


1   
2  
3 Chairman Phil Mendelson

  
Councilmember Kenyan R. McDuffie

4  
5  
6  
7 A PROPOSED RESOLUTION  
8

9  
10  
11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
12  
13  
14

15 To declare the existence of an emergency with respect to the need to provide that an  
16 applicant that submitted a medical cannabis facility registration application during  
17 specified dates shall be allowed to relocate the location of its cultivation center or  
18 retailer facility without otherwise affecting the current status of its application.

19  
20 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That  
21 this resolution may be cited as the “Medical Cannabis Clarification Emergency  
22 Declaration Resolution of 2023”.  
23

24 Sec. 2. (a) There exists an immediate need to provide that an applicant that  
25 submitted a medical cannabis facility registration application between November 29,  
26 2021, and March 28, 2022, be allowed to relocate the location of its cultivation center or  
27 retailer facility without otherwise affecting the current status of its application.

28 (b) As a part of the March 2021 through August 2022 medical cannabis facility  
29 licensing round, all medical cannabis facility registration applicants were constrained by  
30 a cap on the number of cultivation center and dispensary registrations permitted in each  
31 Ward.

32 (c) The caps limited an applicant’s ability to secure affordable, appropriate  
33 cultivation center and dispensary facilities for their proposed cannabis businesses. The  
34 available properties within the permitted Wards were limited and some had issues, such  
35 as inadequate power, ADA access, and other issues regarding essential building

36 infrastructure. The applicants were forced to select such facilities when other more  
37 appropriate facilities exist in other Wards that would require substantially fewer capital  
38 expenditures by the tenants to make the necessary improvements to the facilities.

39 (d) Medical cannabis licenses were conditionally issued to 2 equity impact  
40 enterprises who were awarded a total of 2 cultivation center registrations and one  
41 dispensary registration on September 28, 2022 (“enterprises”).

42 (e) The Medical Cannabis Amendment Act of 2022, enacted on January 30, 2023  
43 (D.C. Act 24-798; 70 DCR \_\_\_\_ ) (“Act”), removed the caps on the number of cultivation  
44 center and retailer (formerly, dispensary) registrations per ward (“cap”).

45 (f) With this change in the law, the enterprises who were awarded licenses on  
46 September 28, 2022 must still operate under caps removed by the Act shortly thereafter,  
47 putting these businesses at a significant disadvantage as they are unable to obtain more  
48 optimal properties that are compliant and available for cultivation center and retailer  
49 operations.

50 (g) The Medical Cannabis Clarification Emergency Amendment Act of 2023 will  
51 remedy this issue and enable the enterprises to have the option to change their cultivation  
52 center or retailer location to another compliant property that was previously unavailable  
53 to them due to the cap.

54 (h) Emergency legislation is to amend the Act, which is projected to become law  
55 at the end of March, to allow these enterprises the ability to locate to optimal properties,  
56 which will enable them to begin operations more quickly and better serve registered  
57 patients, as the Act will permit other successful applicants to do.

58           Sec. 3. The Council of the District of Columbia determines that the  
59   circumstances enumerated in section 2 constitute emergency circumstances making it  
60   necessary that the Medical Cannabis Clarification Emergency Amendment Act of 2023  
61   be adopted after a single reading.

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