SENATE **STATE OF MINNESOTA** NINETY-THIRD SESSION

S.F. No. 73

(SENATE AUTHORS: PORT, Oumou Verbeten, Putnam, Murphy and Boldon) **DA**

DALE	D-PG		OFFICIAL STATUS
9/2023	111	Introduction and first reading	

	8
	Referred to Judiciary and Public Safety
	Referred to succeary and rubble Safety
1/6	Author added Boldon
140	Aution added Doldon

01/11/2023 01/26/2023 01/27/2023

1.1

- Author added Boldon
- 394a Comm report: Amended, No recommendation, re-referred to Commerce and Consumer Protection Comm report: To pass as amended and re-refer to Jobs and Economic Development

A bill for an act

relating to cannabis; establishing the Office of Cannabis Management; establishing 12 advisory councils; requiring reports relating to cannabis use and sales; legalizing 1.3 and limiting the possession and use of cannabis by adults; providing for the 1.4 licensing, inspection, and regulation of cannabis businesses; requiring testing of 1.5 cannabis flower and cannabinoid products; requiring labeling of cannabis flower 1.6 and cannabinoid products; limiting the advertisement of cannabis flower, 1.7 cannabinoid products, and cannabis businesses; providing for the cultivation of 1.8 cannabis in private residences; transferring regulatory authority for the medical 1.9 cannabis program; taxing the sale of adult-use cannabis; establishing grant and 1.10 loan programs; amending criminal penalties; establishing expungement procedures 1.11 for certain individuals; establishing labor standards for the use of cannabis by 1.12 employees and testing of employees; providing for the temporary regulation of 1.13 certain edible cannabinoid products; providing for professional licensing 1.14 protections; amending the scheduling of marijuana and tetrahydrocannabinols; 1.15 classifying data; making miscellaneous cannabis-related changes and additions; 1.16 making clarifying and technical changes; appropriating money; amending 1.17 Minnesota Statutes 2022, sections 13.411, by adding a subdivision; 13.871, by 1.18 adding a subdivision; 34A.01, subdivision 4; 144.99, subdivision 1; 151.72; 152.01, 1.19 by adding subdivisions; 152.02, subdivisions 2, 4; 152.021, subdivision 2; 152.022, 1.20 subdivisions 1, 2; 152.023, subdivisions 1, 2; 152.024, subdivision 1; 152.025, 1.21 subdivisions 1, 2; 181.938, subdivision 2; 181.950, subdivisions 2, 4, 5, 8, 13, by 1.22 adding a subdivision; 181.951, by adding subdivisions; 181.952, by adding a 1.23 subdivision; 181.953; 181.954; 181.955; 181.957, subdivision 1; 244.05, 1.24 subdivision 2; 245C.08, subdivision 1; 256.01, subdivision 18c; 256B.0625, 1.25 subdivision 13d; 256D.024, subdivisions 1, 3; 256J.26, subdivisions 1, 3; 273.13, 1.26 subdivision 24; 275.025, subdivision 2; 290.0132, subdivision 29; 290.0134, 1.27 subdivision 19; 297A.61, subdivision 3; 297A.67, subdivisions 2, 7; 297A.70, 1.28 subdivisions 2, 18; 297A.99, by adding a subdivision; 297D.01; 297D.04; 297D.06; 1.29 297D.07; 297D.08; 297D.085; 297D.09, subdivision 1a; 297D.10; 297D.11; 1.30 340A.412, subdivision 14; 609.135, subdivision 1; 609.5311, subdivision 1; 1.31 609.5314, subdivision 1; 609.5316, subdivision 2; 609A.01; 609A.03, subdivisions 1.32 5, 9; 609B.425, subdivision 2; 609B.435, subdivision 2; 624.712, by adding 1.33 subdivisions; 624.713, subdivision 1; 624.714, subdivision 6; 624.7142, subdivision 1.34 1; 624.7151; proposing coding for new law in Minnesota Statutes, chapters 3; 1.35 116J; 116L; 120B; 144; 152; 289A; 295; 340A; 609A; 624; proposing coding for 1.36 new law as Minnesota Statutes, chapter 342; repealing Minnesota Statutes 2022, 1.37 sections 151.72; 152.027, subdivisions 3, 4; 152.21; 152.22, subdivisions 1, 2, 3, 1.38

