

1 **SENATE FLOOR VERSION**

February 13, 2023

2 **AS AMENDED**

3 SENATE BILL NO. 440

By: Garvin

4
5
6 **[medical marijuana - promulgation of rules - potency**
7 **limits - codification - effective date]**
8

9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 1. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 427.18a of Title 63, unless
12 there is created a duplication in numbering, reads as follows:

13 A. The Executive Director of the Oklahoma Medical Marijuana
14 Authority shall promulgate rules to limit the tetrahydrocannabinol
15 (THC) potency of medical marijuana and medical marijuana products
16 sold in medical marijuana dispensaries. The limits imposed by such
17 rules shall be at the discretion of the Executive Director, provided
18 that the limits do not exceed:

19 1. Thirty percent (30%) delta-9 tetrahydrocannabinol potency
20 for medical marijuana and sixty percent (60%) delta-9
21 tetrahydrocannabinol potency for medical marijuana products;

22 2. Two percent (2%) delta-8 tetrahydrocannabinol potency for
23 medical marijuana and medical marijuana products; and
24

1 3. Zero percent (0%) potency of delta-10 tetrahydrocannabinol
2 and all other isomers, precursors, and other variations of
3 tetrahydrocannabinol for medical marijuana and medical marijuana
4 products.

5 B. A licensed medical marijuana dispensary shall not sell any
6 medical marijuana or medical marijuana product that exceeds the THC
7 potency limits imposed under this section.

8 SECTION 2. This act shall become effective January 1, 2025.

9 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE
10 February 13, 2023 - DO PASS AS AMENDED

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