

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to remove the limit on the number of plants that a cultivation center may grow.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Medical Marijuana Plant Count Elimination Congressional Review Emergency Declaration Resolution of 2022”.

Sec. 2. (a) The law had limited the number of plants that a cultivation center may grow (“plant count limit”) to 1,000 before the Council repealed the plant count limit on an emergency and temporary basis.

(b) The shortage of product put District cultivators and dispensaries at a disadvantage in competition with the underground market as well as with neighboring states with larger medical marijuana programs.

(c) In 2021, the Council again addressed the foregoing issue by enacting legislation to remove the limit on the number of plants that a cultivation center may grow in the Medical Marijuana Plant Count Elimination Emergency Amendment Act of 2021, effective October 25, 2021 (D.C. Act 24-182; 68 DCR 11325) (“emergency legislation”), and the Medical Marijuana

33 Plant Count Elimination Temporary Amendment Act of 2021, enacted on November 18, 2021  
34 (D.C. Act 24-218; 68 DCR 12380) (“temporary legislation”).

35 (d) The emergency legislation expires on January 23, 2022, and the temporary legislation,  
36 which is completing congressional review, is not projected to become law until February 2,  
37 2022.

38 (e) There exists an immediate need to enact emergency legislation to maintain the repeal  
39 of the arbitrary limit on the number of plants that a marijuana cultivation center may grow,  
40 without interruption, until the temporary legislation is law.

41 Sec. 3. The Council of the District of Columbia determines that the circumstances  
42 enumerated in section 2 constitute emergency circumstances making it necessary that the  
43 Medical Marijuana Plant Count Elimination Congressional Review Emergency Amendment Act  
44 of 2022 be adopted after a single reading.

45 Sec. 4. This resolution shall take effect immediately.