1, 2014, ceases to be registered as a manufacturer. The commissioner's determination that no manufacturer exists to fulfill the duties under sections 152.22 to 152.37 is subject to judicial review in Ramsey County District Court. Data submitted during the application process are private data on individuals or nonpublic data as defined in section 13.02 until the manufacturer is registered under this section. Data on a manufacturer that is registered are public data, unless the data are trade secret or security information under section 13.37.

(b) As a condition for registration, a manufacturer must agree to:

(1) begin supplying medical cannabis to patients by July 1, 2015; and

(2) comply with all requirements under sections 152.22 to 152.37.

(c) The commissioner shall consider the following factors when determining which manufacturer to register:

(1) the technical expertise of the manufacturer in cultivating medical cannabis and converting the medical cannabis into an acceptable delivery method under section 152.22, subdivision 6;

(2) the qualifications of the manufacturer's employees;

(3) the long-term financial stability of the manufacturer;

(4) the ability to provide appropriate security measures on the premises of the manufacturer;

(5) whether the manufacturer has demonstrated an ability to meet the medical cannabis production needs required by sections 152.22 to 152.37; and

(6) the manufacturer's projection and ongoing assessment of fees on patients with a qualifying medical condition.

(d) If an officer, director, or controlling person of the manufacturer pleads or is found guilty of intentionally diverting medical cannabis to a person other than allowed by law under section 152.33, subdivision 1, the commissioner may decide not to renew the registration of the manufacturer, provided the violation occurred while the person was an officer, director, or controlling person of the manufacturer.

(e) The commissioner shall require each medical cannabis manufacturer to contract with an independent laboratory to test medical cannabis produced by the manufacturer. The commissioner shall approve the laboratory chosen by each manufacturer and require that the laboratory report testing results to the manufacturer in a manner determined by the commissioner.

Subd. 1a. **Revocation or nonrenewal of a medical cannabis manufacturer registration.** If the commissioner intends to revoke or not renew a registration issued under this section, the commissioner must first notify in writing the manufacturer against whom the action is to be taken and provide the manufacturer with an opportunity to request a hearing under the contested case provisions of chapter 14. If the manufacturer does not request a hearing by notifying the commissioner in writing within 20 days after receipt of the notice of proposed action, the commissioner may proceed with the action without a hearing. For revocations, the registration of a manufacturer is considered revoked on the date specified in the commissioner's written notice of revocation.

Subd. 1b. **Temporary suspension proceedings.** The commissioner may institute proceedings to temporarily suspend the registration of a medical cannabis manufacturer for a period of up to 90 days by notifying the manufacturer in writing if any action by an employee, agent, officer, director, or controlling person of the manufacturer:

(1) violates any of the requirements of sections 152.21 to 152.37 or the rules adopted thereunder;

(2) permits, aids, or abets the commission of any violation of state law at the manufacturer's location for cultivation, harvesting, manufacturing, packaging, and processing or at any site for distribution of medical cannabis;

(3) performs any act contrary to the welfare of a registered patient or registered designated caregiver; or

(4) obtains, or attempts to obtain, a registration by fraudulent means or misrepresentation.

Subd. 1c. **Notice to patients.** Upon the revocation or nonrenewal of a manufacturer's registration under subdivision 1a or implementation of an enforcement action under subdivision 1b that may affect the ability of a registered patient, registered designated caregiver, or a registered patient's parent, legal guardian, or spouse to obtain medical cannabis from the manufacturer subject to the enforcement action, the commissioner shall notify in writing each registered patient and the patient's registered designated caregiver or registered patient's parent, legal guardian, or spouse about the outcome of the proceeding and information regarding alternative registered manufacturers. This notice must be provided two or more business days prior to the effective date of the revocation, nonrenewal, or other enforcement action.

Subd. 2. **Range of compounds and dosages; report.** The commissioner shall review and publicly report the existing medical and scientific literature regarding the range of recommended dosages for each qualifying condition and the range of chemical compositions of any plant of the genus cannabis that will likely be medically beneficial for each of the qualifying medical conditions. The commissioner shall make this information available to patients with qualifying medical conditions beginning December 1, 2014, and update the information annually. The commissioner may consult with the independent laboratory under contract with the manufacturer or other experts in reporting the range of recommended dosages for each qualifying medical condition, the range of chemical compositions that will likely be medically beneficial, and any risks of noncannabis drug interactions. The commissioner shall consult with each manufacturer on an annual basis on medical cannabis offered by the manufacturer. The list of medical cannabis offered by a manufacturer shall be published on the Department of Health website.

Subd. 3. **Deadlines.** The commissioner shall adopt rules necessary for the manufacturer to begin distribution of medical cannabis to patients under the registry program by July 1, 2015, and have notice of proposed rules published in the State Register prior to January 1, 2015.

Subd. 4. **Reports.** (a) The commissioner shall provide regular updates to the task force on medical cannabis therapeutic research and to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services, public safety, judiciary, and civil law regarding: (1) any changes in federal law or regulatory restrictions regarding the use of medical cannabis or hemp; and (2) the market demand and supply in this state for products made from hemp that can be used for medicinal purposes.

(b) The commissioner may submit medical research based on the data collected under sections 152.22 to 152.37 to any federal agency with regulatory or enforcement authority over medical cannabis to demonstrate the effectiveness of medical cannabis for treating a qualifying medical condition.

152.26 RULEMAKING.

(a) The commissioner may adopt rules to implement sections 152.22 to 152.37. Rules for which notice is published in the State Register before January 1, 2015, may be adopted using the process in section 14.389.

(b) The commissioner may adopt or amend rules, using the procedure in section 14.386, paragraph (a), to implement the addition of dried raw cannabis as an allowable form of medical cannabis under section 152.22, subdivision 6, paragraph (a), clause (4). Section 14.386, paragraph (b), does not apply to these rules.

152.261 RULES; ADVERSE INCIDENTS.

(a) The commissioner of health shall adopt rules to establish requirements for reporting incidents when individuals who are not authorized to possess medical cannabis under sections 152.22 to 152.37 are found in possession of medical cannabis. The rules must identify professionals required to report, the information they are required to report, and actions the reporter must take to secure the medical cannabis.

(b) The commissioner of health shall adopt rules to establish requirements for law enforcement officials and health care professionals to report incidents involving an overdose of medical cannabis to the commissioner of health.

(c) Rules must include the method by which the commissioner will collect and tabulate reports of unauthorized possession and overdose.

152.27 PATIENT REGISTRY PROGRAM ESTABLISHED.

Subdivision 1. **Patient registry program; establishment.** (a) The commissioner shall establish a patient registry program to evaluate data on patient demographics, effective treatment options,

clinical outcomes, and quality-of-life outcomes for the purpose of reporting on the benefits, risks, and outcomes regarding patients with a qualifying medical condition engaged in the therapeutic use of medical cannabis.

(b) The establishment of the registry program shall not be construed or interpreted to condone or promote the illicit recreational use of marijuana.

Subd. 2. Commissioner duties. (a) The commissioner shall:

(1) give notice of the program to health care practitioners in the state who are eligible to serve as health care practitioners and explain the purposes and requirements of the program;

(2) allow each health care practitioner who meets or agrees to meet the program's requirements and who requests to participate, to be included in the registry program to collect data for the patient registry;

(3) provide explanatory information and assistance to each health care practitioner in understanding the nature of therapeutic use of medical cannabis within program requirements;

(4) create and provide a certification to be used by a health care practitioner for the practitioner to certify whether a patient has been diagnosed with a qualifying medical condition and include in the certification an option for the practitioner to certify whether the patient, in the health care practitioner's medical opinion, is developmentally or physically disabled and, as a result of that disability, the patient requires assistance in administering medical cannabis or obtaining medical cannabis from a distribution facility;

(5) supervise the participation of the health care practitioner in conducting patient treatment and health records reporting in a manner that ensures stringent security and record-keeping requirements and that prevents the unauthorized release of private data on individuals as defined by section 13.02;

(6) develop safety criteria for patients with a qualifying medical condition as a requirement of the patient's participation in the program, to prevent the patient from undertaking any task under the influence of medical cannabis that would constitute negligence or professional malpractice on the part of the patient; and

(7) conduct research and studies based on data from health records submitted to the registry program and submit reports on intermediate or final research results to the legislature and major scientific journals. The commissioner may contract with a third party to complete the requirements of this clause. Any reports submitted must comply with section 152.28, subdivision 2.

(b) The commissioner may add a delivery method under section 152.22, subdivision 6, or add, remove, or modify a qualifying medical condition under section 152.22, subdivision 14, upon a petition from a member of the public or the task force on medical cannabis therapeutic research or as directed by law. The commissioner shall evaluate all petitions to add a qualifying medical condition or to remove or modify an existing qualifying medical condition submitted by the task force on medical cannabis therapeutic research or as directed by law and may make the addition, removal, or modification if the commissioner determines the addition, removal, or modification is warranted based on the best available evidence and research. If the commissioner wishes to add a delivery method under section 152.22, subdivision 6, or add or remove a qualifying medical condition under section 152.22, subdivision 14, the commissioner must notify the chairs and ranking minority members of the legislative policy committees having jurisdiction over health and public safety of the addition or removal and the reasons for its addition or removal, including any written comments received by the commissioner from the public and any guidance received from the task force on medical cannabis research, by January 15 of the year in which the commissioner wishes to make the change. The change shall be effective on August 1 of that year, unless the legislature by law provides otherwise.

Subd. 3. **Patient application.** (a) The commissioner shall develop a patient application for enrollment into the registry program. The application shall be available to the patient and given to health care practitioners in the state who are eligible to serve as health care practitioners. The application must include:

(1) the name, mailing address, and date of birth of the patient;

(2) the name, mailing address, and telephone number of the patient's health care practitioner;

(3) the name, mailing address, and date of birth of the patient's designated caregiver, if any, or the patient's parent, legal guardian, or spouse if the parent, legal guardian, or spouse will be acting as a caregiver;

(4) a copy of the certification from the patient's health care practitioner that is dated within 90 days prior to submitting the application that certifies that the patient has been diagnosed with a qualifying medical condition; and

(5) all other signed affidavits and enrollment forms required by the commissioner under sections 152.22 to 152.37, including, but not limited to, the disclosure form required under paragraph (c).

(b) The commissioner shall require a patient to resubmit a copy of the certification from the patient's health care practitioner on a yearly basis and shall require that the recertification be dated within 90 days of submission.

(c) The commissioner shall develop a disclosure form and require, as a condition of enrollment, all patients to sign a copy of the disclosure. The disclosure must include:

(1) a statement that, notwithstanding any law to the contrary, the commissioner, or an employee of any state agency, may not be held civilly or criminally liable for any injury, loss of property, personal injury, or death caused by any act or omission while acting within the scope of office or employment under sections 152.22 to 152.37; and

(2) the patient's acknowledgment that enrollment in the patient registry program is conditional on the patient's agreement to meet all of the requirements of sections 152.22 to 152.37.

Subd. 4. **Registered designated caregiver.** (a) The commissioner shall register a designated caregiver for a patient if the patient requires assistance in administering medical cannabis or obtaining medical cannabis from a distribution facility and the caregiver has agreed, in writing, to be the patient's designated caregiver. As a condition of registration as a designated caregiver, the commissioner shall require the person to:

(1) be at least 18 years of age;

(2) agree to only possess the patient's medical cannabis for purposes of assisting the patient; and

(3) agree that if the application is approved, the person will not be a registered designated caregiver for more than six registered patients at one time. Patients who reside in the same residence shall count as one patient.

(b) The commissioner shall conduct a criminal background check on the designated caregiver prior to registration to ensure that the person does not have a conviction for a disqualifying felony offense. Any cost of the background check shall be paid by the person seeking registration as a designated caregiver. A designated caregiver must have the criminal background check renewed every two years.

(c) Nothing in sections 152.22 to 152.37 shall be construed to prevent a person registered as a designated caregiver from also being enrolled in the registry program as a patient and possessing and using medical cannabis as a patient.

Subd. 5. **Parents, legal guardians, and spouses.** A parent, legal guardian, or spouse of a patient may act as the caregiver to the patient without having to register as a designated caregiver. The parent, legal guardian, or spouse shall follow all of the requirements of parents, legal guardians, and spouses listed in sections 152.22 to 152.37. Nothing in sections 152.22 to 152.37 limits any legal authority a parent, legal guardian, or spouse may have for the patient under any other law.

Subd. 6. **Patient enrollment.** (a) After receipt of a patient's application, application fees, and signed disclosure, the commissioner shall enroll the patient in the registry program and issue the patient and patient's registered designated caregiver or parent, legal guardian, or spouse, if applicable, a registry verification. The commissioner shall approve or deny a patient's application for participation in the registry program within 30 days after the commissioner receives the patient's application and application fee. The commissioner may approve applications up to 60 days after the receipt of a patient's application and application fees until January 1, 2016. A patient's enrollment in the registry program shall only be denied if the patient:

(1) does not have certification from a health care practitioner that the patient has been diagnosed with a qualifying medical condition;

(2) has not signed and returned the disclosure form required under subdivision 3, paragraph (c), to the commissioner;

(3) does not provide the information required;

(4) has previously been removed from the registry program for violations of section 152.30 or 152.33; or

(5) provides false information.

(b) The commissioner shall give written notice to a patient of the reason for denying enrollment in the registry program.

(c) Denial of enrollment into the registry program is considered a final decision of the commissioner and is subject to judicial review under the Administrative Procedure Act pursuant to chapter 14.

(d) A patient's enrollment in the registry program may only be revoked upon the death of the patient or if a patient violates a requirement under section 152.30 or 152.33.

(e) The commissioner shall develop a registry verification to provide to the patient, the health care practitioner identified in the patient's application, and to the manufacturer. The registry verification shall include:

(1) the patient's name and date of birth;

(2) the patient registry number assigned to the patient; and

(3) the name and date of birth of the patient's registered designated caregiver, if any, or the name of the patient's parent, legal guardian, or spouse if the parent, legal guardian, or spouse will be acting as a caregiver.

Subd. 7. Notice requirements. Patients and registered designated caregivers shall notify the commissioner of any address or name change within 30 days of the change having occurred. A patient or registered designated caregiver is subject to a \$100 fine for failure to notify the commissioner of the change.

152.28 HEALTH CARE PRACTITIONER DUTIES.

Subdivision 1. **Health care practitioner duties.** (a) Prior to a patient's enrollment in the registry program, a health care practitioner shall:

(1) determine, in the health care practitioner's medical judgment, whether a patient suffers from a qualifying medical condition, and, if so determined, provide the patient with a certification of that diagnosis;

(2) advise patients, registered designated caregivers, and parents, legal guardians, or spouses who are acting as caregivers of the existence of any nonprofit patient support groups or organizations;

(3) provide explanatory information from the commissioner to patients with qualifying medical conditions, including disclosure to all patients about the experimental nature of therapeutic use of medical cannabis; the possible risks, benefits, and side effects of the proposed treatment; the application and other materials from the commissioner; and provide patients with the Tennessen warning as required by section 13.04, subdivision 2; and

(4) agree to continue treatment of the patient's qualifying medical condition and report medical findings to the commissioner.

(b) Upon notification from the commissioner of the patient's enrollment in the registry program, the health care practitioner shall:

(1) participate in the patient registry reporting system under the guidance and supervision of the commissioner;

(2) report health records of the patient throughout the ongoing treatment of the patient to the commissioner in a manner determined by the commissioner and in accordance with subdivision 2;

(3) determine, on a yearly basis, if the patient continues to suffer from a qualifying medical condition and, if so, issue the patient a new certification of that diagnosis; and

(4) otherwise comply with all requirements developed by the commissioner.

(c) A health care practitioner may conduct a patient assessment to issue a recertification as required under paragraph (b), clause (3), via telehealth, as defined in section 62A.673, subdivision 2.

(d) Nothing in this section requires a health care practitioner to participate in the registry program.

Subd. 2. **Data.** Data collected on patients by a health care practitioner and reported to the patient registry are health records under section 144.291, and are private data on individuals under section 13.02, but may be used or reported in an aggregated, nonidentifiable form as part of a scientific, peer-reviewed publication of research conducted under section 152.25 or in the creation of summary data, as defined in section 13.02, subdivision 19.

Subd. 3. Advertising restrictions. (a) A health care practitioner shall not publish or cause to be published any advertisement that:

(1) contains false or misleading statements about medical cannabis or about the medical cannabis registry program;

(2) uses colloquial terms to refer to medical cannabis, such as pot, weed, or grass;

(3) states or implies the health care practitioner is endorsed by the Department of Health or by the medical cannabis registry program;

(4) includes images of cannabis in its plant or leaf form or of cannabis-smoking paraphernalia; or

(5) contains medical symbols that could reasonably be confused with symbols of established medical associations or groups.