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2.1 2.2 2.3 2.4 2.5 2.6 2.7 2.8 2.9 2.10 2.11 2.12	1a, 1b, 1c, 2 subdivisions subdivisions subdivisions 4770.0300; 4 4770.1100; 4 4770.1700; 4 4770.2400; 4 4770.4005; 4	, 3, 4; 152.26; 152.2 s 1, 2, 3; 152.29, su a 1, 2, 3; 152.33, sub a 1, 1a, 2, 3, 4, 5; 152 4770.0400; 4770.05 4770.1200; 4770.13 4770.1800; 4770.19 4770.2700; 4770.28 4770.4007; 4770.40 4770.4015; 4770.4	261; 152.27, bdivisions 1, 1 divisions 1, 1 2.37; Minneso 500; 4770.060 00; 4770.140 000; 4770.200 500; 4770.400 008; 4770.400 016; 4770.400	2.23; 152.24; 152.25, sub subdivisions 1, 2, 3, 4, 5, 6 , 2, 3, 3a, 4; 152.30; 152.3 , a, 2, 3, 4, 5, 6; 152.34; 152 ota Rules, parts 4770.0100; 00; 4770.0800; 4770.0900; 00; 4770.1460; 4770.1500; 00; 4770.2100; 4770.2200; 00; 4770.4002; 4770.4003; 09; 4770.4010; 4770.4012; 017; 4770.4018; 4770.403 F THE STATE OF MINN	5, 7; 152.28, 31; 152.32, 2.35; 152.36, ; 4770.0200; ; 4770.1000; ; 4770.1600; ; 4770.2300; ; 4770.4004; ; 4770.4013; 0.
2.13			ARTICL	F 1	
2.13		REGULATIO	_	LT-USE CANNABIS	
2.15	Section 1. [342	2.01] DEFINITION	NS.		
2.16	Subdivision 1	l. Terms. For the p	urposes of th	is chapter, the following	terms have the
2.17	meanings given	them.			
2.18	Subd. 2. Adu	lt-use cannabinoi	d product. "	Adult-use cannabinoid pro	oduct" means a
2.19				the office or is substantia	
2.20	.			pinoid product includes ed	
2.21	products but doe	s not include medie	cal cannabine	oid products.	
2.22	Subd. 3. Adu	lt-use cannabis co	ncentrate. "	Adult-use cannabis conce	entrate" means
2.23				the office or is substantia	
2.24				ois concentrate does not in	
2.25	derived cannabir				
2.26	Subd A Adu	lt uso connohis fl	wor "Adult	-use cannabis flower" me	one connohie
2.20				substantially similar to a p	
2.27	^	•		ot include medical cannab	^
2.28	-	mp-derived consur			is nower, nemp
				-	
2.30				neans any written or oral s	
2.31		•		note sales of cannabis flow	
2.32	-			derived consumer product	
2.33				paper, radio, internet and o	
2.34	· · · · ·			s and circulars; and the dis	• •
2.35				tisement does not include	
2.36	sign that meets the	he requirements in	section 342.0	66, subdivision 2, paragra	ph (b).

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Subd. 6. Artificially derived cannabinoid. "Artificially derived cannabinoid" means	a
cannabinoid extracted from a cannabis plant, cannabis flower, hemp plant, or hemp plan	t
parts with a chemical makeup that is changed after extraction to create a different cannabino	id
or other chemical compound by applying a catalyst other than heat or light. Artificially	
derived cannabinoid includes but is not limited to any tetrahydrocannabinol created from	<u>1</u>
cannabidiol but does not include cannabis concentrate, cannabinoid products, or hemp-derive	ed
consumer products.	
Subd. 7. Batch. "Batch" means:	
(1) a specific quantity of cannabis plants that are cultivated from the same seed or pla	nt
stock, are cultivated together, are intended to be harvested together, and receive an identic	al
propagation and cultivation treatment; or	
(2) a specific quantity of a specific cannabinoid product, lower potency edible product	ct,
artificially derived cannabinoid, or hemp-derived consumer product that is manufactured	1
at the same time and using the same methods, equipment, and ingredients that is uniform	1
and intended to meet specifications for identity, strength, purity, and composition, and th	at
is manufactured, packaged, and labeled according to a single batch production record	
executed and documented during the same cycle of manufacture and produced by a	
continuous process.	
Subd. 8. Batch number. "Batch number" means a unique numeric or alphanumeric	
identifier assigned to a batch of cannabis flower or a batch of cannabinoid product, lowe	r
potency edible product, artificially derived cannabinoid, or hemp-derived consumer product	<u>:t.</u>
Subd. 9. Bona fide labor organization. "Bona fide labor organization" means a labo	or
union that represents or is actively seeking to represent cannabis workers.	
Subd. 10. Cannabinoid. "Cannabinoid" means any of the chemical constituents of hem	ıp
plants or cannabis plants that are naturally occurring, biologically active, and act on the	
cannabinoid receptors of the brain. Cannabinoid includes but is not limited to	
tetrahydrocannabinol and cannabidiol.	
Subd. 11. Cannabinoid extraction. "Cannabinoid extraction" means the process of	
extracting cannabis concentrate from cannabis plants or cannabis flower using water, lipid	ls,
gases, solvents, or other chemicals or chemical processes, but does not include the proce	SS
of extracting concentrate from hemp plants or hemp plant parts or the process of creating	2
artificially derived cannabinoids.	
Subd. 12. Cannabinoid product. (a) "Cannabinoid product" means any of the followin	α.

