

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need 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 ensure 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 the ABC Board can issue a notice of summary closure to a property owner when the unlicensed establishment presenting the imminent danger to the health or safety of the public has vacated the premises, and to clarify when the ABC Board can issue a notice of summary closure to a licensed medical cannabis establishment.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Unlicensed Establishment Enforcement Clarification Emergency Declaration Resolution of 2025”.

Sec. 2. As of February 19, 2025, the Alcoholic Beverage and Cannabis Administration (ABCA) and the Metropolitan Police Department (MPD) have summarily closed and padlocked thirty-one unlicensed cannabis establishments. At a recent Council joint committee public roundtable held on February 11, 2025 regarding the state of the medical cannabis industry, it was established that additional enforcement measures are needed to further assist with the closure of unlicensed establishments operating in the District.

1 (b) The emergency legislation seeks to level the playing field between licensed
2 and unlicensed cannabis businesses by clarifying that all unlicensed cannabis businesses
3 that applied during the statutory open application period that still remain unlicensed and
4 operating illegally are subject to enforcement and summary closure beginning on April 1,
5 2025. The emergency legislation also clarifies that unlicensed establishments that
6 applied during the statutory open application period are subject to enforcement and
7 summary closure prior to April 1, 2025 if they engage in the sale of Schedule I
8 substances and products containing Schedule I substances such as psychedelic
9 mushrooms and Dimethyltryptamine.

10 (c) The emergency legislation also promotes public health and safety by allowing
11 the Alcoholic Beverage and Cannabis Board (Board) to summarily close and padlock,
12 through ABCA and MPD, unlicensed businesses that stop selling cannabis and cannabis
13 products but continue to illegally sell Schedule I substances and products containing
14 Schedule I substances.

15 (d) The emergency legislation also promotes public health and safety by allowing
16 the Board to issue a notice of summary closure to the property owner in the event that the
17 unlicensed establishment presenting the imminent danger to the health or safety of the
18 public has vacated the premises.

19 (e) The emergency legislation also promotes public health and safety by allowing
20 the Board to summarily close a licensed establishment that engages in illegal activity that
21 presents an imminent danger to the health and safety of the public after being licensed by
22 the Board.

1 Sec. 3. The Council of the District of Columbia determines that the circumstances
2 enumerated in section 2 constitute emergency circumstances, making it necessary that the
3 Unlicensed Establishment Enforcement Clarification Emergency Amendment Act of
4 2025 be adopted after a single reading.

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