(b) A health care practitioner found by the commissioner to have violated this subdivision is prohibited from certifying that patients have a qualifying medical condition for purposes of patient participation in the registry program. The commissioner's decision that a health care practitioner has violated this subdivision is a final decision of the commissioner and is not subject to the contested case procedures in chapter 14.

152.29 MANUFACTURER OF MEDICAL CANNABIS DUTIES.

Subdivision 1. **Manufacturer; requirements.** (a) A manufacturer may operate eight distribution facilities, which may include the manufacturer's single location for cultivation, harvesting, manufacturing, packaging, and processing but is not required to include that location. The commissioner shall designate the geographical service areas to be served by each manufacturer based on geographical need throughout the state to improve patient access. A manufacturer shall not have more than two distribution facilities in each geographical service area assigned to the manufacturer by the commissioner. A manufacturer shall operate only one location where all cultivation, harvesting, manufacturing, packaging, and processing of medical cannabis shall be conducted. This location may be one of the manufacturer's distribution facility sites. The additional distribution facilities may dispense medical cannabis and medical cannabis products but may not contain any medical cannabis in a form other than those forms allowed under section 152.22, subdivision 6, and the manufacturer shall not conduct any cultivation, harvesting, manufacturing, packaging, or processing at the other distribution facility sites. Any distribution facility operated by the manufacturer is subject to all of the requirements applying to the manufacturer under sections 152.22 to 152.37, including, but not limited to, security and distribution requirements.

(b) A manufacturer may acquire hemp grown in this state from a hemp grower, and may acquire hemp products produced by a hemp processor. A manufacturer may manufacture or process hemp and hemp products into an allowable form of medical cannabis under section 152.22, subdivision 6. Hemp and hemp products acquired by a manufacturer under this paragraph are subject to the same quality control program, security and testing requirements, and other requirements that apply to medical cannabis under sections 152.22 to 152.37 and Minnesota Rules, chapter 4770.

(c) A medical cannabis manufacturer shall contract with a laboratory approved by the commissioner, subject to any additional requirements set by the commissioner, for purposes of testing medical cannabis manufactured or hemp or hemp products acquired by the medical cannabis manufacturer as to content, contamination, and consistency to verify the medical cannabis meets the requirements of section 152.22, subdivision 6. The cost of laboratory testing shall be paid by the manufacturer.

(d) The operating documents of a manufacturer must include:

(1) procedures for the oversight of the manufacturer and procedures to ensure accurate record keeping;

(2) procedures for the implementation of appropriate security measures to deter and prevent the theft of medical cannabis and unauthorized entrance into areas containing medical cannabis; and

(3) procedures for the delivery and transportation of hemp between hemp growers and manufacturers and for the delivery and transportation of hemp products between hemp processors and manufacturers.

(e) A manufacturer shall implement security requirements, including requirements for the delivery and transportation of hemp and hemp products, protection of each location by a fully operational security alarm system, facility access controls, perimeter intrusion detection systems, and a personnel identification system.

(f) A manufacturer shall not share office space with, refer patients to a health care practitioner, or have any financial relationship with a health care practitioner.

(g) A manufacturer shall not permit any person to consume medical cannabis on the property of the manufacturer.

(h) A manufacturer is subject to reasonable inspection by the commissioner.

(i) For purposes of sections 152.22 to 152.37, a medical cannabis manufacturer is not subject to the Board of Pharmacy licensure or regulatory requirements under chapter 151.

(j) A medical cannabis manufacturer may not employ any person who is under 21 years of age or who has been convicted of a disqualifying felony offense. An employee of a medical cannabis manufacturer must submit a completed criminal history records check consent form, a full set of classifiable fingerprints, and the required fees for submission to the Bureau of Criminal Apprehension before an employee may begin working with the manufacturer. The bureau must conduct a Minnesota criminal history records check and the superintendent is authorized to exchange the fingerprints with the Federal Bureau of Investigation to obtain the applicant's national criminal history records information. The bureau shall return the results of the Minnesota and federal criminal history records checks to the commissioner.

(k) A manufacturer may not operate in any location, whether for distribution or cultivation, harvesting, manufacturing, packaging, or processing, within 1,000 feet of a public or private school existing before the date of the manufacturer's registration with the commissioner.

(1) A manufacturer shall comply with reasonable restrictions set by the commissioner relating to signage, marketing, display, and advertising of medical cannabis.

(m) Before a manufacturer acquires hemp from a hemp grower or hemp products from a hemp processor, the manufacturer must verify that the hemp grower or hemp processor has a valid license issued by the commissioner of agriculture under chapter 18K.

(n) Until a state-centralized, seed-to-sale system is implemented that can track a specific medical cannabis plant from cultivation through testing and point of sale, the commissioner shall conduct at least one unannounced inspection per year of each manufacturer that includes inspection of:

(1) business operations;

(2) physical locations of the manufacturer's manufacturing facility and distribution facilities;

(3) financial information and inventory documentation, including laboratory testing results; and

(4) physical and electronic security alarm systems.

Subd. 2. **Manufacturer; production.** (a) A manufacturer of medical cannabis shall provide a reliable and ongoing supply of all medical cannabis needed for the registry program through cultivation by the manufacturer and through the purchase of hemp from hemp growers.

(b) All cultivation, harvesting, manufacturing, packaging, and processing of medical cannabis must take place in an enclosed, locked facility at a physical address provided to the commissioner during the registration process.

(c) A manufacturer must process and prepare any medical cannabis plant material or hemp plant material into a form allowable under section 152.22, subdivision 6, prior to distribution of any medical cannabis.

Subd. 3. **Manufacturer; distribution.** (a) A manufacturer shall require that employees licensed as pharmacists pursuant to chapter 151 be the only employees to give final approval for the distribution of medical cannabis to a patient. A manufacturer may transport medical cannabis or medical cannabis products that have been cultivated, harvested, manufactured, packaged, and processed by that manufacturer to another registered manufacturer for the other manufacturer to distribute.

(b) A manufacturer may distribute medical cannabis products, whether or not the products have been manufactured by that manufacturer.

(c) Prior to distribution of any medical cannabis, the manufacturer shall:

(1) verify that the manufacturer has received the registry verification from the commissioner for that individual patient;

(2) verify that the person requesting the distribution of medical cannabis is the patient, the patient's registered designated caregiver, or the patient's parent, legal guardian, or spouse listed in the registry verification using the procedures described in section 152.11, subdivision 2d;

(3) assign a tracking number to any medical cannabis distributed from the manufacturer;

(4) ensure that any employee of the manufacturer licensed as a pharmacist pursuant to chapter 151 has consulted with the patient to determine the proper dosage for the individual patient after reviewing the ranges of chemical compositions of the medical cannabis and the ranges of proper dosages reported by the commissioner. For purposes of this clause, a consultation may be conducted remotely by secure videoconference, telephone, or other remote means, so long as the employee providing the consultation is able to confirm the identity of the patient and the consultation adheres to patient privacy requirements that apply to health care services delivered through telehealth. A pharmacist consultation under this clause is not required when a manufacturer is distributing medical cannabis to a patient according to a patient-specific dosage plan established with that manufacturer and is not modifying the dosage or product being distributed under that plan and the medical cannabis is distributed by a pharmacy technician;

(5) properly package medical cannabis in compliance with the United States Poison Prevention Packing Act regarding child-resistant packaging and exemptions for packaging for elderly patients, and label distributed medical cannabis with a list of all active ingredients and individually identifying information, including:

(i) the patient's name and date of birth;

(ii) the name and date of birth of the patient's registered designated caregiver or, if listed on the registry verification, the name of the patient's parent or legal guardian, if applicable;

(iii) the patient's registry identification number;

(iv) the chemical composition of the medical cannabis; and

(v) the dosage; and

(6) ensure that the medical cannabis distributed contains a maximum of a 90-day supply of the dosage determined for that patient.

(d) A manufacturer shall require any employee of the manufacturer who is transporting medical cannabis or medical cannabis products to a distribution facility or to another registered manufacturer to carry identification showing that the person is an employee of the manufacturer.

(e) A manufacturer shall distribute medical cannabis in dried raw cannabis form only to a patient age 21 or older, or to the registered designated caregiver, parent, legal guardian, or spouse of a patient age 21 or older.

Subd. 3a. **Transportation of medical cannabis; staffing.** (a) A medical cannabis manufacturer may staff a transport motor vehicle with only one employee if the medical cannabis manufacturer is transporting medical cannabis to either a certified laboratory for the purpose of testing or a facility for the purpose of disposal. If the medical cannabis manufacturer is transporting medical cannabis for any other purpose or destination, the transport motor vehicle must be staffed with a minimum of two employees as required by rules adopted by the commissioner.

(b) Notwithstanding paragraph (a), a medical cannabis manufacturer that is only transporting hemp for any purpose may staff the transport motor vehicle with only one employee.

Subd. 4. **Report.** Each manufacturer shall report to the commissioner on a monthly basis the following information on each individual patient for the month prior to the report:

(1) the amount and dosages of medical cannabis distributed;

(2) the chemical composition of the medical cannabis; and

(3) the tracking number assigned to any medical cannabis distributed.

152.30 PATIENT DUTIES.

(a) A patient shall apply to the commissioner for enrollment in the registry program by submitting an application as required in section 152.27 and an annual registration fee as determined under section 152.35.

(b) As a condition of continued enrollment, patients shall agree to:

(1) continue to receive regularly scheduled treatment for their qualifying medical condition from their health care practitioner; and

(2) report changes in their qualifying medical condition to their health care practitioner.

(c) A patient shall only receive medical cannabis from a registered manufacturer but is not required to receive medical cannabis products from only a registered manufacturer.

152.31 DATA PRACTICES.

(a) Government data in patient files maintained by the commissioner and the health care practitioner, and data submitted to or by a medical cannabis manufacturer, are private data on individuals, as defined in section 13.02, subdivision 12, or nonpublic data, as defined in section 13.02, subdivision 9, but may be used for purposes of complying with chapter 13 and complying with a request from the legislative auditor or the state auditor in the performance of official duties. The provisions of section 13.05, subdivision 11, apply to a registration agreement entered between the commissioner and a medical cannabis manufacturer under section 152.25.

(b) Not public data maintained by the commissioner may not be used for any purpose not provided for in sections 152.22 to 152.37, and may not be combined or linked in any manner with any other list, dataset, or database.

(c) The commissioner may execute data sharing arrangements with the commissioner of agriculture to verify licensing, inspection, and compliance information related to hemp growers and hemp processors under chapter 18K.

152.32 PROTECTIONS FOR REGISTRY PROGRAM PARTICIPATION.

Subdivision 1. **Presumption.** (a) There is a presumption that a patient enrolled in the registry program under sections 152.22 to 152.37 is engaged in the authorized use of medical cannabis.

(b) The presumption may be rebutted by evidence that conduct related to use of medical cannabis was not for the purpose of treating or alleviating the patient's qualifying medical condition or symptoms associated with the patient's qualifying medical condition.

Subd. 2. Criminal and civil protections. (a) Subject to section 152.23, the following are not violations under this chapter:

(1) use or possession of medical cannabis or medical cannabis products by a patient enrolled in the registry program, or possession by a registered designated caregiver or the parent, legal guardian, or spouse of a patient if the parent, legal guardian, or spouse is listed on the registry verification;

(2) possession, dosage determination, or sale of medical cannabis or medical cannabis products by a medical cannabis manufacturer, employees of a manufacturer, a laboratory conducting testing on medical cannabis, or employees of the laboratory; and

(3) possession of medical cannabis or medical cannabis products by any person while carrying out the duties required under sections 152.22 to 152.37.

(b) Medical cannabis obtained and distributed pursuant to sections 152.22 to 152.37 and associated property is not subject to forfeiture under sections 609.531 to 609.5316.

(c) The commissioner, the commissioner's staff, the commissioner's agents or contractors, and any health care practitioner are not subject to any civil or disciplinary penalties by the Board of

Medical Practice, the Board of Nursing, or by any business, occupational, or professional licensing board or entity, solely for the participation in the registry program under sections 152.22 to 152.37. A pharmacist licensed under chapter 151 is not subject to any civil or disciplinary penalties by the Board of Pharmacy when acting in accordance with the provisions of sections 152.22 to 152.37. Nothing in this section affects a professional licensing board from taking action in response to violations of any other section of law.

(d) Notwithstanding any law to the contrary, the commissioner, the governor of Minnesota, or an employee of any state agency may not be held civilly or criminally liable for any injury, loss of property, personal injury, or death caused by any act or omission while acting within the scope of office or employment under sections 152.22 to 152.37.

(e) Federal, state, and local law enforcement authorities are prohibited from accessing the patient registry under sections 152.22 to 152.37 except when acting pursuant to a valid search warrant.

(f) Notwithstanding any law to the contrary, neither the commissioner nor a public employee may release data or information about an individual contained in any report, document, or registry created under sections 152.22 to 152.37 or any information obtained about a patient participating in the program, except as provided in sections 152.22 to 152.37.

(g) No information contained in a report, document, or registry or obtained from a patient under sections 152.22 to 152.37 may be admitted as evidence in a criminal proceeding unless independently obtained or in connection with a proceeding involving a violation of sections 152.22 to 152.37.

(h) Notwithstanding section 13.09, any person who violates paragraph (e) or (f) is guilty of a gross misdemeanor.

(i) An attorney may not be subject to disciplinary action by the Minnesota Supreme Court or professional responsibility board for providing legal assistance to prospective or registered manufacturers or others related to activity that is no longer subject to criminal penalties under state law pursuant to sections 152.22 to 152.37.

(j) Possession of a registry verification or application for enrollment in the program by a person entitled to possess or apply for enrollment in the registry program does not constitute probable cause or reasonable suspicion, nor shall it be used to support a search of the person or property of the person possessing or applying for the registry verification, or otherwise subject the person or property of the person to inspection by any governmental agency.

Subd. 3. **Discrimination prohibited.** (a) No school or landlord may refuse to enroll or lease to and may not otherwise penalize a person solely for the person's status as a patient enrolled in the registry program under sections 152.22 to 152.37, unless failing to do so would violate federal law or regulations or cause the school or landlord to lose a monetary or licensing-related benefit under federal law or regulations.

(b) For the purposes of medical care, including organ transplants, a registry program enrollee's use of medical cannabis under sections 152.22 to 152.37 is considered the equivalent of the authorized use of any other medication used at the discretion of a physician, advanced practice registered nurse, or physician assistant and does not constitute the use of an illicit substance or otherwise disqualify a patient from needed medical care.

(c) Unless a failure to do so would violate federal law or regulations or cause an employer to lose a monetary or licensing-related benefit under federal law or regulations, an employer may not discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person, if the discrimination is based upon either of the following:

(1) the person's status as a patient enrolled in the registry program under sections 152.22 to 152.37; or

(2) a patient's positive drug test for cannabis components or metabolites, unless the patient used, possessed, or was impaired by medical cannabis on the premises of the place of employment or during the hours of employment.

(d) An employee who is required to undergo employer drug testing pursuant to section 181.953 may present verification of enrollment in the patient registry as part of the employee's explanation under section 181.953, subdivision 6.

(e) A person shall not be denied custody of a minor child or visitation rights or parenting time with a minor child solely based on the person's status as a patient enrolled in the registry program under sections 152.22 to 152.37. There shall be no presumption of neglect or child endangerment

for conduct allowed under sections 152.22 to 152.37, unless the person's behavior is such that it creates an unreasonable danger to the safety of the minor as established by clear and convincing evidence.

152.33 VIOLATIONS.

Subdivision 1. **Intentional diversion; criminal penalty.** In addition to any other applicable penalty in law, a manufacturer or an agent of a manufacturer who intentionally transfers medical cannabis to a person other than another registered manufacturer, a patient, a registered designated caregiver or, if listed on the registry verification, a parent, legal guardian, or spouse of a patient is guilty of a felony punishable by imprisonment for not more than two years or by payment of a fine of not more than \$3,000, or both. A person convicted under this subdivision may not continue to be affiliated with the manufacturer and is disqualified from further participation under sections 152.22 to 152.37.