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4.1	(1) cannal	bis concentrate;			
4.2	(2) a produ	uct infused with canna	abinoids, includ	ing but not limited to to	etrahydrocannabinol,
4.3	<u> </u>	lerived from cannabi			<u> </u>
4.4	<u>(3) any ot</u>	her product that cont	ains cannabis	concentrate; or	
4.5	<u>(4)</u> a prod	luct infused with artif	ficially derived	cannabinoids.	
4.6	(b) Canna	binoid product inclu	des adult-use c	annabinoid products,	including but not
4.7	limited to edi	ble cannabinoid proc	lucts, and med	ical cannabinoid prod	ucts. Cannabinoid
4.8	product does	not include cannabis	flower, artificia	lly derived cannabino	ids, or hemp-derived
4.9	consumer pro	oducts.			
4.10	Subd. 13.	Cannabinoid profil	l e. "Cannabino	id profile" means the	amounts of each
4.11	cannabinoid t	that the office require	es to be identif	ed in testing and labe	ling, including but
4.12	not limited to	delta-9 tetrahydroca	nnabinol, tetra	hydrocannabinolic ac	id, cannabidiol,
4.13	cannabidiolic	acid, and cannabige	rol in cannabis	flower, a cannabinoi	d product, a batch of
4.14	artificially de	rived cannabinoid, o	r a hemp-deriv	ed consumer product,	, expressed as
4.15	percentages n	neasured by weight a	nd, in the case of	of cannabinoid produc	ts and hemp-derived
4.16	consumer pro	oducts, expressed as 1	milligrams in e	ach serving and packa	age.
4.17	Subd. 14.	Cannabis business.	"Cannabis bus	iness" means any of th	e following licensed
4.18	under this cha	apter:			
4.19	(1) cannal	bis cultivator;			
4.20	<u>(2) cannal</u>	bis manufacturer;			
4.21	(3) cannal	bis retailer;			
4.22	(4) cannal	bis wholesaler;			
4.23	(5) cannal	bis transporter;			
4.24	(6) cannal	bis testing facility;			
4.25	(7) cannal	bis microbusiness;			
4.26	(8) cannal	bis event organizer;			
4.27	(9) cannal	bis delivery service;			
4.28	<u>(10) lowe</u>	r potency edible retai	iler;		
4.29	<u>(11) medi</u>	cal cannabis cultivate	or;		
4.30	<u>(12) medi</u>	cal cannabis process	or; and		

