

- 1 3. Legally possess six (6) mature marijuana plants;
- 2 4. Legally possess six (6) seedling plants;
- 3 5. Legally possess one (1) ounce of concentrated marijuana;
- 4 6. Legally possess seventy-two (72) ounces of edible marijuana;

5 and

6 7. Legally possess up to eight (8) ounces of marijuana in their
7 residence.

8 B. Possession of up to one and one-half (1.5) ounces of
9 marijuana by persons who can state a medical condition, but are not
10 in possession of a state issued medical marijuana license, shall
11 constitute a misdemeanor offense with a fine not to exceed Four
12 Hundred Dollars (\$400.00).

13 C. A regulatory office shall be established under the ~~Oklahoma~~
14 State Department of Health which ~~will~~ shall receive applications for
15 medical marijuana license recipients, dispensaries, growers, and
16 packagers within sixty (60) days of the passage of this initiative.

17 D. The ~~Oklahoma~~ State Department of Health shall, within thirty
18 (30) days of passage of this initiative, make available, ~~on~~ on their
19 website, in an easy to find location, an application for a medical
20 marijuana license. The license ~~will be good~~ shall be valid for two
21 (2) years, and the application fee ~~will~~ shall be One Hundred Dollars
22 (\$100.00), or Twenty Dollars (\$20.00) for individuals on Medicaid,
23 Medicare, or SoonerCare. The methods of payment ~~will~~ shall be
24 provided on the Department's website.

1 E. A temporary license application ~~will~~ shall also be made
2 available on the ~~Oklahoma Department of Health~~ Department's website.
3 A temporary medical marijuana license ~~will~~ shall be granted to any
4 medical marijuana license holder from other states, provided that
5 the state has a state regulated medical marijuana program, and the
6 applicant can prove they are a member of such program. Temporary
7 licenses ~~will~~ shall be issued for thirty (30) days. The cost for a
8 temporary license shall be One Hundred Dollars (\$100.00). Renewal
9 ~~will~~ shall be granted with resubmission of a new application. No
10 additional criteria ~~will~~ shall be required.

11 F. Medical marijuana license applicants ~~will~~ shall submit their
12 application to the ~~Oklahoma~~ State Department of Health for approval
13 ~~and that the applicant must.~~ The applicant shall be an Oklahoma
14 state resident and shall prove residency by a valid driver's
15 license, utility bills, or other accepted methods.

16 G. The ~~Oklahoma~~ State Department of Health shall review the
17 medical marijuana application, ~~approve/reject~~ approve or reject the
18 application, and mail the applicant's approval or rejection letter
19 ~~(stating reasons for rejection),~~ stating any reasons for rejection,
20 to the applicant within fourteen (14) days of receipt of the
21 application. Approved applicants ~~will~~ shall be issued a medical
22 marijuana license which ~~will~~ shall act as proof of their approved
23 status. Applications may only be rejected based on the applicant
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1 not meeting stated criteria or improper completion of the
2 application.

3 H. The ~~Oklahoma~~ State Department of Health ~~will~~ shall only keep
4 the following records for each approved medical marijuana license:

- 5 1. A digital photograph of the license holder;
- 6 2. The expiration date of the license;
- 7 3. The county where the card was issued; and
- 8 4. A unique 24 character identification number assigned to the
9 license.

10 I. The Department of Health ~~will~~ shall make available, both on
11 its website, and through a telephone verification system, an easy
12 method to validate a medical marijuana license ~~holders~~ holder's
13 authenticity by the unique ~~24-character~~ 24-character identifier.

14 J. The State Department of Health ~~will~~ shall ensure that all
15 application records and information are sealed to protect the
16 privacy of medical marijuana license applicants.

17 K. A caregiver license ~~will~~ shall be made available for
18 qualified caregivers of a medical marijuana license holder who is
19 homebound. The caregiver license ~~will~~ shall give the caregiver the
20 same rights as the medical marijuana license holder. Applicants for
21 a caregiver license ~~will~~ shall submit proof of the medical marijuana
22 license holder's license status and homebound status, proof that
23 they are the designee of the medical marijuana license holder, ~~must~~
24 ~~submit~~ proof that the caregiver is age eighteen (18) or older, and

1 ~~must submit~~ proof the caregiver is an Oklahoma resident. This ~~will~~
2 shall be the only criteria for a caregiver license.

3 L. All applicants ~~must~~ shall be eighteen (18) years or older.
4 A special exception ~~will~~ shall be granted to an applicant under the
5 age of eighteen (18), however these applications ~~must~~ shall be
6 signed by two (2) physicians and the applicant's parent or legal
7 guardian.

8 M. All applications for a medical marijuana license ~~must~~ shall
9 be signed by an Oklahoma Board certified physician. There are no
10 qualifying conditions. A medical marijuana license ~~must~~ shall be
11 recommended according to the accepted standards a reasonable and
12 prudent physician would follow when recommending or approving any
13 medication. No physician may be unduly stigmatized or harassed for
14 signing a medical marijuana license application.

15 N. Counties and cities may enact medical marijuana guidelines
16 allowing medical marijuana license holders or caregivers to exceed
17 the state limits set forth in subsection A of this section. A
18 county is hereby authorized to establish, assess and collect fees
19 from medical marijuana licensees or caregivers who, upon request and
20 approval by the county where the person currently resides, exceed
21 the maximum possession limits established in subsection A of this
22 section. The authority granted by a county to a medical marijuana
23 licensee or caregiver to exceed maximum possession limits shall
24 apply only within the borders of the county.

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

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6 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04/09/2019 - DO PASS.

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