Subd. 1a. **Intentional diversion outside the state; penalties.** (a) In addition to any other applicable penalty in law, the commissioner may levy a fine of \$250,000 against a manufacturer and may immediately initiate proceedings to revoke the manufacturer's registration, using the procedure in section 152.25, if:

(1) an officer, director, or controlling person of the manufacturer pleads or is found guilty under subdivision 1 of intentionally transferring medical cannabis, while the person was an officer, director, or controlling person of the manufacturer, to a person other than allowed by law; and

(2) in intentionally transferring medical cannabis to a person other than allowed by law, the officer, director, or controlling person transported or directed the transport of medical cannabis outside of Minnesota.

(b) All fines collected under this subdivision shall be deposited in the state government special revenue fund.

Subd. 2. Diversion by patient, registered designated caregiver, parent, legal guardian, or patient's spouse; criminal penalty. In addition to any other applicable penalty in law, a patient, registered designated caregiver or, if listed on the registry verification, a parent, legal guardian, or spouse of a patient who intentionally sells or otherwise transfers medical cannabis to a person other than a patient, designated registered caregiver or, if listed on the registry verification, a parent, legal guardian, or spouse of a patient is guilty of a felony punishable by imprisonment for not more than two years or by payment of a fine of not more than \$3,000, or both.

Subd. 3. **False statement; criminal penalty.** A person who intentionally makes a false statement to a law enforcement official about any fact or circumstance relating to the medical use of cannabis to avoid arrest or prosecution is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or by payment of a fine of not more than \$1,000, or both. The penalty is in addition to any other penalties that may apply for making a false statement or for the possession, cultivation, or sale of cannabis not protected by sections 152.22 to 152.37. If a person convicted of violating this subdivision is a patient or a registered designated caregiver, the person is disqualified from further participation under sections 152.22 to 152.37.

Subd. 4. **Submission of false records; criminal penalty.** A person who knowingly submits false records or documentation required by the commissioner to register as a manufacturer of medical cannabis under sections 152.22 to 152.37 is guilty of a felony and may be sentenced to imprisonment for not more than two years or by payment of a fine of not more than \$3,000, or both.

Subd. 5. Violation by health care practitioner; criminal penalty. A health care practitioner who knowingly refers patients to a manufacturer or to a designated caregiver, who advertises as a manufacturer, or who issues certifications while holding a financial interest in a manufacturer is guilty of a misdemeanor and may be sentenced to imprisonment for not more than 90 days or by payment of a fine of not more than \$1,000, or both.

Subd. 6. Other violations; civil penalty. A manufacturer shall be fined up to \$1,000 for any violation of sections 152.22 to 152.37, or the regulations issued pursuant to them, where no penalty has been specified. This penalty is in addition to any other applicable penalties in law.

152.34 HEALTH CARE FACILITIES.

(a) Health care facilities licensed under chapter 144A, hospice providers licensed under chapter 144A, boarding care homes or supervised living facilities licensed under section 144.50, assisted living facilities, facilities owned, controlled, managed, or under common control with hospitals licensed under chapter 144, and other health facilities licensed by the commissioner of health, may

adopt reasonable restrictions on the use of medical cannabis by a patient enrolled in the registry program who resides at or is actively receiving treatment or care at the facility. The restrictions may include a provision that the facility will not store or maintain the patient's supply of medical cannabis, that the facility is not responsible for providing the medical cannabis for patients, and that medical cannabis be used only in a place specified by the facility.

(b) Any employee or agent of a facility listed in this section or a person licensed under chapter 144E is not subject to violations under this chapter for possession of medical cannabis while carrying out employment duties, including providing or supervising care to a registered patient, or distribution of medical cannabis to a registered patient who resides at or is actively receiving treatment or care at the facility with which the employee or agent is affiliated. Nothing in this section shall require the facilities to adopt such restrictions and no facility shall unreasonably limit a patient's access to or use of medical cannabis to the extent that use is authorized by the patient under sections 152.22 to 152.37.

152.35 FEES; DEPOSIT OF REVENUE.

(a) The commissioner shall collect an enrollment fee of \$200 from patients enrolled under this section. If the patient provides evidence of receiving Social Security disability insurance (SSDI), Supplemental Security Income (SSI), veterans disability, or railroad disability payments, or being enrolled in medical assistance or MinnesotaCare, then the fee shall be \$50. For purposes of this section:

(1) a patient is considered to receive SSDI if the patient was receiving SSDI at the time the patient was transitioned to retirement benefits by the United States Social Security Administration; and

(2) veterans disability payments include VA dependency and indemnity compensation.

Unless a patient provides evidence of receiving payments from or participating in one of the programs specifically listed in this paragraph, the commissioner of health must collect the \$200 enrollment fee from a patient to enroll the patient in the registry program. The fees shall be payable annually and are due on the anniversary date of the patient's enrollment. The fee amount shall be deposited in the state treasury and credited to the state government special revenue fund.

(b) The commissioner shall collect an application fee of \$20,000 from each entity submitting an application for registration as a medical cannabis manufacturer. Revenue from the fee shall be deposited in the state treasury and credited to the state government special revenue fund.

(c) The commissioner shall establish and collect an annual fee from a medical cannabis manufacturer equal to the cost of regulating and inspecting the manufacturer in that year. Revenue from the fee amount shall be deposited in the state treasury and credited to the state government special revenue fund.

(d) A medical cannabis manufacturer may charge patients enrolled in the registry program a reasonable fee for costs associated with the operations of the manufacturer. The manufacturer may establish a sliding scale of patient fees based upon a patient's household income and may accept private donations to reduce patient fees.

152.36 IMPACT ASSESSMENT OF MEDICAL CANNABIS THERAPEUTIC RESEARCH.

Subdivision 1. Task force on medical cannabis therapeutic research. (a) A 23-member task force on medical cannabis therapeutic research is created to conduct an impact assessment of medical cannabis therapeutic research. The task force shall consist of the following members:

(1) two members of the house of representatives, one selected by the speaker of the house, the other selected by the minority leader;

(2) two members of the senate, one selected by the majority leader, the other selected by the minority leader;

(3) four members representing consumers or patients enrolled in the registry program, including at least two parents of patients under age 18;

(4) four members representing health care providers, including one licensed pharmacist;

(5) four members representing law enforcement, one from the Minnesota Chiefs of Police Association, one from the Minnesota Sheriff's Association, one from the Minnesota Police and Peace Officers Association, and one from the Minnesota County Attorneys Association;

(6) four members representing substance use disorder treatment providers; and

(7) the commissioners of health, human services, and public safety.

(b) Task force members listed under paragraph (a), clauses (3), (4), (5), and (6), shall be appointed by the governor under the appointment process in section 15.0597. Members shall serve on the task force at the pleasure of the appointing authority. All members must be appointed by July 15, 2014, and the commissioner of health shall convene the first meeting of the task force by August 1, 2014.

(c) There shall be two cochairs of the task force chosen from the members listed under paragraph (a). One cochair shall be selected by the speaker of the house and the other cochair shall be selected by the majority leader of the senate. The authority to convene meetings shall alternate between the cochairs.

(d) Members of the task force other than those in paragraph (a), clauses (1), (2), and (7), shall receive expenses as provided in section 15.059, subdivision 6.

Subd. 1a. Administration. The commissioner of health shall provide administrative and technical support to the task force.

Subd. 2. **Impact assessment.** The task force shall hold hearings to evaluate the impact of the use of medical cannabis and hemp and Minnesota's activities involving medical cannabis and hemp, including, but not limited to:

(1) program design and implementation;

- (2) the impact on the health care provider community;
- (3) patient experiences;
- (4) the impact on the incidence of substance abuse;
- (5) access to and quality of medical cannabis, hemp, and medical cannabis products;
- (6) the impact on law enforcement and prosecutions;
- (7) public awareness and perception; and
- (8) any unintended consequences.

Subd. 3. **Cost assessment.** By January 15 of each year, beginning January 15, 2015, and ending January 15, 2019, the commissioners of state departments impacted by the medical cannabis therapeutic research study shall report to the cochairs of the task force on the costs incurred by each department on implementing sections 152.22 to 152.37. The reports must compare actual costs to the estimated costs of implementing these sections and must be submitted to the task force on medical cannabis therapeutic research.

Subd. 4. **Reports to the legislature.** (a) The cochairs of the task force shall submit the following reports to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over health and human services, public safety, judiciary, and civil law:

(1) by February 1, 2015, a report on the design and implementation of the registry program; and every two years thereafter, a complete impact assessment report; and

(2) upon receipt of a cost assessment from a commissioner of a state agency, the completed cost assessment.

(b) The task force may make recommendations to the legislature on whether to add or remove conditions from the list of qualifying medical conditions.

Subd. 5. No expiration. The task force on medical cannabis therapeutic research does not expire.

152.37 FINANCIAL EXAMINATIONS; PRICING REVIEWS.

Subdivision 1. **Financial records.** A medical cannabis manufacturer shall maintain detailed financial records in a manner and format approved by the commissioner, and shall keep all records updated and accessible to the commissioner when requested.

Subd. 2. Certified annual audit. A medical cannabis manufacturer shall submit the results of an annual certified financial audit to the commissioner no later than May 1 of each year for the calendar year beginning January 2015. The annual audit shall be conducted by an independent certified public accountant and the costs of the audit are the responsibility of the medical cannabis manufacturer. Results of the audit shall be provided to the medical cannabis manufacturer and the

commissioner. The commissioner may also require another audit of the medical cannabis manufacturer by a certified public accountant chosen by the commissioner with the costs of the audit paid by the medical cannabis manufacturer.

Subd. 3. **Power to examine.** (a) The commissioner or designee may examine the business affairs and conditions of any medical cannabis manufacturer, including but not limited to a review of the financing, budgets, revenues, sales, and pricing.

(b) An examination may cover the medical cannabis manufacturer's business affairs, practices, and conditions including but not limited to a review of the financing, budgets, revenues, sales, and pricing. The commissioner shall determine the nature and scope of each examination and in doing so shall take into account all available relevant factors concerning the financial and business affairs, practices, and conditions of the examinee. The costs incurred by the department in conducting an examination shall be paid for by the medical cannabis manufacturer.

(c) When making an examination under this section, the commissioner may retain attorneys, appraisers, independent economists, independent certified public accountants, or other professionals and specialists as designees. A certified public accountant retained by the commissioner may not be the same certified public accountant providing the certified annual audit in subdivision 2.

(d) The commissioner shall make a report of an examination conducted under this section and provide a copy to the medical cannabis manufacturer. The commissioner shall then post a copy of the report on the department's website. All working papers, recorded information, documents, and copies produced by, obtained by, or disclosed to the commissioner or any other person in the course of an examination, other than the information contained in any commissioner official report, made under this section are private data on individuals or nonpublic data, as defined in section 13.02.

4770.0100 APPLICABILITY AND PURPOSE.

Parts 4770.0200 to 4770.2700 establish the criteria and procedures to be used by the commissioner for the registration and oversight of a medical cannabis manufacturer.

4770.0200 **DEFINITIONS.**

Subpart 1. Scope. The terms used in this chapter have the meanings given them in this part.

Subp. 2. Acceptable performance or acceptable results. "Acceptable performance" or "acceptable results" means analytical test results generated by a laboratory using methods as specified in part 4770.2000 that are acceptable and allowed by the approved provider.

Subp. 3. **Approval.** "Approval" means acknowledgment by the commissioner that a laboratory has the policies, personnel, validation procedures, and practices to produce reliable data in the analysis of analytes and contaminants described in part 4770.1900.

Subp. 4. **Approved provider.** "Approved provider" means a provider of performance testing samples that the commissioner has determined:

A. provides an adequate volume of samples to perform statistically valid analyses;

B. calculates the number of standard deviations of the mean allowed using the results of all laboratories submitting test results after the exclusion of outlying values; and

C. allows a range of standard deviations of the mean no less stringent than the range allowed by the general requirements for the competency of reference material producers in ISO Guide 34.

Subp. 5. Audit. "Audit" means a financial review by an independent certified public accountant that includes select scope engagement or other methods of review that analyze operational or compliance issues.

Subp. 5a. Audit sample. "Audit sample" means a representative sample necessary to complete audit testing of plant material, a dried raw cannabis batch, or a dried raw cannabis finished good collected for audit testing under part 4770.3035.

Subp. 6. Batch.

A. "Batch" means a specific quantity of medical cannabis, including a set of plants of the same variety of medical cannabis that have been grown, harvested, and processed together and exposed to substantially similar conditions throughout cultivation and processing, that:

(1) is uniform and intended to meet specifications for identity, strength, purity, and composition; and

(2) is produced according to a single batch production record executed and documented during the same cycle of manufacture.

B. A batch of dried raw cannabis may not exceed 80 pounds.

Subp. 7. **Batch number.** "Batch number" means a unique numeric or alphanumeric identifier assigned to a batch by a manufacturing facility when the batch is first planted. The batch number must contain the manufacturing facility number and a sequence to allow for inventory and traceability.

Subp. 7a. **Batch sample.** "Batch sample" means a representative sample taken from a batch of dried raw cannabis prior to laboratory testing.

Subp. 8. **Biosecurity.** "Biosecurity" means a set of preventative measures designed to reduce the risk of transmission of:

A. infectious diseases in crops;

- B. quarantined pests;
- C. invasive alien species; and
- D. living modified organisms.

Subp. 8a. CBD. "CBD" means the compound cannabidiol, CAS number 13956-29-1.

Subp. 8b. CBDA. "CBDA" means cannabidiolic acid, CAS number 1244-58-2.

Subp. 9. Certified financial audit. "Certified financial audit" means the annual financial audit required under Minnesota Statutes, section 152.37, subdivision 2.

Subp. 9a. Chemical composition. "Chemical composition" means the distribution of individual components within a final formulation or finished good. This includes active ingredients, inactive ingredients, and other ingredients. Active ingredients include cannabinoids used to define a finished good in the registered products list. The concentration of each active ingredient may be given either in terms of milligram per milliliter (mg/mL) for liquids and milligram per gram (mg/g) for solids or in terms of mass fraction (weight percentage).

Subp. 10. **Commissioner.** "Commissioner" means the commissioner of the Department of Health or the commissioner's designee.

Subp. 10a. **Crop input.** "Crop input" means a substance other than water that is applied to or used in the cultivation of a cannabis plant for pest control, plant health, or growth management. Crop input includes pesticides, fungicides, plant regulators, fertilizers, and other agricultural chemicals regulated by the Minnesota Department of Agriculture.

Subp. 11. **Disqualifying felony offense.** "Disqualifying felony offense" has the meaning given in Minnesota Statutes, section 152.22, subdivision 3.

Subp. 12. **Distribute or distribution.** "Distribute" or "distribution" means the delivery of medical cannabis to a patient, the patient's parent or legal guardian, or the patient's registered caregiver that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a patient who is participating in the registry program and who is authorized to receive medical cannabis.

Subp. 13. **Distribution facility.** "Distribution facility" means any building or grounds of a medical cannabis manufacturer where the sale and distribution of medical cannabis and medical cannabis products are authorized.

Subp. 14. **Diversion.** "Diversion" means the intentional transfer of medical cannabis to a person other than a patient, the patient's designated registered caregiver, or the patient's parent or legal guardian if the parent or legal guardian is listed on the registry verification.

Subp. 14a. **Dried raw cannabis.** "Dried raw cannabis" means the dried leaves and flowers of the mature cannabis plant. Dried raw cannabis includes pre-rolled cannabis as long as the pre-roll consists of only dried cannabis leaves and flowers, an unflavored rolling paper, and a filter or tip. Dried raw cannabis does not include the cannabis seeds, seedlings, stems, stalks, roots, or any part of the immature cannabis plant.

Subp. 15. Field of testing. "Field of testing" means the combination of product type and analyte for which a laboratory has applied or received approval by the commissioner.

Subp. 16. **Financial interest.** "Financial interest" means any actual or future right to ownership, investment, or compensation arrangement in a medical cannabis manufacturer with another person, either directly or indirectly, through business, investment, or spouse, parent, or child relationship. Financial interest does not include ownership of investment securities in a publicly held corporation that is traded on a national exchange or over-the-counter market, provided the investment securities held by the person or the person's spouse, parent, or child, in the aggregate, do not exceed one percent ownership in the medical cannabis manufacturer.

Subp. 16a. **Finished good.** "Finished good" means either an extract formulation that has been packaged and labeled for delivery to a medical cannabis distribution facility for distribution to patients or dried raw cannabis that has been packaged and labeled for delivery to a medical cannabis distribution facility.

Subp. 16b. Flower. "Flower" means the flower of the cannabis plant.

