

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 clarify the definition of an unlicensed establishment, to clarify that all unlicensed establishments are subject to enforcement action beginning on April 1, 2025, to indicate that the current statutory compliance exemption does not apply to unlicensed establishments that sell Schedule I substances or products that contain Schedule I substances, to clarify that a summary closure and actions related to it can continue so long as the imminent danger to the public persists and is likely to persist, and to clarify when the ABC Board can issue a notice of summary closure to a licensed medical cannabis establishment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Unlicensed Establishment Enforcement Clarification Emergency Amendment Act of 2025”.

Sec. 2. Title 25, section 202 of the District of Columbia Official Code is amended as follows:

(a) Designate the existing language as subsection (a).

(b) A new subsection (b) is added to read as follows:

“(b) ABCA shall have the authority provided by this act and other applicable law, including the authority to take the enforcement actions with respect to the unlawful sale,

38 exchange, or distribution of schedule I substances described in §§ 7-1671.06b(a-1) and 7-
39 1671.08(g)-(j).”.

40 Sec. 3. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective
41 July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01 *et seq.*), is amended as follows:

42 (a) Section 2(22)(A) (D.C. Official Code § 7-1671.01(22)(A)) is amended by striking the
43 phrase “cannabis products;” and inserting the phrase “cannabis products, or Schedule I
44 substances or products that contain Schedule I substances;” in its place.

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

46 (1) Subsection (a) is amended by striking the phrase “with the ABC Board;” and
47 inserting the phrase “with the ABC Board or until April 1, 2025, whichever comes first;”.

48 (2) A new subsection (a-1) is added to read as follows:

49 “(a-1) Notwithstanding subsection (a) of this section, an unlicensed establishment that,
50 prior to April 1, 2025, distributes, attempts to distribute, or makes available for sale or exchange
51 Schedule I substances, or products that contain Schedule I substances, as enumerated in section
52 204 of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5,
53 1981 (D.C. Law 4-29; D.C. Official Code § 48-902.04), or rules implementing that provision,
54 may be summarily closed and padlocked by the ABC Board, pursuant to section 9(g).”.

55 (c) Section 9 (D.C. Official Code § 7-1671.08) is amended as follows:

56 (1) Subsection (g) is amended as follows:

57 (A) Paragraph (1) is amended by striking the phrase “cannabis products”
58 and inserting the phrase “cannabis products, Schedule I substances, or products that contain
59 Schedule I substances” in its place.

60 (B) A new paragraph (6) is added to read as follows:

61 “(6) The Board may continue the summary closure, as well as any padlocking of
62 the premises and seizure of cannabis and Schedule I substances, until the imminent danger
63 triggering the summary action is addressed; provided, that these measures may, as applicable,
64 continue if and to the extent that, in the Board’s reasonable judgment, the danger is likely to
65 recur.”.

66 (2) A new subsection (j) is added to read as follows:

67 “(j)(1) The ABC Board may summarily close and order the padlocking, by ABCA or
68 MPD without a prior hearing, of a licensed establishment that presents an imminent danger to the
69 health and safety of the public for the reasons set forth in paragraphs (C) through (G) of
70 subsection (g) of this section.

71 “(2) The owner of the licensed establishment shall have 5 business days after
72 service of the notice of summary closure to request a hearing with the ABC Board, which shall
73 hold a hearing within 5 business days of a timely request. The ABC Board shall issue a written
74 decision within 5 business days after the hearing, or if no hearing is requested, within 10
75 business days of service of the notice.”.

76 Sec 4. Fiscal impact statement.

77 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
78 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
79 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

80 Sec. 5. Effective date.

81 This act shall take effect following approval by the Mayor (or in the event of veto by the
82 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
83 90 days, as provided for emergency acts of the Council of the District of Columbia in section

- 84 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
- 85 D.C. Official Code § 1-204.12(a)).