



Councilmember Kenyan R. McDuffie

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40

A BILL

---

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

---

To amend, on an emergency basis, due to congressional review, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to allow the Alcoholic Beverage and Cannabis Board (“ABC Board”) to issue temporary non-resident registration identification cards that are valid for periods between 3 days and no longer than one year in length, allow licensed testing laboratories to receive and test samples of medical cannabis products from qualifying patients, allow licensed testing laboratories to conduct quality assurance or research and development testing for cultivation centers and manufacturers, amend the definition of a social equity applicant to include arrests and convictions of qualifying family members for a cannabis or drug offense, expand the list of eligible family members under the social equity applicant definition to include siblings and grandparents, clarify that existing licensed cultivation centers and retailers and applicants that scored 150 points or more during the open application period that occurred between November 29, 2021 and March 28, 2022, that are authorized by statute to receive a cultivation center, manufacturer, or retailer license apart from a designated open application period are not counted in calculating the 50% set aside requirement, clarify that the 5 cultivation center registration applicants that scored 150 points or more during the same open application period shall automatically receive a manufacturer license provided that they pay the annual fee and register with the ABC Board, allow the Alcoholic Beverage and Cannabis Administration to issue conditional licenses to testing laboratory applicants, and to waive the application fee for testing laboratory licenses.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Cannabis Clarification and Non-Resident Patient Access Congressional Review Emergency Amendment Act of 2024”.

41           Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective  
42 February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), is amended as  
43 follows:

44           (a) Section 2 (D.C. Official Code § 7-1671.01) is amended as follows:

45                 (1) Paragraph (13B)(B) is amended by striking the phrase “30-day registration  
46 identification card” and inserting the phrase "registration identification card valid for periods  
47 established by the ABC Board by rulemaking, which are between 3 days and no longer than one  
48 year in length” in its place.

49                 (2) Paragraph (20C)(B) is amended by striking the phrase “or has a non-  
50 parent legal guardian who is or has been incarcerated” and inserting the phrase “or has a non-  
51 parent legal guardian, or a grandparent or a sibling who is or has been arrested, convicted, or  
52 incarcerated”.

53           (b) Section 6(b) (D.C. Official Code § 7-1671.05(b)) is amended as follows:

54                 (1) Paragraph (4) is amended as follows:

55                         (A) Subparagraph (A) is amended by striking the phrase “30 days”  
56 and inserting the phrase "periods established by the ABC Board by rulemaking, which are  
57 between 3 days and no longer than one year in length”.

58                         (B) Subparagraph (B) is amended by striking the phrase "30-day”.

59                 (2) Paragraph (5)(C) is amended by striking the phrase "3 years.” and  
60 inserting the phrase “3 years, except for temporary non-resident registration identification cards  
61 that are valid for periods established by the ABC Board by rulemaking, which shall be between 3  
62 days and no longer than one year in length.” in its place.

63 (3) A new paragraph (11A) is added to read as follows:

64 “(11A) Allow testing laboratories to:

65 “(A) Receive and test samples of medical cannabis products from  
66 qualifying patients; provided, that the qualifying patient must present proof that he or she is  
67 currently registered, and that the medical cannabis product was purchased from a retailer or  
68 internet retailer licensed with ABCA.

69 “(B) Receive and test samples of medical cannabis products from licensed  
70 cultivation centers or manufacturers for purposes of quality assurance or research and  
71 development. Samples collected for quality assurance or research and development testing may  
72 be selected by the cultivation center or manufacturer non-randomly. Any tests conducted for  
73 purposes of quality assurance or research and development shall not satisfy the requirements of  
74 paragraphs (8) through (11) of this subsection.”.

75 (c) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

76 (1) Subsection (h) is amended by striking the phrase "cultivation centers who  
77 receive a manufacturer’s license pursuant to subsection (d) of this section.” and inserting the  
78 phrase "cultivation centers and retailers, and applicants who scored 150 points or more during  
79 the ABC Board open application period that occurred between November 29, 2021 and March  
80 28, 2022, who receive a cultivation center, manufacturer, or retailer’s license pursuant to  
81 subsections (d), (w), (x) and (y) of this section.”.

82 (2) Subsection (k)(1) is amended to read as follows:

83 “(k)(1) The ABC Board shall be authorized to issue a one-year conditional license for a  
84 cultivation center, retailer, internet retailer, manufacturer, courier, or testing laboratory that does

85 not currently have a proposed location; except, that the ABC Board shall be authorized to  
86 convert a one-year conditional license to 2 years for a cultivation center or manufacturer that  
87 does not currently have a proposed location.”.

88 (3) Subsection (n)(2) is amended to read as follows:

89 “(2)(A) The ABC Board shall, by rules issued pursuant to section 14, establish the  
90 initial application and renewal fees for cultivation center, manufacturer, retailer, internet retailer,  
91 and courier licenses. The ABC Board may revise these fees as considered necessary.

92 “(B) There shall be no initial application fee for a testing laboratory  
93 license. Renewal fees for a testing laboratory license shall be established by rules issued pursuant  
94 to sub-paragraph (A) of this paragraph.”.

95 (4) A new subsection (y) is added to read as follows:

96 “(y) The 5 cultivation center registration applicants that submitted medical  
97 cannabis facility registration applications to the ABC Board between November 29, 2021 and  
98 March 28, 2022, that scored 150 points or more shall automatically receive a manufacturer  
99 license provided that the annual fee is paid after the effective date of the Medical Cannabis  
100 Manufacturer Clarification Emergency Amendment Act of 2023, effective June 29, 2023 (D.C.  
101 Act 25-152; 70 DCR \_\_\_); provided, that the applicant registers on a form provided by ABCA  
102 with the ABC Board by May 1, 2024.”.

103 Sec. 3. Fiscal impact statement.

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

107           Sec. 4. Effective date.

108           This act shall take effect following approval by the Mayor (or in the event of veto by the  
109 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
110 90 days, as provided for emergency acts of the Council of the District of Columbia in section  
111 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
112 D.C. Official Code § 1-204.12(a)).