Subp. 17. **Health care practitioner.** "Health care practitioner" has the meaning given in Minnesota Statutes, section 152.22, subdivision 4.

Subp. 17a. **Immature plant.** "Immature plant" means a nonflowering cannabis plant that is no taller than eight inches and no wider than eight inches produced from a cutting, clipping, or seedling and is in a cultivation container.

Subp. 18. **Inspection.** "Inspection" means an on-site evaluation of laboratory facilities, records, personnel, equipment, methodology, and quality assurance practices by the commissioner for compliance with this chapter.

Subp. 19. International Standards Organization or ISO. The "International Standards Organization" or "ISO" means an independent, nongovernmental membership organization and the largest developer of voluntary international standards.

Subp. 19a. Labeling. "Labeling" means all labels and other written, printed, or graphic matter on a packaged finished good or any container or wrapper accompanying the packaged finished good.

Subp. 20. Laboratory managing agent. "Laboratory managing agent" means a person, as defined in Minnesota Statutes, section 326.71, subdivision 8, who is legally authorized to direct the activities of the laboratory and commit sufficient resources to comply with parts 4770.1900 to 4770.2400.

Subp. 21. **Laboratory.** "Laboratory" means a fixed-based or mobile structure, a person, corporation, or other entity, including a government or tribal entity, that examines, analyzes, or tests samples.

Subp. 22. Laboratory owner. "Laboratory owner" means a person who:

A. is a sole proprietor of a laboratory;

B. holds a partnership interest in a laboratory; or

C. owns five percent or more of the shares in a corporation that owns a laboratory.

Subp. 23. Laboratory technical manager. "Laboratory technical manager" means a person who is scientifically responsible to ensure the achievement and maintenance of quality and analytical standards or practice and who is in a supervisory, lead worker, or similarly named position within an organization.

Subp. 24. **Manufacturing or manufacture.** "Manufacturing" or "manufacture" means the planting, cultivation, growing, and harvesting of cannabis and the process of converting harvested cannabis plant material into medical cannabis.

Subp. 25. **Manufacturing facility.** "Manufacturing facility" means any secured building, space, grounds, and physical structure of a medical cannabis manufacturer for the cultivation, harvesting, packaging, and processing of medical cannabis and where access is restricted to designated employees of a medical cannabis manufacturer and escorted visitors.

Subp. 26. **Medical cannabis.** "Medical cannabis" has the meaning given in Minnesota Statutes, section 152.22, subdivision 6.

Subp. 26a. **Medical cannabis brand name.** "Medical cannabis brand name" means the name under which a medical cannabis concentrate, a medical cannabis concentrate formulation, or a dried raw cannabis product is marketed and distributed.

Subp. 26b. **Medical cannabis concentrate.** "Medical cannabis concentrate" means a specific subset of medical cannabis that is produced by extracting cannabinoids from plant material. Categories of medical cannabis concentrate include products created using water-based, solvent-based, heat-based, or pressure-based extraction methods. Medical cannabis concentrate includes medical cannabis concentrate intended for use with a vaporizer delivery device or pressurized dose inhaler.

Subp. 26c. **Medical cannabis concentrate formulation.** "Medical cannabis concentrate formulation" means a liquid, including oil, a pill, or any other formulation type approved by the commissioner under Minnesota Statutes, sections 152.22, subdivision 6, paragraph (a), and 152.27, subdivision 2, paragraph (b), infused with medical cannabis and other ingredients that will be packaged into a finished good without further change and is intended for use or consumption other than by smoking. Medical cannabis concentrate formulation includes oral suspensions, tinctures, lotions, ointments, and any other medical cannabis delivery method approved by the commissioner.

Subp. 27. **Medical cannabis manufacturer or manufacturer.** "Medical cannabis manufacturer" or "manufacturer" has the meaning given in Minnesota Statutes, section 152.22, subdivision 7.

Subp. 28. **Medical cannabis product.** "Medical cannabis product" has the meaning given in Minnesota Statutes, section 152.22, subdivision 8.

Subp. 29. Medical cannabis waste. "Medical cannabis waste" means medical cannabis that is returned, damaged, defective, expired, or contaminated.

Subp. 30. **Parent or legal guardian.** "Parent or legal guardian" has the meaning given in Minnesota Statutes, section 152.27, subdivision 5.

Subp. 31. **Patient.** "Patient" has the meaning given in Minnesota Statutes, section 152.22, subdivision 9.

Subp. 32. **Plant material.** "Plant material" means any cannabis plant, cutting, trimming, or clone that has roots or that is cultivated with the intention of growing roots.

Subp. 33. **Plant material waste.** "Plant material waste" means plant material that is not used in the production of medical cannabis in a form allowable under Minnesota Statutes, section 152.22, subdivision 6.

Subp. 33a. **Plant regulator.** "Plant regulator" has the meaning given in Minnesota Statutes, section 18B.01, subdivision 20.

Subp. 33b. **Pre-roll.** "Pre-roll" means any combination of flower, shake, or leaf rolled in unflavored paper and intended to be smoked.

Subp. 34. Production or produce. "Production" or "produce" means:

A. cultivating or harvesting plant material;

- B. processing or manufacturing; or
- C. packaging of medical cannabis.

Subp. 35. **Proficiency testing sample or PT sample.** "Proficiency testing sample" or "PT sample" means a sample obtained from an approved provider to evaluate the ability of a laboratory to produce an analytical test result meeting the definition of acceptable performance. The concentration of the analyte in the sample is unknown to the laboratory at the time of analysis.

Subp. 36. **Registered designated caregiver.** "Registered designated caregiver" has the meaning given in Minnesota Statutes, section 152.22, subdivision 11.

Subp. 36a. **Registered finished goods list.** "Registered finished goods list" means the official list maintained by the commissioner of finished goods permitted to be dispensed within the registry. The manufacturer must provide the commissioner the finished good's

chemical composition, the total volume or weight of each active ingredient, storage instructions, and estimated expiration date. If a finished good will be dispensed in an amount larger than one unit or dose, the manufacturer must specify the volume or weight and chemical composition that constitutes a single dose.

Subp. 37. **Registry program.** "Registry program" has the meaning given in Minnesota Statutes, section 152.22, subdivision 12.

Subp. 38. **Registry verification.** "Registry verification" has the meaning given in Minnesota Statutes, section 152.22, subdivision 13.

Subp. 38a. **Remediation.** "Remediation" means any process that removes or reduces the level of contaminants in a batch of dried raw cannabis flower and trim, either through extraction of oils or other means.

Subp. 39. **Restricted access area.** "Restricted access area" means a building, room, or other contiguous area on the premises where plant material is grown, cultivated, harvested, stored, packaged, or processed for sale under control of the medical cannabis manufacturer, and where no person under the age of 21 is permitted.

Subp. 39a. **Rinsate.** "Rinsate" means a dilute mixture of a crop input or crop inputs with water, solvents, oils, commercial rinsing agents, or other substances that is produced by or results from the cleaning of crop input application equipment or containers.

Subp. 39b. **Shake.** "Shake" means pieces of a cannabis flower that were once part of larger buds.

Subp. 40. **Sufficient cause to believe.** "Sufficient cause to believe" means grounds asserted in good faith that are not arbitrary, irrational, unreasonable, or irrelevant and that make the proposition asserted more likely than not, provided the grounds are based on at least one of the following sources:

A. facts or statements supplied by a patient, the patient's parent or legal guardian, the patient's designated registered caregiver, or an employee or agent of a medical cannabis manufacturer;

B. reports from an approved laboratory that indicate concerns with the chemical or bacterial composition of the medical cannabis;

C. financial records of a medical cannabis manufacturer;

- D. police records;
- E. court documents; or

F. facts of which the commissioner or the commissioner's employees have personal knowledge.

Subp. 41. THC. "THC" means tetrahydrocannabinol, CAS number 1972-08-3.

Subp. 42. THCA. "THCA" means tetrahydrocannabinolic acid, CAS number 23978-85-0.

Subp. 43. **Total cannabinoid content.** "Total cannabinoid content" means the combined target values by weight of all cannabinoids defining a finished good in the registered finished goods list, not including cannabinoids present only in trace amounts.

Subp. 44. **Total CBD content.** "Total CBD content" means the sum of the amount of CBD and 87.7 percent of the detectable amount of CBDA present in the product or plant material.

Subp. 45. **Total THC content.** "Total THC content" means the sum of the amount of THC and 87.7 percent of the detectable amount of THCA present in the product or plant material.

Subp. 46. Water activity. "Water activity" or " a_w " means a measure of the free moisture in usable cannabis and is the quotient of the water vapor pressure of the substance divided by the vapor pressure of pure water at the same temperature.

4770.0300 DUTIES OF COMMISSIONER.

Subpart 1. **Interagency agreements.** The commissioner may enter into any interagency agreements with other state agencies for technical services or other assistance related to the regulatory or inspection duties of a medical cannabis manufacturer and the registry program.

Subp. 2. Notice to law enforcement. If the commissioner has sufficient cause to believe that there is a threat to public safety, then the commissioner must notify local law enforcement agencies of any conditions that pose a threat to public safety, including:

A. loss or theft of medical cannabis or plant material;

B. diversion or potential diversion of medical cannabis or plant material; or

C. unauthorized access to the patient registry.

Subp. 3. **Inspection of medical cannabis manufacturer.** A medical cannabis manufacturer is subject to reasonable inspection by the commissioner under Minnesota Statutes, section 152.29, subdivision 1. For purposes of this part, "reasonable inspection" means unannounced inspections by the commissioner of all:

A. aspects of the business operations;

B. physical locations of the medical cannabis manufacturer, its manufacturing facility, and distribution facilities;

C. financial information and inventory documentation; and

D. physical and electronic security alarm systems.

Subp. 4. **Fees.** Any fees collected by the commissioner under Minnesota Statutes, section 152.35, are not refundable.

Subp. 5. Patient costs; pricing.

A. A medical cannabis manufacturer must follow the requirements under Minnesota Statutes, section 152.35, paragraph (d), in establishing a reasonable fee.

B. The commissioner may annually review price costing by a medical cannabis manufacturer.

4770.0400 MEDICAL CANNABIS MANUFACTURER; OPERATIONS.

Subpart 1. **Operating documents.** Under Minnesota Statutes, section 152.29, subdivision 1, the operating documents of a medical cannabis manufacturer must describe operational and management practices, including:

A. record keeping;

B. security measures to deter and prevent theft of medical cannabis;

C. unauthorized entrance into areas containing medical cannabis;

D. types and quantities of medical cannabis products that are produced at the manufacturing facility;

E. methods of planting, harvesting, drying, and storage of medical cannabis;

F. estimated quantity of all crop inputs used in production;

G. estimated quantity of waste material to be generated;

H. disposal methods for all waste materials;

I. employee training methods for the specific phases of production;

J. biosecurity measures used in production and in manufacturing;

K. strategies for reconciling discrepancies in plant material or medical cannabis;

L. sampling strategy and quality testing for labeling purposes;

M. medical cannabis packaging and labeling procedures;

N. procedures for the mandatory and voluntary recall of medical cannabis;

O. plans for responding to a security breach at a manufacturing or distribution facility, or while medical cannabis is in transit to a manufacturing or distribution facility;

P. business continuity plan;

Q. records relating to all transport activities; and

R. other information requested by the commissioner.

Subp. 2. Prohibited activities.

A. A person may not own and operate a manufacturing facility unless the person is registered as a medical cannabis manufacturer by the commissioner under Minnesota Statutes, section 152.25.

B. A medical cannabis manufacturer and its employees, agents, or owners may not:

(1) cultivate, produce, or manufacture medical cannabis in any location except in those areas designated for those activities in the registration agreement;

(2) sell or distribute medical cannabis or medical cannabis products from any location except its distribution facilities;

(3) produce or manufacture medical cannabis for use outside of Minnesota;

- (4) sell or distribute medical cannabis to any person other than a registered:
 - (a) patient;
 - (b) parent or legal guardian; or
 - (c) designated registered caregiver;

(5) deliver or transport medical cannabis to any location except the manufacturer's production facility or distribution facilities, a waste-to-energy facility, another manufacturer's distribution facilities, a testing laboratory approved by the commissioner, and a laboratory selected by the commissioner to conduct audit testing under part 4770.3035;

(6) sell medical cannabis that is not packaged and labeled in accordance with part 4770.0850; or

(7) permit the consumption of medical cannabis at a distribution facility.

Subp. 3. **Criminal background checks.** A medical cannabis manufacturer is prohibited from employing any person who has a disqualifying felony offense as shown by a Minnesota criminal history background check or a federal criminal history background check performed by the Bureau of Criminal Apprehension under Minnesota Statutes, section 152.29, subdivision 1.

Subp. 4. Conflict of interest; health care practitioner activity restrictions. A medical cannabis manufacturer may not:

A. permit a health care practitioner who certifies qualifying conditions for patients to:

(1) hold a direct or indirect economic interest in the medical cannabis manufacturer;

(2) serve on the board of directors or as an employee of the medical cannabis manufacturer; or

(3) advertise with the medical cannabis manufacturer in any capacity;

B. accept or solicit any form of remuneration from a health care practitioner who certifies qualifying conditions for patients; or

C. offer any form of remuneration from a health care practitioner who certifies qualifying conditions for patients.

4770.0500 MEDICAL CANNABIS MANUFACTURER; QUALITY CONTROL; ASSURANCE PROGRAM.

Subpart 1. **Quality control program.** A medical cannabis manufacturer must develop and implement a written quality assurance program that assesses the chemical and microbiological composition of medical cannabis. Assessment includes a profile of the active ingredients, including shelf life, and the presence of inactive ingredients and contaminants. A medical cannabis manufacturer must use these testing results to determine appropriate storage conditions and expiration dates.

Subp. 2. **Sampling protocols.** A medical cannabis manufacturer must develop and follow written procedures for sampling medical cannabis that require the manufacturer to:

A. conduct sample collection in a manner that provides analytically sound and representative samples;

B. document every sampling event and provide this documentation to the commissioner upon request;

C. describe all sampling and testing plans in written procedures that include the sampling method and the number of units per batch to be tested;

D. ensure that random samples from each batch are:

(1) taken in an amount necessary to conduct the applicable test;

- (2) labeled with the batch unique identifier; and
- (3) submitted for testing; and

E. retain the results from the random samples for at least five years.

Subp. 3. Sampling; testing levels. A medical cannabis manufacturer must:

A. develop acceptance criteria for all potential contaminants based on the levels of metals, microbes, or other contaminants that the manufacturer uses in cultivating and producing medical cannabis. The testing levels are subject to approval by the commissioner;

B. conduct sampling and testing using acceptance criteria that are protective of patient health. The sampling and testing results must ensure that batches of medical cannabis meet allowable health risk limits for contaminants;

C. reject a medical cannabis batch that fails to meet established standards, specifications, and any other relevant quality-control criteria;

D. develop and follow a written procedure for responding to results indicating contamination. The procedure must include destroying contaminated medical cannabis and determining the source of contamination; and

E. retain documentation of test results, assessment, and destruction of medical cannabis for at least five years.

Subp. 4. Quality assurance program; stability testing.

A. The quality assurance program must include procedures for performing stability testing of each product type produced to determine product shelf life that addresses:

(1) sample size and test intervals based on statistical criteria for each attribute examined to ensure valid stability estimates;

(2) storage conditions for samples retained for testing; and

(3) reliable and specific test methods.

B. Stability studies must include:

(1) medical cannabis testing at appropriate intervals;

(2) medical cannabis testing in the same container-closure system in which the drug product is marketed; and

(3) testing medical cannabis for reconstitution at the time of dispensing, as directed in the labeling, and after the samples are reconstituted.

C. If shelf-life studies have not been completed before July 1, 2015, a medical cannabis manufacturer may assign a tentative expiration date, based on any available stability information. The manufacturer must concurrently conduct stability studies to determine the actual product expiration date.

D. After the manufacturer verifies the tentative expiration date, or determines the appropriate expiration date, the medical cannabis manufacturer must include that expiration date on each batch of medical cannabis.

E. Stability testing must be repeated if the manufacturing process or the product's chemical composition is changed.

Subp. 5. Reserve samples.

A. A medical cannabis manufacturer must retain a uniquely labeled reserve sample that represents each batch of medical cannabis and store it under conditions consistent with product labeling. The reserve sample must be stored in the same immediate container-closure system in which the medical cannabis is marketed, or in one that has similar characteristics. The reserve sample must consist of at least twice the quantity necessary to perform all the required tests.

