

An Act

ENROLLED SENATE
BILL NO. 758

By: Paxton of the Senate

and

Lowe (Dick) of the House

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

SUBJECT: Medical marijuana licenses

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

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

Section 427.14b. A. Beginning January 1, 2024, the Oklahoma Medical Marijuana Authority shall require employees of a medical marijuana business licensee to apply for and receive a credential authorizing the employee to work in a licensed medical marijuana business.

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

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

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

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

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

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

2. Each approved applicant shall be issued a credential, which shall act as proof of his or her approved status, to be worn or displayed during the employee's hours of work. Rejection and denial letters shall provide a reason for the rejection or denial. Applications may only be rejected or denied for failure to meet the standards set forth in the provisions of the Oklahoma Medical Marijuana and Patient Protection Act or rules promulgated by the

Executive Director. If an application is rejected for failure to provide required information, the applicant shall have thirty (30) days to submit the required information for reconsideration. Unless the Authority determines otherwise, an application that has been resubmitted but is still incomplete or contains errors that are not clerical or typographical in nature shall be denied.

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

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

Passed the Senate the 29th day of May, 2024.

Presiding Officer of the Senate

Passed the House of Representatives the 30th day of May, 2024.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____