

  
Councilmember Kenyan R. McDuffie

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6 A PROPOSED RESOLUTION  
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10 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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14 To declare the existence of an emergency with respect to the need to provide a deadline  
15 date that existing cultivation centers and dispensaries must file their applications  
16 with ABCA for additional medical cannabis facility licenses, and to increase  
17 medical cannabis product availability by not allowing a cultivation center to also  
18 hold an internet retailer license.

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

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24 Sec. 2. (a) There exists an immediate need to provide a deadline date that existing  
25 cultivation centers and dispensaries must file their applications with the Alcoholic  
26 Beverage and Cannabis Administration (ABCA) for additional medical cannabis facility  
27 licenses.

28 (b) The Medical Cannabis Amendment Act of 2022 (Act) requires ABCA to make  
29 applications for additional licenses available to existing medical cannabis cultivation  
30 centers and dispensaries by May 1, 2023. The Act, however, does not contain a deadline  
31 date that applications from existing medical cannabis facilities must be filed with ABCA.

32 (c) A deadline date is necessary to provide clarity in the application process as  
33 well as to ensure compliance with the Act’s requirement that at least 50% of cultivation  
34 center and retailer licenses issued by ABCA be set aside for social equity applicants. The

35 emergency legislation sets a deadline date of May 1, 2024 that additional applications  
36 from existing cultivation centers and dispensaries would need to be filed with ABCA.

37 (d) There also exists an immediate need to increase medical cannabis product  
38 availability to current and future retailers and internet retailers by not allowing a  
39 cultivation center to also hold an internet retailer license.

40 (e) The District currently has a limited number of cultivation centers in operation  
41 that are currently making and selling medical cannabis products. The Medical Cannabis  
42 Amendment Act of 2022 eliminates the current cap on medical cannabis facility licenses  
43 and requires that at least 50% of all new facility licenses, excluding testing laboratories,  
44 be made available to social equity applicants.

45 (f) To be successful, it is imperative that existing and new retailers and internet  
46 retailers, including social equity applicants, have access to and the ability to sell a variety  
47 of medical cannabis products. Allowing cultivation centers that obtain an internet retailer  
48 license to sell medical cannabis on-line directly to qualifying patients throughout the  
49 District from a cultivation center warehouse and bypass licensed retailers and other  
50 internet retailers, including social equity licensees, will further limit access and the  
51 availability of medical cannabis products to other retailer and internet retailer licensees  
52 while the District's medical cannabis market is seeking to move forward.

53 (g) The emergency legislation seeks to amend the Act and address and clarify this  
54 issue prior to any cultivation centers applying for or receiving an internet retailer license.

55 Sec. 3. The Council of the District of Columbia determines that the  
56 circumstances enumerated in section 2 constitute emergency circumstances making it

57 necessary that the Medical Cannabis Application Process Clarification Emergency  
58 Amendment Act of 2023 be adopted after a single reading.

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