B. A medical cannabis manufacturer must retain the reserve for at least one year following the batch's expiration date.

Subp. 6. **Retesting.** If the commissioner deems that public health may be at risk, the commissioner may require the manufacturer to retest any sample of plant material or medical cannabis.

4770.0600 LOCATION; DISTANCE FROM SCHOOL.

Under Minnesota Statutes, section 152.29, paragraph (j), a medical cannabis manufacturer may not operate within 1,000 feet of an existing public or private school. The medical cannabis manufacturer must measure the distance between the closest point of the manufacturing or distribution facility property lines to the closest point of the school's property lines.

For purposes of this part, "public or private school" means any property operated by a school district, charter school, or accredited nonpublic school for elementary, middle, or secondary school, or secondary vocation center purposes.

"Accredited nonpublic school" means any nonpublic school accredited by an accrediting agency recognized by the Minnesota nonpublic education council under Minnesota Statutes, section 123B.445, excluding home schools.

4770.0800 ADVERTISING AND MARKETING.

Subpart 1. **Permitted marketing and advertising activities.** A medical cannabis manufacturer may:

A. display the manufacturer's business name and logo on medical cannabis labels, signs, website, and informational material provided to patients. The name or logo must not include:

- (1) images of cannabis or cannabis-smoking paraphernalia;
- (2) colloquial references to cannabis;
- (3) names of cannabis plant strains; or

(4) medical symbols that bear a reasonable resemblance to established medical associations. Examples of established medical organizations include the American Medical Association or American Academy of Pediatrics. The use of medical symbols is subject to approval by the commissioner;

- B. display signs on the manufacturing facility and distribution facility; and
- C. maintain a business website that contains the following information:
 - (1) the medical cannabis manufacturer name;
 - (2) the distribution facility location;
 - (3) the contact information;
 - (4) the distribution facility's hours of operation;
 - (5) the medical cannabis products provided;
 - (6) product pricing; and
 - (7) other information as approved by the commissioner.

Subp. 2. Marketing and advertising activities; commissioner approval required.

A. A medical cannabis manufacturer must request and receive the commissioner's written approval before beginning marketing or advertising activities that are not specified in subpart 1.

B. The commissioner has 30 calendar days to approve marketing and advertising activities submitted under this subpart.

Subp. 3. **Inconspicuous display.** A medical cannabis manufacturer must arrange displays of merchandise, interior signs, and other exhibits to prevent public viewing from outside the manufacturing facility and distribution facility.

4770.0900 MONITORING AND SURVEILLANCE REQUIREMENTS.

Subpart 1. **24-hour closed-circuit television.** A medical cannabis manufacturer must operate and maintain in good working order a closed-circuit television (CCTV) surveillance system on all of its premises, which must operate 24 hours per day, seven days per week, and visually record:

A. all phases of production;

B. all areas that might contain plant material and medical cannabis, including all safes and vaults;

- C. all points of entry and exit, including sales areas;
- D. the entrance to the video surveillance room; and

E. any parking lot, which must have appropriate lighting for the normal conditions of the area under surveillance.

Subp. 2. Camera specifications. Cameras must:

A. capture clear and certain identification of any person entering or exiting a manufacturing facility or distribution facility;

B. have the ability to produce a clear, color, still photo either live or from a recording;

C. have an embedded date-and-time stamp on all recordings that must be synchronized and not obscure the picture; and

D. continue to operate during a power outage.

Subp. 3. Video recording specifications.

A. A video recording must export still images in an industry standard image format, including .jpg, .bmp, and .gif.

B. Exported video must be archived in a proprietary format that ensures authentication and guarantees that the recorded image has not been altered.

C. Exported video must also be saved in an industry standard file format that can be played on a standard computer operating system.

D. All recordings must be erased or destroyed before disposal.

Subp. 4. Additional requirements. The manufacturer must maintain all security system equipment and recordings in a secure location to prevent theft, loss, destruction, corruption, and alterations.

Subp. 5. **Retention.** The manufacturer must ensure that 24-hour recordings from all video cameras are:

A. available for viewing by the commissioner upon request;

B. retained for at least 90 calendar days;

C. maintained free of alteration or corruption; and

D. retained longer, as needed, if the manufacturer is given actual notice of a pending criminal, civil, or administrative investigation, or other legal proceeding for which the recording may contain relevant information.

4770.1000 ALARM SYSTEM REQUIREMENTS.

A. A medical cannabis manufacturer must install and maintain a professionally monitored security alarm system that provides intrusion and fire detection of all:

(1) facility entrances and exits;

(2) rooms with exterior windows;

(3) rooms with exterior walls;

(4) roof hatches;

(5) skylights; and

(6) storage rooms.

B. For purposes of this part, a security alarm system means a device or series of devices that summons law enforcement personnel during, or as a result of, an alarm condition. Devices may include:

(1) hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals that emit or transmit a remote or local audio, visual, or electronic signal;

(2) motion detectors;

- (3) pressure switches;
- (4) a duress alarm;
- (5) a panic alarm;
- (6) a holdup alarm;
- (7) an automatic voice dialer; and

(8) a failure notification system that provides an audio, text, or visual notification of any failure in the surveillance system.

C. A manufacturer's security alarm system and all devices must continue to operate during a power outage.

D. The commissioner must have the ability to access a medical cannabis manufacturer's security alarm system.

E. The manufacturer's security alarm system must be inspected and all devices tested annually by a qualified alarm vendor.

4770.1100 TRANSPORTATION OF MEDICAL CANNABIS.

Subpart 1. Transportation of medical cannabis and plant material; when authorized.

A. A medical cannabis manufacturer is authorized to transport medical cannabis:

- (1) from its manufacturing facility to its distribution facilities;
- (2) between its distribution facilities;

(3) from its manufacturing facility to a distribution facility operated by another manufacturer;

(4) from its manufacturing facility to a testing laboratory for testing;

(5) from a testing laboratory to its manufacturing facility or to a waste-to-energy facility;

(6) from its manufacturing facility or distribution facility to a laboratory selected by the commissioner to conduct audit testing under part 4770.3035; and

(7) from its manufacturing facility or distribution facility to a waste-to-energy facility.

B. A medical cannabis manufacturer is authorized to transport plant material waste:

(1) from its manufacturing facility to a waste disposal site; and

(2) when a specific nonroutine transport request from the manufacturer is approved by the commissioner.

Subp. 2. Transporting medical cannabis.

A. A medical cannabis manufacturer must use a manifest system, approved by the commissioner, to track shipping of medical cannabis. The manifest system must include a chain of custody that records:

(1) the name and address of the destination;

(2) the weight, measure, or numerical count and description of each individual package that is part of the shipment, and the total number of individual packages;

(3) the date and time the medical cannabis shipment is placed into the transport vehicle;

(4) the date and time the shipment is accepted at the delivery destination;

(5) the person's identity, and the circumstances, duration, and disposition of any other person who had custody or control of the shipment; and

(6) any handling or storage instructions.

B. Before transporting medical cannabis, a medical cannabis manufacturer must:

(1) complete a manifest on a form approved by the commissioner; and

(2) transmit a copy of the manifest to the manufacturer's distribution facility, a laboratory, or a waste-to-energy facility, as applicable.

C. The manifest must be signed by:

(1) an authorized manufacturer employee when departing the manufacturing facility; and

(2) an authorized employee of the receiving distribution facility, laboratory, or waste-to-energy facility.

D. An authorized employee at the facility receiving medical cannabis must:

(1) verify and document the type and quantity of the transported medical cannabis against the manifest;

(2) return a copy of the signed manifest to the manufacturing facility; and

(3) record the medical cannabis that is received as inventory according to part 4770.1800.

E. A manufacturer must maintain all manifests for at least five years and make them available upon request of the commissioner.

Subp. 3. Transportation of medical cannabis; vehicle requirements.

A. A manufacturer must ensure that:

- (1) all medical cannabis transported on public roadways is:
 - (a) packaged in tamper-evident, bulk containers;
 - (b) transported so it is not visible or recognizable from outside the

vehicle;

(c) transported in a vehicle that does not bear any markings to indicate that the vehicle contains cannabis or bears the name or logo of the manufacturer; and

(d) kept in a compartment of a transporting vehicle that maintains appropriate temperatures and conditions that will protect plant material and medical cannabis against physical, chemical, and microbial contamination or deterioration.

B. Manufacturer employees who are transporting medical cannabis, plant waste, or medical cannabis waste on public roadways must:

(1) travel directly to the destination listed on the transportation manifest;

- (2) document refueling and all other stops in transit, including:
 - (a) the reason for the stop;
 - (b) the duration of the stop;
 - (c) the location of the stop; and
 - (d) all activities of employees exiting the vehicle; and

(3) not wear manufacturer-branded clothing or clothing that identifies the employee as an employee of the manufacturer.

C. If an emergency requires stopping the vehicle, the employee must notify 911 and complete an incident report form provided by the commissioner.

D. Under no circumstance may any person other than a designated manufacturer employee have actual physical control of the motor vehicle that is transporting the medical cannabis.

E. A medical cannabis manufacturer must staff all motor vehicles with a minimum of two employees when transporting medical cannabis between a manufacturing facility and a distribution facility. At least one employee must remain with the motor vehicle at all times that the motor vehicle contains medical cannabis. A single employee may transport medical cannabis to an approved laboratory.

F. Each employee in a transport motor vehicle must have communication access with the medical cannabis manufacturer's personnel, and have the ability to contact law enforcement through the 911 emergency system at all times that the motor vehicle contains medical cannabis.

G. An employee must carry the employee's identification card at all times when transporting or delivering cannabis and, upon request, produce the identification card to the commissioner or to a law enforcement officer acting in the course of official duties.

H. A medical cannabis manufacturer must not leave a vehicle that is transporting medical cannabis unattended overnight.

4770.1200 DISPOSAL OF MEDICAL CANNABIS AND PLANT MATERIAL.

Subpart 1. Medical cannabis take-back. A medical cannabis manufacturer must accept at no charge unused, excess, or contaminated medical cannabis. A manufacturer must:

A. dispose of the returned medical cannabis as provided in subpart 2; and

- B. maintain a written record of disposal that includes:
 - (1) the name of the patient;
 - (2) the date the medical cannabis was returned;
 - (3) the quantity of medical cannabis returned; and
 - (4) the type and batch number of medical cannabis returned.

Subp. 2. Medical cannabis and plant material waste. A medical cannabis manufacturer must store, secure, and manage medical cannabis waste and plant material waste in accordance with all applicable federal, state, and local regulations.

A. The manufacturer must dispose of medical cannabis waste by incineration at a waste-to-energy facility according to federal and state law.

B. The manufacturer must dispose of plant material by composting as follows:

- (1) at the manufacturing facility, according to federal and state law; or
- (2) at an approved composting facility, according to federal and state law.

C. Before transport, the manufacturer must render plant material waste unusable and unrecognizable by grinding and incorporating the waste with a greater quantity of nonconsumable, solid wastes including:

- (1) paper waste;
- (2) cardboard waste;
- (3) food waste;
- (4) yard waste;

(5) vegetative wastes generated from industrial or manufacturing processes that prepare food for human consumption;

- (6) soil; or
- (7) other waste approved by the commissioner.

Subp. 3. Liquid and chemical waste disposal. The medical cannabis manufacturer must dispose of all liquid and chemical product waste generated in the process of cultivating, manufacturing, and distributing medical cannabis in accordance with all applicable federal, state, and local regulations.

Subp. 4. **Waste-tracking requirements.** The medical cannabis manufacturer must use forms provided by the commissioner to maintain accurate and comprehensive records regarding waste material that accounts for, reconciles, and evidences all waste activity related to the disposal of medical cannabis waste and plant material waste.

4770.1300 MANDATORY SIGNAGE.

A. A medical cannabis manufacturer must post a sign in a conspicuous location at each entrance of the manufacturing facility that reads "PERSONS UNDER TWENTY-ONE YEARS OF AGE NOT PERMITTED IN RESTRICTED ACCESS AREAS."

B. A manufacturer must post a sign in a conspicuous location at every entrance to the manufacturing facility and each distribution facility that reads "THESE PREMISES ARE UNDER CONSTANT VIDEO SURVEILLANCE."

4770.1400 PERSONNEL IDENTIFICATION SYSTEM.

Subpart 1. **Identification system.** A medical cannabis manufacturer must use a personnel identification system that controls and monitors individual employee access to restricted access areas within the manufacturing facility and distribution facility and that meets the requirements of this part and part 4770.0700.

Subp. 2. Employee identification card requirement. An employee identification card must contain:

- A. the name of the cardholder;
- B. the date of issuance and expiration;
- C. an alphanumeric identification number that is unique to the cardholder; and
- D. a photographic image of the cardholder.

Subp. 3. Visitor pass required. A visitor must wear a visitor pass issued by the medical cannabis manufacturer that is visible at all times.

Subp. 4. **Employee identification card on person and visible at all times.** A manufacturer's employee must keep the employee's identification card visible at all times when in a manufacturing facility, distribution facility, or vehicle transporting medical cannabis.

Subp. 5. **Termination of employment.** Upon termination of an employee, a medical cannabis manufacturer must obtain and destroy the terminated employee's identification card.

4770.1460 RENEWAL OF REGISTRATION.

Subpart 1. **Application.** A registered manufacturer must submit an application to renew its registration with the commissioner at least six months before its registration term expires. The application must include:

A. any material change in its previous application materials;

B. information about each alleged incident involving theft, loss, or possible diversion of medical cannabis by an employee, agent, or contractor of the manufacturer;

C. the manufacturer's compliance with all relevant state and local laws;

D. information about the manufacturer's ability to continue manufacturing and distributing medical cannabis, including financial viability and ability to ensure adequate supply of medical cannabis; and

E. any other information requested by the commissioner.

Subp. 2. Criteria. The commissioner must use criteria listed in Minnesota Statutes, section 152.25, subdivision 1, paragraph (c), when considering a manufacturer's application to renew its registration.

Subp. 3. **Notification.** The commissioner must notify the manufacturer of the commissioner's decision to approve or deny the manufacturer's registration application at least 120 days before the expiration of the registration agreement.

4770.1500 CLOSURE OF OPERATIONS; DEREGISTRATION.

Subpart 1. Notice. A medical cannabis manufacturer shall notify the commissioner at least six months before the closure of the manufacturing facility and its distribution facilities.

Subp. 2. **Procedures.** If a medical cannabis manufacturer ceases operation, the commissioner must verify the remaining inventory of the manufacturer and seize all plant material, plant material waste, and medical cannabis. The commissioner must ensure that any plant material, plant material waste, and medical cannabis is destroyed by incineration at a waste-to-energy facility.

4770.1600 RECORD KEEPING; REQUIREMENTS.

A. A medical cannabis manufacturer must maintain for at least five years complete, legible, and current records, including:

(1) the date of each sale or distribution;

(2) the registration number of all patients;

(3) the item number, product name and description, and quantity of medical cannabis sold or otherwise distributed;

(4) records of sale prices of medical cannabis to patients;

(5) the quantity and form of medical cannabis maintained by the manufacturer at the manufacturing facility on a daily basis; and

(6) the amount of plants being grown at the manufacturing facility on a daily

basis.

B. A medical cannabis manufacturer must maintain records that reflect all financial transactions and the financial condition of the business. The following records must be maintained for at least five years and made available for review, upon request of the commissioner:

(1) purchase invoices, bills of lading, transport manifests, sales records, copies of bills of sale, and any supporting documents, to include the items or services purchased, from whom the items were purchased, and the date of purchase;

(2) bank statements and canceled checks for all business accounts;

(3) accounting and tax records;

(4) records of all financial transactions, including contracts and agreements for services performed or services received;

(5) all personnel records;

(6) crop inputs applied to the growing medium, plants, or plant material used in production;

(7) production records;

(8) transportation records;

(9) inventory records;

(10) records of all samples sent to a testing laboratory and the quality assurance test results; and

(11) records of any theft, loss, or other unaccountability of any medical cannabis or plant material.

4770.1700 MEDICAL CANNABIS MANUFACTURER; PRODUCTION REQUIREMENTS.

Subpart 1. Cultivation and processing; generally.

A. Only a registered medical cannabis manufacturer is authorized to produce and manufacture medical cannabis.

B. All phases of production must take place in designated, restricted access areas that are monitored by a surveillance camera system in accordance with part 4770.0900.

C. All areas must be compartmentalized based on function, and employee access must be restricted between compartments.

D. The production process must be designed to limit contamination. Examples of contamination include mold, fungus, bacterial diseases, rot, pests, nonorganic pesticides, and mildew.

