



Councilmember Kenyan R. McDuffie

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to provide that both cultivation center registration applicants that tied for second and received the same total score after submitting a medical cannabis facility registration application to the Alcoholic Beverage Control Board between November 29, 2021 and March 28, 2022 shall be awarded a cultivation center registration; to provide that other cultivation center and dispensary registration applicants that scored 150 points or more after submitting a medical cannabis facility registration application to the Alcoholic Beverage Control Board during the same open application period shall be considered for a cultivation center or retailer registration; and to allow those cultivation center and dispensary registration applicants that scored 150 points or more to change the location of its facility without otherwise affecting the status of its application.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Cannabis Clarification Supplemental Emergency Amendment Act of 2023”.

Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.06), is amended as follows:

(a) Section 7 (D.C. Official Code § 7-1671.06) (v)(2) is amended by striking the phrase “Act.” and inserting the phrase “Act.” in its place.

(b) New subsections (x?) and (y) are added to read as follows:

38 “(x) The two cultivation center registration applicants that submitted a medical
39 cannabis facility registration application to the ABC Board between November 29, 2021, and
40 March 28, 2022, that tied for second and received the same total score shall be awarded a
41 cultivation center registration. Other cultivation center registration applicants that scored 150
42 points or more during the same open application period shall be considered for a cultivation
43 center registration after May 1, 2023 provided the applicant files a corrected application,
44 including to change the facility location, with the ABC Board by May 1, 2024. Those applicant
45 that scored 150 points or higher shall be allowed to change the location of the cultivation center
46 facility on its application by May 1, 2024 , without negatively affecting the status of the
47 application.” An applicant that filed more than one cultivation center registration application
48 during the open application period with one or more of the same owners shall only be considered
49 for one cultivation center registration under this subsection. An initial application fee paid by a
50 cultivation center registration applicant that scored 150 points or higher shall be credited by
51 ABCA toward the entire cost of the applicant’s cultivation center application fee.

52 “(y) Dispensary registration applicants that submitted a medical cannabis facility
53 registration application to the ABC Board between November 29, 2021, and March 28, 2022,
54 and received 150 points or more, shall be considered for a retailer registration no earlier than 180
55 calendar days after the effective date of the Medical Cannabis Amendment Act of 2022,
56 effective March 22, 2023 (D.C. Law L24-332; D.C. Official Code § 7-1671.01 *et seq*). The
57 applicant shall be allowed to change the location of the retailer facility on its application by May
58 1, 2024, without negatively affecting the status of the application.” An applicant that filed more
59 than one dispensary registration application during the open application period with one or more

60 of the same owners shall only be considered for one retailer registration under this subsection.
61 An initial application fee paid by a dispensary registration applicant that scored 150 points or
62 higher shall be credited by ABCA toward the entire cost of the applicant's retailer application
63 fee.

64 Sec. 3. Fiscal impact statement.

65 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
66 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
67 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

68 Sec. 4. Effective date.

69 This act shall take effect following approval by the Mayor (or in the event of veto by the
70 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
71 90 days, as provided for emergency acts of the Council of the District of Columbia in section
72 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
73 D.C. Official Code § 1-204.12(a)).