


**Council of the District of Columbia
COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT
MEMORANDUM**

1350 Pennsylvania Avenue, NW, Washington, D.C. 20004

TO: Chairperson Phil Mendelson
FROM: Councilmember Kenyan R. McDuffie 
RE: Request to Agendize Measures for the October 3, 2023, Legislative Meeting
DATE: September 28, 2023

I write to request that the following measures be placed on the agenda for the October 3, 2023, Legislative Meeting:

Congressional Review Emergency Legislation

- **Medical Cannabis Clarification and Non-Resident Patient Access Congressional Review Emergency Declaration Resolution of 2023**
- **Medical Cannabis Clarification and Non-Resident Patient Access Congressional Review Emergency Amendment Act of 2023**

In July 2023, the Council enacted the Medical Cannabis Clarification and Non-Resident Patient Access Emergency Amendment Act of 2023, effective July 31, 2023 (D.C. Act 25-194; 70 DCR 10733), (“emergency legislation”) and the Medical Cannabis Clarification and Non-Resident Patient Access Temporary Amendment Act of 2023, passed on 2nd on reading on September 19, 2023 (Enrolled version Bill 25-368), (“temporary legislation”). The emergency legislation expires on October 29, 2023. The temporary legislation must still complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and will not become law until after the emergency legislation has expired.

It is necessary that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

Emergency Legislation

- **Medical Cannabis Patient Access Clarification Emergency Declaration Resolution of 2023**
- **Medical Cannabis Patient Access Clarification Emergency Amendment Act of 2023**
- **Medical Cannabis Patient Access Clarification Temporary Amendment Act of 2023**

The District currently permits non-District resident patients that are not enrolled in another jurisdiction’s medical cannabis program to participate in its medical cannabis program by registering as a non-resident cardholder. Patients from all 50 states have registered with the District as non-resident cardholders, and as of July 31, 2023, international patient visitors from 46 countries have registered with the District as non-resident cardholders. There is an immediate need to amend the definition of non-resident cardholder to clarify that the term “non-District resident” in the definition includes international patients who are visiting the District and to amend the definition of “qualifying patient” to include non-resident cardholders.

The emergency legislation also defines the term “another jurisdiction” to clarify that this term is not just limited to the 50 states of the United States but means any state, commonwealth, or territory of

the United States. And to eliminate barriers to access for qualifying patients in the medical cannabis program, there is also a need to permit the Alcoholic Beverage and Cannabis Board through rulemaking to make patient and caregiver registrations available at no cost.

The draft measures are attached. Feel free to contact Legislative Director, Doni Crawford, at dcrawford@dccouncil.gov, with any questions.

Thank you for your consideration of this request.

cc: Members, Council of the District of Columbia
Office of the Secretary
Office of the General Counsel
Office of the Budget Director