E. Each production area must have an open aisle for unobstructed access, observation, and inventory of each plant group.

F. Biosecurity measures must be in effect and documented according to part 4770.0400, subpart 1.

G. The manufacturer must maintain a record at the facility of all crop inputs for at least five years. The record must include the following:

(1) the date of application;

(2) the name of the employee applying the crop input;

(3) the name and description of the crop input that was applied, including the chemical name, product name, and manufacturer, where applicable;

(4) the section, including the square footage, that received the application by batch number;

(5) either the amount or concentration of crop input, or both, that was applied;

- (6) a copy of the label of the crop input applied; and
- (7) the vendor or other origin of the crop input.

H. At the time of planting, all plants must be tracked in a batch process with a unique batch number that must remain with the batch through final packaging.

I. A manufacturer must record any removal of plants from the batch on a record maintained at the manufacturing facility for at least five years.

J. The batch number must be displayed on the label of the medical cannabis.

Subp. 1a. Crop inputs used in cultivation of dried raw cannabis.

A. A manufacturer cultivating plants intended to become dried raw cannabis must follow practices and procedures that minimize the risk of chemical contamination or adulteration of the medical cannabis.

B. A manufacturer may only apply a pesticide in the cultivation of medical cannabis if the pesticide has been:

(1) deemed to be minimum risk by the United States Environmental Protection Agency in accordance with Code of Federal Regulations, title 40, section 152.25 (f), and exempted from United States Code, title 7, section 136 et seq., the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and the pesticide's label does not exclude its use on a genus cannabis plant;

(2) registered with the United States Environmental Protection Agency under section 3 of FIFRA, United States Code, title 7, section 136 et seq., and is labeled for use on medical cannabis or cannabis used for human consumption; or

(3) registered with the United States Environmental Protection Agency under section 3 of FIFRA, United States Code, title 7, section 136 et seq., and:

(a) the active ingredient found in the pesticide is either exempt from the tolerance requirements in Code of Federal Regulations, title 40, part 180, subpart D, or does not require an exemption from the tolerance requirement in Code of Federal Regulations, title 40, part 180, subpart E;

(b) the pesticide product label does not prohibit use within an enclosed structure for the site of application;

(c) the pesticide product label expressly has directions for use on unspecified crops or plants intended for human consumption; and

(d) the pesticide product is used in accordance with all applicable instructions, restrictions, and requirements on the product label.

C. A manufacturer may use rooting hormones or cloning gels only during the propagation phase of the plant life cycle.

D. A manufacturer must store all crop input stocks in their original containers with their original labels intact. The manufacturer must ensure that packaged fertilizers and containers of diluted or prepared fertilizer remain labeled with information as required in Minnesota Statutes, section 18C.215, at all times.

E. The manufacturer must apply, store, and dispose of crop inputs, rinsate, and containers according to label instructions and all other applicable laws and regulations.

F. If an audit sample tested under part 4770.3035 shows the presence of a crop input not permitted under this subpart, the batch and any finished good produced from the batch are adulterated and must be disposed of as medical cannabis waste under part 4770.1200, subpart 2. The use of pesticides not permitted under this part is presumptively classified as a serious violation under Minnesota Statutes, sections 144.989 to 144.993.

Subp. 2. Production of medical cannabis.

A. The commissioner must approve the manufacturer's use of any hydrocarbon-based extraction process. Examples of a hydrocarbon-based extraction process include the use of butane, ethanol, hexane, and isopropyl alcohol.

B. Medical cannabis must be prepared, handled, and stored in compliance with the sanitation requirements in this part.

C. A manufacturer must maintain appropriate temperatures and conditions that will protect plant material and medical cannabis against physical, chemical, and microbial contamination or deterioration of the product or its container.

D. A manufacturer must ensure that the cannabinoid content of the medical cannabis it produces is homogenous.

E. Prior to distributing new finished goods to customers, a manufacturer must obtain the commissioner's approval. The commissioner shall:

(1) for each manufacturer, maintain a registered finished goods list containing packaged product information; and

(2) update the list as needed.

F. The manufacturer must submit a definition of each finished good to the commissioner to include in the registered finished goods list before a batch sample may be tested.

G. Pre-rolls must not contain more than one gram of dried raw cannabis each.

Subp. 3. General sanitation requirements. A manufacturer must take all reasonable measures and precautions to ensure that:

A. any employee who has a communicable disease does not perform any tasks that might contaminate plant material or medical cannabis;

B. hand-washing facilities are:

(1) convenient and furnished with running water at a suitable temperature;

(2) located in all production areas; and

(3) equipped with effective hand-cleaning and sanitizing preparations and sanitary towel service or electronic drying devices;

C. all employees working in direct contact with plant material and medical cannabis must use hygienic practices while on duty, including:

(1) maintaining personal cleanliness; and

(2) washing hands thoroughly in a hand-washing area before starting work and at any other time when the hands may have become soiled or contaminated;

D. litter and waste are routinely removed and the operating systems for waste disposal are routinely inspected;

E. floors, walls, and ceilings are constructed with a surface that can be easily cleaned and maintained in good repair to inhibit microbial growth;

F. lighting is adequate in all areas where plant material and medical cannabis are processed, stored, or sold;

G. screening or other protection against the entry of pests is provided, including that rubbish is disposed of to minimize the development of odor and the potential for the waste becoming an attractant, harborage, or breeding place for pests;

H. any buildings, fixtures, and other facilities are maintained in a sanitary condition;

I. toxic cleaning compounds, sanitizing agents, and other potentially harmful chemicals are identified and stored in a separate location away from plant material and medical cannabis and in accordance with applicable local, state, or federal law;

J. all contact surfaces, utensils, and equipment used in the production of plant material and medical cannabis are maintained in a clean and sanitary condition;

K. the manufacturing facility water supply is sufficient for necessary operations;

L. plumbing size and design meets operational needs and all applicable state and local laws;

M. employees have accessible toilet facilities that are sanitary and in good repair; and

N. plant material and medical cannabis that could support the rapid growth of undesirable microorganisms are isolated to prevent the growth of those microorganisms.

Subp. 4. Storage.

A. A manufacturer must store plant material and medical cannabis during production, transport, and testing to prevent diversion, theft, or loss, including ensuring:

(1) plant material and medical cannabis are returned to a secure location immediately after completion of the process or at the end of the scheduled business day; and

(2) the tanks, vessels, bins, or bulk containers containing plant material or medical cannabis are locked inside a secure area if a process is not completed at the end of a business day.

B. A manufacturer must store all plant material and medical cannabis during production, transport, and testing, and all saleable medical cannabis:

(1) in areas that are maintained in a clean, orderly, and well-ventilated condition; and

(2) in storage areas that are free from infestation by insects, rodents, birds, and other pests of any kind.

C. To prevent degradation, a manufacturer must store all plant material and medical cannabis in production, transport, and testing, and all saleable medical cannabis under conditions that will protect it against physical, chemical, and microbial contamination and deterioration of the product and its container.

D. A manufacturer must maintain a separate secure storage area for medical cannabis that is returned, including medical cannabis that is outdated, damaged, deteriorated, mislabeled, or contaminated, or whose containers or packaging have been opened or breached, until the returned medical cannabis is destroyed. For purposes of this part, a separate, secure storage area includes a container, closet, or room that can be locked or secured.

4770.1800 INVENTORY.

Subpart 1. **Controls and procedures.** A medical cannabis manufacturer must establish inventory controls and procedures for conducting inventory reviews and comprehensive inventories of plant material and medical cannabis to prevent and detect any diversion, theft, or loss in a timely manner.

Subp. 2. **Reliable and ongoing supply.** A medical cannabis manufacturer must provide a reliable and ongoing supply of medical cannabis as required by Minnesota Statutes, section 152.29, subdivision 2.

Subp. 3. **Real-time inventory.** A medical cannabis manufacturer must maintain a real-time record of its inventory of plant material and medical cannabis to include:

A. the date and time of the inventory;

B. a summary of inventory findings, including:

(1) the weight of cannabis seeds by type, strain, and cultivar;

(2) the total count of plants, whether in the flowering, vegetative, or clone phase of growth and organized by room in which the plants are grown;

(3) the batch number, weight or unit count, and strain name associated with each batch at the production facility that has been prepared for testing or is ready for transport to a distribution facility;

(4) the total number of plants that have been harvested but are not yet associated with a batch and every unique plant identifier;

(5) the amount of acquired industrial hemp; and

(6) the amount of medical cannabis, either by weight or units, sold since previous inventory and listed by product name and registry identifier;

C. the names of the employees or employee conducting the inventory; and

D. other information deemed necessary and requested by the commissioner.

Subp. 4. **Waste inventory.** The medical cannabis manufacturer must maintain a real-time record of its inventory of all medical cannabis waste, including damaged, defective, expired, contaminated, recalled, or returned medical cannabis for disposal, and plant material waste for disposal.

Subp. 5. **Reconciliation.** At the close of business each day, a medical cannabis manufacturer must reconcile by conducting a physical inventory of all:

A. plant material at the manufacturing facility and in transit; and

B. medical cannabis at the manufacturing facility, each distribution facility, and in transit.

Subp. 6. **Scales.** All scales used to weigh usable plant material for purposes of this chapter must be certified in accordance with the International Organization for Standardization (ISO), ISO/IEC Standard 17025, which is incorporated by reference.

Subp. 7. **Discrepancies.** If discrepancies are discovered outside of loss standard to the industry due to moisture loss and handling, the manufacturer must investigate the discrepancy and must submit a report of its investigation to the commissioner within seven days. If a discrepancy is due to suspected criminal activity, the manufacturer must notify the commissioner and appropriate law enforcement agencies in writing within 24 hours.

4770.1900 MEDICAL CANNABIS LABORATORY APPROVAL.

Subpart 1. **Commissioner's authority.** The commissioner must approve any medical cannabis laboratory that tests medical cannabis for a registered medical cannabis manufacturer under Minnesota Statutes, section 152.25, subdivision 1, paragraph (d). A medical cannabis laboratory may seek approval to use specific procedures to test the allowable product types and analytes according to parts 4770.1900 to 4770.2400, which specify the commissioner's requirements authorized by Minnesota Statutes, section 152.29, subdivision 1, paragraph (b).

Subp. 2. **Eligibility.** The commissioner may only approve a medical cannabis laboratory that tests under a contract with a medical cannabis manufacturer that can demonstrate its eligibility under this subpart. The laboratory must:

A. operate using proper laboratory equipment under a quality assurance system and test product types for analytes listed in the commissioner's list in subpart 3;

B. test medical cannabis delivered in the product types specified in subpart 4;

C. test accurately for the following elements:

- (1) content, by testing for analytes for a cannabinoid profile;
- (2) contamination, by testing for analytes for:
 - (a) metals;
 - (b) pesticide residues and plant growth regulators;
 - (c) microbiological contaminants and mycotoxins; and
 - (d) residual solvents; and

(3) consistency of medical cannabis by testing for stability.

Subp. 3. Commissioner list of approved cannabis labs.

A. The commissioner must publish a list of approved cannabis laboratories in the State Register and on the department's medical cannabis program website at least annually.

B. The commissioner must provide the following information for each approved laboratory:

- (1) its scope of approval;
- (2) name, telephone number, and e-mail address of primary laboratory contact;

and

(3) physical and mailing address of laboratory.

Subp. 4. Commissioner's approved medical cannabis product types. The commissioner's approved product types include:

- A. liquid, including in oil form;
- B. pill;
- C. vaporized delivery method using liquid or oil;
- D. dried raw cannabis intended to be used or consumed by combustion; and

E. any other method approved by the commissioner under Minnesota Statutes, section 152.27, subdivision 2, paragraph (b).

Subp. 5. Commissioner's analyte list.

A. The commissioner must maintain a list of analytes that laboratories must be able to test for. The analyte categories include:

- (1) cannabinoid profile;
- (2) metals;
- (3) pesticide residues and plant growth regulators;
- (4) microbiological contaminants and mycotoxins; and
- (5) residual solvents.

B. The commissioner must publish the analyte list in the State Register and on the department's medical cannabis program website.

C. The commissioner must review the analyte list and publish a notice of any analyte updates in the State Register and on the department's medical cannabis program website at least every six months.

4770.2000 MEDICAL CANNABIS LABORATORY APPROVAL; APPLICATION AND APPROVAL.

Subpart 1. Application requirements.

A. A laboratory must apply for the commissioner's approval on a form provided by the commissioner.

B. A laboratory must also submit the following items:

(1) a signed and notarized attestation:

(a) declaring any conflict of interest, actual or perceived, relating to its direct or indirect financial interests in any medical cannabis manufacturer form; and

(b) stating that the laboratory is independent from the medical cannabis manufacturers;

(2) the fields of testing it is applying for approval to test;

(3) its quality assurance manual;

(4) its standard operating procedures;

(5) sample handling, receipt, and acceptance procedures and policies;

(6) demonstration of laboratory capability and acceptable performance through a combination of:

(a) existing certificates and approvals;

(b) documented demonstrations of analytical capabilities; and

(c) documented and acceptable proficiency testing samples from an approved provider, where available;

(7) method validation procedures for testing methods; and

(8) the name and educational qualifications of at least one technical manager responsible for the laboratory achieving and maintaining the quality and analytical standards of practice.

C. A mobile laboratory is considered a separate laboratory and is subject to all requirements of parts 4770.1900 to 4770.2300. In addition to the requirements of subpart 1, a mobile laboratory must:

(1) submit a vehicle identification number, license plate number, or other uniquely identifying information to the commissioner when applying for approval; and

(2) designate which fields of testing, equipment, and personnel are associated with the mobile laboratory.

D. The following items are required and must be submitted to the commissioner before December 31, 2022:

(1) a copy of the lab's ISO/IEC 17025:2017 Certificate and Scope of Accreditation; and

(2) a copy of the lab's most recent assessment report, including the scope of the assessment to ensure the evaluation of the medical cannabis fields of testing.

Subp. 2. Application requirements; commissioner's evaluation.

A. The commissioner must evaluate completed applications using the following criteria.

(1) A laboratory must operate formal management systems under the International Organization for Standardization (ISO). The ISO/IEC 17025, *General Requirements for the Competency of Testing and Calibration Laboratories*, includes technical and management system requirements which are incorporated by reference in part 4770.2800.

(2) A laboratory seeking initial or renewal medical cannabis laboratory approval after December 31, 2016, must be accredited to Standard ISO/IEC 17025:2005, which is incorporated by reference.

(3) A laboratory must specify one or more fields of testing for which it seeks approval. A laboratory must be approved for at least one field of testing to test medical cannabis for a medical cannabis manufacturer.

B. The commissioner must approve or deny the application within 60 days of receiving the completed application and any applicable information required under part 4770.2000, subpart 1, and subpart 2.

C. No board member, officer, employee, or other person with a financial interest in a medical cannabis manufacturer may have an interest or voting rights in the laboratory.

D. The commissioner's decision on a laboratory's application is a final agency decision.

Subp. 3. Approval.

A. When granting approval, the commissioner must notify the laboratory and include the following documentation:

(1) a letter acknowledging compliance with approval requirements by the laboratory;

(2) the scope of approval for the laboratory;

- (3) the logo of the Minnesota Department of Health;
- (4) the name of the laboratory;
- (5) the address of the laboratory; and
- (6) the expiration date of the approval.

B. If a laboratory's scope of approval changes, the commissioner must issue a new document that specifies the revised scope of approval.

C. A laboratory's approval is valid for one year from the date of the commissioner's awarding approval or renewal of approval, unless the commissioner rescinds approval under part 4770.2100.

4770.2100 MEDICAL CANNABIS LABORATORY APPROVAL; INSPECTION AND COMPLIANCE.

Subpart 1. Laboratory inspection and reports.

A. The commissioner may inspect a lab without prior notice at any time during normal business hours to verify compliance with parts 4770.1900 to 4770.2200. The commissioner may inspect:

(1) approved laboratories; and

(2) laboratories requesting approval.

B. If the commissioner has sufficient cause to believe that a laboratory's proficiency, execution, or validation of analytical methodologies are deficient, the commissioner may require and a laboratory must obtain third-party validation and ongoing monitoring of the laboratory. The laboratory must pay for all costs associated with the commissioner-ordered third-party validation.

C. An approved laboratory must provide reports to the commissioner regarding chemical compositions, microbial compositions, dosages, and noncannabis drug interactions under Minnesota Statutes, section 152.25, as requested by the commissioner.

D. An approved laboratory must provide reports to the medical cannabis manufacturer on forms provided by the commissioner.

