



Councilmember Kenyan R. McDuffie

A PROPOSED RESOLUTION

IN THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to clarify that ABCA investigators have the authority to conduct announced and unannounced inspections of unlicensed establishments, to make a conditional license for a manufacturer or cultivation center valid for two years, to extend existing public-comment period provisions to all unlicensed establishment registration applications, and to clarify the criteria to be considered when summarily closing an unlicensed establishment.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Medical Cannabis Conditional License and Unlicensed Establishment Closure Clarification Emergency Declaration Resolution of 2024”.

Sec. 2. (a) The first one-year conditional license issued by the ABC Board to medical cannabis business manufacturer and cultivation center applicants will expire on June 28, 2024.

(b) On May 1, 2024, the District’s Zoning Administrator released guidance expanding where a medical cannabis manufacturer or cultivation center business can locate. It is imperative that the conditional licensing period be extended from one year to 2 years to provide these existing medical cannabis business conditional license holders with additional time to find permitted locations under this new guidance.

(c) There is also a significant need to clarify when and how ABCA may inspect, seize contraband product, and summarily close unlicensed establishments selling or exchanging

35 cannabis or cannabis products. To respond to the threat to the health or safety of the public posed
36 by unlicensed establishments, ABCA needs clear statutory authority to summarily close those
37 businesses and seize any cannabis contraband.

38 (d) To facilitate this work by ABCA, it is also necessary to clarify in District law that
39 ABCA investigators possess the statutory authority to conduct announced and unannounced
40 inspections of unlicensed establishments and that existing public-comment period provisions
41 apply to all unlicensed establishment registration applications.

42 Sec. 3. The Council determines that the circumstances in section 2 constitute emergency
43 circumstances making it necessary that the Medical Cannabis Conditional License and
44 Unlicensed Establishment Closure Clarification Emergency Amendment Act of 2024 be adopted
45 after a single reading.

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