

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 758

By: Paxton of the Senate

and

6 Lowe (Dick) of the House

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9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to medical marijuana; amending
11 Section 3, Chapter 328, O.S.L. 2022 (63 O.S. Supp.
12 2023, Section 427.14b), which relates to employee
13 credentials; authorizing the Oklahoma Medical
14 Marijuana Authority to review applications and
15 provide notice of approval or rejection to applicant;
16 requiring display of credential; specifying process
17 for rejected applications; allowing for resubmission;
18 providing for rejection of certain applications for
19 certain errors; updating statutory reference; and
20 declaring an emergency.

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

24 SECTION 1. AMENDATORY Section 3, Chapter 328, O.S.L.
2022 (63 O.S. Supp. 2023, Section 427.14b), is amended to read as
21 follows:

22 Section 427.14b. A. Beginning January 1, 2024, the Oklahoma
23 Medical Marijuana Authority shall require employees of a medical
24 marijuana business licensee to apply for and receive a credential

1 authorizing the employee to work in a licensed medical marijuana
2 business.

3 B. The Authority may contract with one or more third-party
4 vendors to provide the credentialing services necessary to carry out
5 the provisions of this section.

6 C. The Authority shall determine the services to be provided by
7 such third-party vendor and shall establish costs and prices. If
8 contracted for credentialing services, a third-party vendor shall on
9 behalf of the Authority conduct the background checks and verify
10 eligibility and suitability for any employees of a medical marijuana
11 business license holder to obtain a credential.

12 D. Upon successful completion by the third-party vendor of the
13 ~~statutorily required background checks~~ national fingerprint-based
14 background check conducted by the Oklahoma State Bureau of
15 Investigation within thirty (30) days prior to the application and
16 verification of eligibility and suitability for an employee, the
17 third-party vendor shall issue a credential to the employee. The
18 results of background checks and verifications shall be provided to
19 the Authority by the third-party vendor.

20 E. If the third-party vendor determines that an employee of a
21 medical marijuana business holder does not meet the minimum
22 statutory requirements for a credential, the applicant or employee
23 shall have no recourse against the third-party vendor but may appeal
24 such adverse determination to the Authority.

1 F. The third-party vendor shall not be civilly liable to an
2 applicant, licensee, or employee of a licensee for any acts taken in
3 good-faith compliance with the provisions of Section 420 et seq. of
4 ~~Title 63 of the Oklahoma Statutes~~ this title and the Oklahoma
5 Medical Marijuana and Patient Protection Act and the rules
6 promulgated by the Oklahoma Medical Marijuana Authority.

7 G. 1. The Authority shall review the medical marijuana
8 credential application; approve, reject, or deny the application;
9 and send the approval, rejection, or denial letter to the applicant
10 by the same method in which the application was submitted to the
11 Authority.

12 2. Each approved applicant shall be issued a credential, which
13 shall act as proof of his or her approved status, to be worn or
14 displayed during the employee's hours of work. Rejection and denial
15 letters shall provide a reason for the rejection or denial.
16 Applications may only be rejected or denied for failure to meet the
17 standards set forth in the provisions of the Oklahoma Medical
18 Marijuana and Patient Protection Act or rules promulgated by the
19 Executive Director. If an application is rejected for failure to
20 provide required information, the applicant shall have thirty (30)
21 days to submit the required information for reconsideration. Unless
22 the Authority determines otherwise, an application that has been
23 resubmitted but is still incomplete or contains errors that are not
24 clerical or typographical in nature shall be denied.

1 H. The Executive Director of the Authority may promulgate rules
2 to implement the provisions of this section.

3 SECTION 2. It being immediately necessary for the preservation
4 of the public peace, health or safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

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8 59-2-3758 MR 5/28/2024 11:00:07 AM

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