Subp. 2. Laboratory approval requirements.

A. An approved laboratory may not misrepresent its approval on any document or marketing material.

B. A laboratory must make its current approval documentation and corresponding scope of approval available upon the request of:

(1) a client;

(2) the commissioner; or

(3) a regulatory agency.

Subp. 3. Rescinding approval.

A. The commissioner may rescind an approved cannabis laboratory's approval if the commissioner determines the laboratory has failed to:

(1) submit accurate application materials to the commissioner under part 00.

4770.2000;

(2) comply with application requirements under part 4770.2000;

(3) comply with all applicable laws, rules, standards, policies, and procedures;

(4) allow the commissioner or designee to perform physical inspection of

facilities;

(5) submit copies of inspection and corrective reports issued by the approved ISO/IEC 17025 accreditation body, as requested by the commissioner;

(6) provide the medical cannabis manufacturer with timely reports; or

(7) provide the medical cannabis manufacturer with reports compliant with the commissioner's designated test report format.

B. A laboratory must return its approval letter to the commissioner immediately if the commissioner rescinds the laboratory's approval.

C. The commissioner's decision to rescind approval of an approved medical cannabis laboratory is a final agency decision.

4770.2200 MEDICAL CANNABIS LABORATORY APPROVAL; DUTY TO NOTIFY.

Subpart 1. Operational changes.

A. A laboratory must notify the commissioner in writing within 30 days of a change in:

(1) name of the laboratory;

(2) physical location, postal mailing address, or e-mail address of the

laboratory;

- (3) owner of the laboratory;
- (4) name, telephone numbers, or e-mail address of the designated contact

person;

- (5) name of a technical manager;
- (6) major analytical equipment; or
- (7) test methods.

B. A laboratory that notifies the commissioner of an operational change under item A must include in the notice written results of proficiency testing samples or demonstrations of capability analyzed after the reported change.

Subp. 2. Voluntary withdrawal.

A. If a laboratory chooses to withdraw its application for approval or its current approval in total or in part, the laboratory must:

- (1) notify the commissioner in writing; and
- (2) specify the effective date of withdrawal.

B. By the effective date of the withdrawal of approval, in total or in part, the laboratory must:

(1) notify current client manufacturers in writing of its intent to withdraw its approval;

(2) indicate the effective date of the withdrawal; and

(3) submit a copy of each notification to the commissioner.

4770.2300 MEDICAL CANNABIS LABORATORY APPROVAL; APPEAL OF ADMINISTRATIVE DECISION.

A. The commissioner must notify a laboratory in writing the reason for the decision to deny or rescind laboratory approval under part 4770.2100.

B. A laboratory has 30 days from the commissioner's notice of denial or notice of rescinded approval to appeal the decision. A request to appeal must:

(1) be in writing;

(2) indicate the facts the laboratory disputes;

- (3) be signed by the laboratory managing agent; and
- (4) be sent to the commissioner.

C. The commissioner must notify a laboratory of the commissioner's acceptance or denial of an appeal request, in writing, within 60 days of receiving the request. The commissioner's decision is a final agency decision.

4770.2400 MEDICAL CANNABIS LABORATORY APPROVAL; VARIANCES.

The commissioner may grant a variance from parts 4770.1900 to 4770.2200. To request a variance, a laboratory must indicate in writing:

A. the rule part and language for which the variance is sought;

B. reasons for the request;

C. alternate measures that the laboratory will take if the commissioner grants its request for variance;

D. the proposed length of time of the variance; and

E. data that the laboratory will provide to ensure analytical results of equal or better reliability, if applicable.

4770.2700 MEDICAL CANNABIS MANUFACTURER; FINANCIAL EXAMINATIONS; PRICING REVIEWS.

A. A medical cannabis manufacturer must maintain financial records in accordance with generally accepted accounting principles and, upon request, must provide any financial records to the commissioner.

B. The commissioner shall request an additional audit of the medical cannabis manufacturer, of the same time period, if the commissioner finds one or more of the following:

(1) credible evidence or allegations of financial reporting irregularities not revealed in the annual certified financial audit; or

(2) reasonable cause to believe there are operational or compliance concerns involving financing, budgeting, revenues, sales, or pricing.

4770.2800 INCORPORATION BY REFERENCE.

The International Organization for Standardization (ISO), ISO/IEC Standard 17025, is incorporated by reference, is not subject to frequent change, and is made a part of this rule where indicated. ISO/IEC Standard 17025 is published by the International Organization for Standardization, located at 1, ch. de la Voie-Creuse, CP 56, CH-1211 Geneva 20, Switzerland. ISO/IEC Standard 17025 is available in the office of the commissioner of health and can be found online at www.isoiec17025.com or www.iso.org.

4770.4000 APPLICABILITY AND PURPOSE.

Parts 4770.4000 to 4770.4018 establish the criteria and procedures to be used by the commissioner for establishing and overseeing the medical cannabis registry for enrolled patients and their designated caregivers.

4770.4002 **DEFINITIONS.**

Subpart 1. **Applicability.** The terms used in this chapter have the meanings given them in this part and in Minnesota Statutes, sections 152.22 to 152.37.

Subp. 1a. Adverse incident. "Adverse incident" means any negative medical occurrence in a person after using medical cannabis, either physical or psychological, including any harmful reaction, symptom, or disease.

Subp. 2. **DEA Registration Certificate.** "DEA Registration Certificate" means a certificate to prescribe controlled substances issued by the United States Department of Justice's Drug Enforcement Administration.

Subp. 3. **Disqualifying felony offense.** "Disqualifying felony offense" has the meaning given in Minnesota Statutes, section 152.22, subdivision 3.

Subp. 4. **Diversion or diverting.** "Diversion" or "diverting" means the intentional transferring of medical cannabis to a person other than a patient, designated registered caregiver, or a parent or legal guardian of a patient if the parent or legal guardian of a patient is listed on the registry verification.

Subp. 4a. **Diversion involving adverse incidents.** "Diversion involving adverse incidents" means any suspected incident of diversion that results in an adverse incident.

Subp. 5. Evidence-based medicine. "Evidence-based medicine" means documentation of published, peer-reviewed best evidence on research related to the use of medical cannabis, which includes up-to-date information from relevant, valid research about the effects of medical cannabis on different forms of diseases and conditions, its use in health care, the potential for harm from exposure, a clinical assessment of the effectiveness of medical cannabis in an ongoing treatment paradigm, and any other relevant medical information.

Subp. 6. **Financial interest.** "Financial interest" means any actual or future right to ownership, investment, or compensation arrangement with another person, either directly or indirectly, through business, investment, spouse, parent, or child in a medical cannabis manufacturer. Financial interest does not include ownership of investment securities in a publicly held corporation that is traded on a national exchange or over-the-counter market, provided the investment securities held by the person, the person's spouse, parent, or child, in the aggregate, do not exceed one percent ownership in the medical cannabis manufacturer.

Subp. 7. **Good standing.** "Good standing" means a person has a license or registration with a licensing board and is not subject to any restriction or oversight by the licensing board beyond others in the same class.

Subp. 8. **Health care practitioner.** "Health care practitioner" has the meaning given in Minnesota Statutes, section 152.22, subdivision 4.

Subp. 9. **Health record.** "Health record" has the meaning given in Minnesota Statutes, section 144.291, subdivision 2, paragraph (c).

Subp. 10. **Medical cannabis.** "Medical cannabis" has the meaning given in Minnesota Statutes, section 152.22, subdivision 6.

Subp. 11. **Medical cannabis manufacturer or manufacturer.** "Medical cannabis manufacturer" or "manufacturer" has the meaning given in Minnesota Statutes, section 152.22, subdivision 7.

Subp. 12. **Medical relationship.** "Medical relationship" means a treatment or counseling relationship, in the course of which the health care practitioner has completed a full assessment of the patient's medical history and current medical condition.

Subp. 13. Minor. "Minor" means an applicant who is under 18 years of age.

Subp. 14. **Parent or legal guardian.** "Parent or legal guardian" has the meaning given in Minnesota Statutes, section 152.27, subdivision 5.

Subp. 15. **Patient.** "Patient" has the meaning given in Minnesota Statutes, section 152.22, subdivision 9.

Subp. 15a. **Patient advocate.** "Patient advocate" means an individual with a knowledge of medical cannabis who promotes patient interests in safety, privacy, access, and affordability.

Subp. 15b. **Peace officer.** "Peace officer" has the meaning given in Minnesota Statutes, section 626.84, subdivision 1, paragraph (c).

Subp. 16. **Person.** "Person" means an individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, state or political subdivision of a state, or a legal successor, representative, agent, or agency of the person. Person does not include federal government agencies.

Subp. 17. **Qualifying medical condition.** "Qualifying medical condition" has the meaning given in Minnesota Statutes, section 152.22, subdivision 14.

Subp. 18. **Qualifying patent.** "Qualifying patient" means a resident of Minnesota who has been diagnosed by a health care practitioner as having a qualifying medical condition.

Subp. 19. **Registered.** "Registered" means licensed, permitted, or otherwise certified by the commissioner.

Subp. 20. **Registered designated caregiver.** "Registered designated caregiver" has the meaning given in Minnesota Statutes, section 152.22, subdivision 11.

Subp. 21. **Registry program.** "Registry program" has the meaning given in Minnesota Statutes, section 152.22, subdivision 12.

Subp. 22. **Registry verification.** "Registry verification" has the meaning given in Minnesota Statutes, section 152.22, subdivision 13.

Subp. 22a. Serious adverse incident. "Serious adverse incident" means any adverse incident that results in or would lead to one of these outcomes without medical intervention:

A. in-patient hospitalization or additional hospital time for a patient who is already hospitalized;

- B. persistent or significant disability or incapacity;
- C. a life-threatening situation; or
- D. death.

Subp. 23. **Telehealth.** "Telehealth" means the practice of medicine as defined in Minnesota Statutes, section 147.081, subdivision 3, when the health care practitioner is not in the physical presence of the patient.

Subp. 24. **Therapeutic use.** "Therapeutic use" means the acquisition, possession, preparation, use, delivery, transfer, or transportation of medical cannabis or paraphernalia relating to the administration of medical cannabis to treat or alleviate a qualifying patient's qualifying medical condition or symptoms or results of treatment associated with the qualifying patient's qualifying medical condition.

Subp. 25. **Transport.** "Transport" means the movement of medical cannabis products from a manufacturer's distribution site to the residence of a registered qualified patient, or as otherwise provided by law.

Subp. 26. Written certification. "Written certification" means a document signed by a health care practitioner, with whom the patient has established a patient-provider relationship, which states that the patient has a qualifying medical condition and identifies that condition and any other relevant information required by Minnesota Statutes, section 152.28, subdivision 1.

4770.4003 PROCESS FOR ADDING A QUALIFYING MEDICAL CONDITION OR DELIVERY METHOD.

Subpart 1. **Condition added by commissioner.** The commissioner may periodically revise the list of qualified medical conditions eligible for treatment with medical cannabis.

A. Revisions to the list must reflect:

(1) advances in medical science;

(2) evidence-based medicine and other peer-reviewed research demonstrating treatment efficacy; or

(3) other therapeutic factors that will improve patient care.

B. In determining whether a condition qualifies, the commissioner must consider the adequacy of available evidence that medical cannabis will provide relief and the report of the Medical Cannabis Review Panel established in subpart 3.

Subp. 2. **Requests for adding a condition.** Any person may request the commissioner to add a qualifying medical condition not listed in Minnesota Statutes, section 152.22, subdivision 14, to the list by applying on a form provided by the commissioner. Requests under this subpart will be accepted beginning June 1, 2016.

A. The commissioner shall only accept requests during June and July of each year and will dismiss requests received outside of this period.

B. The commissioner must post notice on the department's medical cannabis website by May 1 each year, announcing the open period for accepting requests and describing the procedure for submitting requests.

C. Each request must be limited to one proposed qualifying medical condition. The commissioner must dismiss a request if it contains multiple proposals.

D. The commissioner must dismiss a request to add a medical condition that has been previously considered and rejected by the commissioner, unless the request contains new scientific evidence or research or describes substantially different symptoms.

E. If the commissioner dismisses a timely request, the commissioner must notify the person making the request of the reason that the request was dismissed.

F. The commissioner must forward the request to the review panel for review unless the request is dismissed.

G. The commissioner must provide the review panel with a review of evidence-based medicine and other peer-reviewed research demonstrating treatment efficacy for the requested condition.

Subp. 3. The Medical Cannabis Review Panel.

A. The commissioner must appoint a Medical Cannabis Review Panel composed of seven members, including at least one medical cannabis patient advocate and two health care practitioners, one with expertise in pediatric medicine.

B. The Medical Cannabis Review Panel must review requests submitted under subpart 2 and report to the commissioner on the public health impacts, including therapeutic factors and known potential risks, of the proposed additional medical conditions.

C. Members serve a three-year term or until a successor is appointed and qualified. If a vacancy occurs, the commissioner must appoint a replacement to complete the original term created by the vacancy.

D. Members may serve multiple terms.

E. Members must not hold a direct or indirect economic interest in a registered medical cannabis manufacturer or serve on the board of directors or as an employee of a registered medical cannabis manufacturer.

F. Members must disclose all potential conflicts of interest having a direct bearing on any subject before the review panel.

Subp. 4. Review panel meetings.

A. The Medical Cannabis Review Panel must meet at least one time per year to:

(1) review requests that the commissioner has received for the approval of proposed qualifying medical conditions;

(2) review the status of those medical conditions for which the commissioner has deferred approval or rejection; and

(3) review new medical and scientific evidence about current qualifying medical conditions.

B. The commissioner must post a notice on the department's medical cannabis website at least 30 calendar days before a review panel meeting. Notice must include the date, time, and location of the meeting, a brief description of the requests received, and information on how public comment will be received, including a deadline, if any.

C. The Medical Cannabis Review Panel must submit a written report to the commissioner by November 1 after conducting the public meeting. The written report must include potential public health benefits and risks of adding or rejecting the proposed qualifying medical condition.

Subp. 5. Commissioner review.

A. Upon receiving the Medical Cannabis Review Panel's report, the commissioner must render a decision by December 1 and must:

(1) approve the request and forward the medical condition as required by item C; or

(2) reject the medical condition.

B. The commissioner must communicate the commissioner's decision to the requesting party along with the reasons for the decision and publish the decision on the department's medical cannabis website by December 1.

C. The commissioner must forward a newly approved qualifying medical condition to the chairs and ranking minority members of the legislative policy committees having jurisdiction over health and public safety by January 15 as required by Minnesota Statutes, section 152.27, subdivision 2. If the legislature does not provide otherwise by law, the commissioner must publish the newly approved qualifying medical condition in the State

Register and on the department's medical cannabis website before its August 1 effective date.

Subp. 6. **Requests for adding a delivery method.** Any person may request that the commissioner add a delivery method not listed in Minnesota Statutes, section 152.22, subdivision 6, to the list by applying on a form provided by the commissioner. Requests under this subpart will be accepted beginning June 1, 2016.

A. The commissioner shall only accept requests during June and July of each year and will dismiss requests received outside of this period.

B. The commissioner must post notice on the department's medical cannabis website by May 1 each year, announcing the open period for accepting requests and describing the procedure for submitting requests.

C. The commissioner must post the request to add a delivery method, along with information about how to submit public comment on the department's medical cannabis website. The commissioner must allow at least 30 days for public comment.

D. Each request must be limited to one proposed delivery method. The commissioner must dismiss a request if it contains multiple proposals.

E. The commissioner must dismiss a request to add a delivery method that has been previously considered and rejected by the commissioner, unless the request contains new scientific evidence or research or describes substantially different therapeutic benefits.

F. If the commissioner dismisses a timely request, the commissioner must notify the person making the request of the reason that the request was dismissed.

G. The commissioner must consider the request and any written comments from the public. The commissioner must render a decision by December 1, and must:

(1) approve the request and forward the delivery method to be added as required by item I; or

(2) reject the delivery method.

H. The commissioner must communicate the commissioner's decision to the requesting party along with the reasons for the decision.

I. The commissioner must forward an approved delivery method to be added to the chairs and ranking minority members of the legislative policy committees having jurisdiction over health and public safety by January 15 as required by Minnesota Statutes, section 152.27, subdivision 2, and if the legislature does not provide otherwise by law, publish the addition in the State Register and on the department's medical cannabis website.

4770.4004 SERIOUS ADVERSE INCIDENT REPORTING.

Subpart 1. Reporting requirements.

A. Persons who must report any serious adverse incident are:

- (1) a registered patient;
- (2) a registered patient's certifying health care practitioner;
- (3) a patient's registered designated caregiver; or

(4) a patient's parent or legal guardian, if the parent or legal guardian is acting as caregiver.

B. Reporters named in item A must report to the manufacturer where the patient's medical cannabis was dispensed within five business days of the reporter's learning of the incident.

C. A peace officer must report any serious adverse incident relating to overdose and any case of diversion involving an adverse incident within five business days of the incident by calling the general telephone number of the Office of Medical Cannabis. If part of an ongoing investigation, the report must be made within 72 hours of the conclusion of the investigation.

Subp. 2. Manufacturer requirements.

A. Each manufacturer must:

(1) maintain a toll-free telephone line, which must be available 24 hours a day, seven days a week, that is staffed by professionals who are health care practitioners or state-licensed pharmacists trained in detecting, assessing, understanding, and preventing adverse effects or any other drug-related problem;

(2) provide a method, approved by the commissioner, for reporting serious adverse incidents online;

(3) monitor manufacturer-sponsored social media pages and websites

routinely;

(4) post instructions for reporting suspected adverse incidents and unauthorized possession on its website; and

(5) make printed instructions for reporting suspected adverse incidents available at all its distribution sites.

B. Each manufacturer must follow up serious adverse incident reports and document all follow-up activities. The manufacturer must continue to follow up reports until the outcome has been established or the subject's condition is stabilized.

C. For adverse incident information collected, the manufacturer must:

(1) document it on a form provided by the commissioner;

(2) classify it using Medical Dictionary for Regulatory Activities (MedDRA) coding; and

(3) store it in a database that complies with general validation principles in the United States Food and Drug Administration's Electronic Records; Electronic Signatures, Code of Federal Regulations, title 21, part 11.

Subp. 3. Manufacturer reports.

A. By the fifth day of every month, a medical cannabis manufacturer must compile and submit to the commissioner all adverse incident reports received in the prior calendar month.

B. Within ten business days of learning of an adverse incident, the manufacturer must report to the commissioner:

(1) any adverse incident that, based on reasonable medical judgment, might have resulted in a serious adverse incident without intervention or medical treatment; or

(2) a case of diversion resulting in an adverse incident.

C. On August 1 of every year beginning in 2016, each manufacturer must submit to the commissioner a report that contains a summary and a critical analysis of all reported adverse incidents reported to the manufacturer over the past July 1 to June 30.

4770.4005 REGISTRY ENROLLMENT APPLICATION FOR QUALIFYING PATIENTS.

Subpart 1. Patient application.

A. A patient or the patient's parent or legal guardian must apply for the registry and sign a disclosure on forms provided by the commissioner that meet the requirements of Minnesota Statutes, section 152.27, subdivision 3.

B. A patient must provide proof of the patient's Minnesota residency. If the patient is a minor, the patient's parent or legal guardian must provide proof of the parent or legal guardian's Minnesota residency. Proof of Minnesota residency can be established with:

(1) a copy of a Minnesota driver's license, learner's permit, or identification card; or

(2) a copy of a state, federal, or tribal government-issued photo identification card and at least one form of other documentation that contains the name and current address of the patient, or the patient's parent or legal guardian and indicates Minnesota residency, such as:

(a) a current residential mortgage, lease, or rental agreement;

(b) state tax documents from the previous calendar year;

(c) a utility bill issued within the previous 90 days of the date of the

application;

(d) a rent or mortgage payment receipt dated less than 90 days before

application;

(e) a Social Security disability insurance statement, Supplemental Security Income benefits statement, or a medical claim or statement of benefits from a private insurance company or governmental agency that is issued less than 90 days before application; or

(f) an affidavit from a person who will act as a designated caregiver for the patient, or a person who is engaged in health services or social services, which states the affiant knows the patient and believes the patient resides in Minnesota.

C. A patient or the patient's parent or legal guardian must submit the nonrefundable annual enrollment fee specified in Minnesota Statutes, section 152.35.

Subp. 2. Application approval.

A. The commissioner must approve an applicant and enroll the patient in the medical cannabis registry if the commissioner determines that the application is complete and no basis for denial exists under Minnesota Statutes, section 152.27, subdivision 6.

B. When a qualifying patient is enrolled in the registry program, the commissioner must:

(1) issue a unique patient registry number; and

(2) notify:

(a) the qualifying patient, designated caregiver, or parent or legal guardian if applicable;

(b) the health care practitioner who completed the patient's written certification of a qualifying condition; and

(c) the registered manufacturers.

4770.4007 DESIGNATED CAREGIVER APPLICATION.

Subpart 1. **Application.** The designated caregiver must apply for registration on the form provided by the commissioner and submit to a background check, as required by Minnesota Statutes, section 152.27, subdivision 4, paragraph (b).

Subp. 2. Application approval. The commissioner must approve an applicant and register the designated caregiver if the commissioner determines that the application is complete and no basis for denial exists under Minnesota Statutes, section 152.27, subdivision 4.

4770.4008 RESPONSIBILITIES OF DESIGNATED CAREGIVERS.

A. A designated caregiver, or the patient's parent or legal guardian if the parent or legal guardian will be acting as a caregiver, must:

(1) notify the commissioner within 30 business days after any change to the information that the registered qualifying patient was previously required to submit to the commissioner, including if the patient becomes an inmate confined in a correctional institution or facility under the supervision of the Department of Corrections;

(2) notify the commissioner promptly by telephone and in writing within ten calendar days following the death of the designated caregiver's registered qualifying patient; and

(3) dispose of all unused medical cannabis using the methods described in part 4770.4012, within ten days of the patient's ceasing to be enrolled in the program for any reason, including death of the patient or product recall.

B. A designated caregiver, or the patient's parent or legal guardian if the parent or legal guardian will be acting as a caregiver, may:

(1) transport a registered qualifying patient to and from a licensed medical cannabis distribution facility;

(2) obtain and transport an adequate supply of medical cannabis from a licensed medical cannabis distribution site on behalf of the registered qualifying patient;

(3) prepare medical cannabis for self-administration by the registered qualifying patient; and

(4) administer medical cannabis to the registered qualifying patient.

C. A designated caregiver, or the patient's parent or legal guardian if the parent or legal guardian will be acting as a caregiver, may not:

(1) consume, by any means, medical cannabis that has been dispensed on behalf of a registered qualifying patient; or

(2) sell, provide, or otherwise divert medical cannabis that has been dispensed for a registered qualifying patient.

4770.4009 REVOCATION OR SUSPENSION OF A QUALIFYING PATIENT OR DESIGNATED CAREGIVER REGISTRATION.

Subpart 1. **Revocation of qualifying patient enrollment.** The commissioner may revoke the registration certificate of a qualifying patient under the provisions of Minnesota Statutes, section 152.27, subdivision 6, paragraph (d).

Subp. 2. Suspension of qualifying patient enrollment. The commissioner must suspend the registration of a qualifying patient under the following circumstances.

A. If the qualifying patient is incarcerated in a correctional institution or facility under the supervision of the Department of Corrections, the registration must be suspended for the term of incarceration.

B. If the qualifying patient provided false, misleading, or incorrect information to the commissioner, the patient's registration must be suspended until the information is corrected and the commissioner makes an eligibility determination.

C. If the qualifying patient, together with the qualifying patient's designated caregiver where applicable, obtains more than a 30-day supply of medical cannabis within a 23-day period and the commissioner has reason to believe the patient is abusing or diverting medical cannabis, the patient's registration must be suspended until the commissioner makes an eligibility determination.

Subp. 3. **Designated caregivers.** The commissioner must revoke the registration of a designated caregiver under the following circumstances:

A. the designated caregiver has a disqualifying felony offense conviction as defined in Minnesota Statutes, section 152.22, subdivision 3; or

B. the designated caregiver, together with the designated caregiver's patient, where applicable, obtains more than a 30-day supply of medical cannabis within a 23-day period and the commissioner has reason to believe the designated caregiver is abusing or diverting medical cannabis.

4770.4010 UNAUTHORIZED POSSESSION OF MEDICAL CANNABIS REPORTING.

A. A licensed peace officer must report to the commissioner any reasonable suspicion of an individual possessing medical cannabis who is not authorized to possess medical cannabis under Minnesota Statutes, sections 152.22 to 152.37. The officer must report the reasonable suspicion within 72 hours by completing a form on the department's medical cannabis website. If part of an ongoing investigation, the report must be made within 72 hours of the investigation's conclusion.

B. A licensed peace officer who reasonably suspects a person who is otherwise authorized to possess medical cannabis has violated a provision of Minnesota Statutes, section 152.23, must report the suspicion by completing a form on the department's medical cannabis website within 15 days of discovery of the occurrence.

4770.4012 DISPOSAL OF MEDICAL CANNABIS BY QUALIFYING PATIENTS AND DESIGNATED CAREGIVERS.

A. A qualifying patient or designated caregiver who is no longer registered with the medical cannabis patient registry must, within ten calendar days after the patient or caregiver ceases to be registered or eligible, dispose of any unused medical cannabis in their possession by one of the following methods by:

(1) depositing it with a medical cannabis distribution site located in Minnesota;

(2) depositing it with a law enforcement agency having local jurisdiction for destruction;

(3) disposing of the medical cannabis at a government recognized drug take-back program located in Minnesota; or

(4) rendering it nonrecoverable consistent with the commissioner's proper disposal instructions, which are available at the department's medical cannabis program website.

B. A qualifying patient or designated caregiver who is no longer registered with the medical cannabis patient registry must not transfer, share, give, sell, or deliver any unused medical cannabis in their possession to any other person, regardless of whether the person is participating in the medical cannabis patient registry program.

4770.4013 ANNUAL FEES.

Each patient application or renewal must be accompanied by the payment of an annual fee. Payment must be made by credit card, bank debit card, cashier's check, or personal check. Annual qualifying patient application fee and reduced fee for patients enrolled in the federal Social Security Disability Income (SSDI), the Supplemental Security Income (SSI) disability, or the medical assistance or MinnesotaCare programs are established in Minnesota Statutes, section 152.35. All fees are nonrefundable.

4770.4014 HEALTH CARE PRACTITIONER REQUIREMENTS.

Subpart 1. **Qualifications.** The commissioner must accept written certifications for the therapeutic use of medical cannabis only from health care practitioners who hold:

A. an active license, in good standing, under Minnesota Statutes, chapter 147, for physicians, under Minnesota Statutes, chapter 147A, for physician assistants, or Minnesota Statutes, sections 148.171 to 148.285, the Minnesota Nurse Practice Act, for advanced practice registered nurses; and

B. a DEA registration certificate.

Subp. 2. **Requirements.** Before issuing a written certification of qualifying condition, a health care practitioner must:

A. have a medical relationship between the health care practitioner and patient with a qualifying condition;

B. assess the patient's medical history and current medical condition, which includes:

(1) an in-person physical examination of the patient appropriate to confirm the diagnosis of a qualifying medical condition. This examination must not be performed by remote means, including telehealth or via the Internet; and

(2) developing a treatment plan for the patient;

C. communicate, as appropriate, with subspecialists also treating the registered patient; and

D. certify that the patient has been diagnosed as having a qualifying medical condition, as defined in Minnesota Statutes, section 152.22, subdivision 14.

Subp. 3. **Duties.** When the certifying health care practitioner receives notice from the commissioner that a qualifying patient has been enrolled in the registry program, the certifying health care practitioner must:

A. participate in the patient registry reporting system as established by the commissioner for each patient for whom the practitioner has written a certification of qualifying condition. A health care practitioner must transmit patient data as required by Minnesota Statutes, section 152.28, subdivision 1, paragraph (b);

B. be available to provide continuing treatment of the patient's qualifying medical condition;

C. maintain health records under part 4770.4017 for all patients for whom the practitioner has issued a written certification that supports the certification of a qualifying medical condition;

D. report health record data as requested by the commissioner under Minnesota Statutes, section 152.28, subdivision 1, paragraph (b);

E. make a copy of the records that support the certification of a qualifying medical condition available to the commissioner, and otherwise provide information to the commissioner upon request about the patient's qualifying medical condition, course of treatment, and pathological outcomes to ensure compliance with the act;

F. annually assess whether the registered qualifying patient continues to suffer from a qualifying medical condition and, if so, issue the patient a new certificate of that diagnosis; and

G. notify the commissioner, in a manner prescribed by the commissioner, in writing within 14 calendar days of learning of the death of a registered patient whose medical condition was certified by the health care practitioner.

4770.4015 WRITTEN CERTIFICATION OF QUALIFYING CONDITION.

A certifying health care practitioner must complete a written certification of a patient's qualifying medical condition on a form provided by the commissioner. The written certification must:

A. acknowledge that the qualifying patient is under the health care practitioner's care, either for the patient's primary care or for the qualifying medical condition;

B. confirm the patient's diagnosis of a qualifying medical condition, as defined in Minnesota Statutes, section 152.22, subdivision 14;

C. state whether a patient is developmentally or physically disabled and, as a result of the disability, is unable to self-administer medication or acquire medical cannabis from a distribution facility and requires a designated caregiver;

D. include any additional information the commissioner requests to assess the effectiveness of medical cannabis in treating the medical condition or symptoms;

E. contain an affirmation that the health care practitioner has:

(1) established a patient-provider relationship;

(2) conducted an in-person physical examination appropriate to confirm the diagnosis; and

(3) reviewed the patient's medical history to confirm the diagnosis within the health care practitioner's professional standards of practice; and

F. include the date the certification of a qualifying medical condition was made.

4770.4016 HEALTH CARE PRACTITIONER PROHIBITIONS.

A health care practitioner who has issued or intends to issue a written certification must not:

A. examine a qualifying patient to issue a written certification at a location where medical cannabis is manufactured, sold, or dispensed;

B. refer a patient to a manufacturer or distributor of medical cannabis;

C. refer a patient to a designated caregiver;

D. issue a written certification for the health care practitioner;

E. hold a financial interest in an enterprise that provides or distributes medical cannabis;

F. directly or indirectly accept, solicit, or receive anything of value from a manufacturer, employee of a manufacturer, or any other person associated with a manufacturing facility;

G. offer a discount or any other thing of value to a qualifying patient who uses or agrees to use a particular designated caregiver, distribution facility, or medical cannabis product; or

H. directly or indirectly benefit from a patient obtaining a written certification. Such prohibition does not prohibit a health care practitioner from charging an appropriate fee for the patient visit.

4770.4017 RECORDS MAINTAINED BY THE CERTIFYING HEALTH CARE PRACTITIONER.

Subpart 1. **Health records maintained.** The health care practitioner must maintain a health record for each patient for whom the health care practitioner has certified a qualifying medical condition. These records need not be maintained separately from the health care practitioner's established records for the ongoing medical relationship with the patient.

Subp. 2. **Contents.** The records must be legible, accurately reflect the patient's evaluation and treatment, and must include the following:

A. the patient's name and dates of visits and treatments;

B. the patient's case history as it relates to the qualifying condition;

C. the patient's health condition as determined by the health care practitioner's examination and assessment;

D. the results of all diagnostic tests and examinations as they relate to the qualifying condition; and any diagnosis resulting from the examination;

E. the patient's plan of care, which must state with specificity the patient's condition, functional level, treatment objectives, medical orders, plans for continuing care, and modifications to that plan; and

F. a list of drugs prescribed, administered and dispensed, and the quantity of the drugs.

Subp. 3. **Retention.** The health care practitioner must keep records for each qualifying patient for at least three years after the last patient visit, or seven years, whichever is greater.

4770.4018 REPORTS.

A participating health care practitioner must report health record data as requested by the commissioner under Minnesota Statutes, 152.28, subdivision 1, paragraph (b).

4770.4030 HEALTH CARE FACILITIES; STORAGE.

Subpart 1. **Storage policy.** A health care facility, as defined in Minnesota Statutes, section 152.34, may adopt policies relating to the secure storage of a registered patient's medical cannabis. Policies may include:

A. secure storage with access limited to authorized personnel; or

B. allowing patients, patients' registered designated caregivers, or patients' parents or legal guardians if listed on the registry verification, to maintain direct possession of the medical cannabis.

Subp. 2. **Return of items.** Upon discharge, transfer, or death of a patient registered to use medical cannabis, the health care facility must return all medical cannabis to the patient or another person authorized to possess it. If the health care facility is unable to return any remaining medical cannabis to the patient or other authorized person, it must destroy the medical cannabis in a manner consistent with instructions posted on the department's medical cannabis website. The transfer or destruction must be recorded in the patient's health record.