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5.1	<u>(13)</u> medical	cannabis retailer.				
5.2	<u>Subd. 15.</u> Ca	nnabis concentrate.	(a) "Cannabis cor	icentrate" means	<u>s:</u>	
5.3	(1) the extract	ets and resins of a canr	nabis plant or can	nabis flower;		
5.4	(2) the extracts or resins of a cannabis plant or cannabis flower that are refined to increase					
5.5	the presence of t	argeted cannabinoids;	or			
5.6	(3) a product	that is produced by refi	ining extracts or re	esins of a cannab	is plant or cannabis	
5.7	flower and is int	ended to be consumed	by combustion o	or vaporization o	of the product and	
5.8		oke, aerosol, or vapor				
5.9	(b) Cannabis	concentrate does not	include industrial	hemp, artificial	ly derived	
5.10	cannabinoids, or	hemp-derived consum	ner products.			
5.11	<u>Subd. 16.</u> Ca	nnabis flower. "Canna	abis flower" mean	is the harvested f	lower, bud, leaves,	
5.12	and stems of a ca	annabis plant. Cannab	is flower includes	adult-use canna	abis flower and	
5.13	medical cannabi	s flower. Cannabis flov	wer does not inclu	ide cannabis see	d, industrial hemp,	
5.14	or hemp-derived	consumer products.				
5.15	<u>Subd. 17.</u> Ca	nnabis industry. "Ca	nnabis industry" 1	means every iter	n, product, person,	
5.16	process, action,	business, or other thin	g subject to regul	ation under this	chapter.	
5.17	<u>Subd. 18.</u> Ca	nnabis paraphernali	a. "Cannabis para	phernalia" mea	ns all equipment,	
5.18	products, and ma	aterials of any kind that	at are knowingly of	or intentionally	used primarily in:	
5.19	(1) cultivatin	g or harvesting cannal	ois plants or canna	abis flower;		
5.20	(2) manufact	uring cannabinoid pro	ducts;			
5.21	(3) ingesting,	inhaling, or otherwise	introducing canna	abis flower or car	nnabinoid products	
5.22	into the human b	oody; and				
5.23	(4) testing the	e strength, effectivenes	s, or purity of cam	nabis flower, can	nabinoid products,	
5.24	or hemp-derived	consumer products.				
5.25	<u>Subd. 19.</u> Ca	nnabis plant. "Canna	bis plant" means	all parts of the p	plant of the genus	
5.26	Cannabis that is	growing or has not be	en harvested and	has a delta-9 tet	rahydrocannabinol	
5.27	concentration of	more than 0.3 percent	t on a dry weight	basis.		
5.28	<u>Subd. 20.</u> Ca	nnabis prohibition. "	Cannabis prohibi	tion" means the	system of state and	
5.29	federal laws that	prevented establishm	ent of a legal mar	ket and instead	established petty	
5.30	offenses and crin	ninal offenses punishab	ole by fines, impris	sonment, or both	for the cultivation,	
5.31	possession, and	sale of all parts of the p	plant of any specie	es of the genus C	annabis, including	

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6.1	all agronomic	cal varieties, whether	growing or ne	ot; the seeds thereof; th	e resin extracted		
6.2	all agronomical varieties, whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture,						
6.3	or preparation of such plant, its seeds, or resin.						
6.4	Subd. 21. Cannabis seed. "Cannabis seed" means the viable seed of the plant of the						
6.5	genus Cannal	ois that is reasonably	expected to g	row into a cannabis pla	nt. Cannabis seed		
6.6	does not inclu	ude hemp seed.					
6.7	<u>Subd. 22.</u>	<u>Cannabis worker. "</u>	Cannabis wor	ker" means any individ	lual employed by a		
6.8	cannabis busi	ness and any individ	ual who is a c	ontractor of a cannabis	business whose		
6.9	scope of work	involves the handlin	g of cannabis	plants, cannabis flower	, artificially derived		
6.10	cannabinoids	, or cannabinoid prod	lucts.				
6.11	Subd. 23.	Child-resistant. "Ch	nild-resistant"	means packaging that 1	meets the poison		
6.12	prevention pa	ckaging standards in	Code of Fede	eral Regulations, title 10	6, section 1700.15.		
6.13	Subd. 24.	Cooperative. "Coop	erative" mean	s an association condu	cting business on a		
6.14	cooperative p	lan that is organized	or is subject t	o chapter 308A or 308I	3.		
6.15	Subd. 25. Council. "Council" means the Cannabis Advisory Council.						
6.16	Subd. 26.	Cultivation. "Cultiva	ation" means a	ny activity involving the	e planting, growing,		
6.17	harvesting, di	rying, curing, grading	, or trimming	of cannabis plants, can	nabis flower, hemp		
6.18	plants, or hen	np plant parts.					
6.19	Subd. 27.	Division of Medical	Cannabis. "I	Division of Medical Ca	nnabis" means a		
6.20	division hous	ed in the Office of Ca	annabis Mana	gement that operates th	e medical cannabis		
6.21	program.						
6.22	Subd. 28.	Division of Social Ec	uity "Division	n of Social Equity" mean	ns a division housed		
6.23	in the Office	of Cannabis Manager	ment that pror	notes development, sta	bility, and safety in		
6.24	communities	that have experience	d a disproport	ionate, negative impact	from cannabis		
6.25	prohibition.						
6.26	Subd. 29.	Edible cannabinoid	product. "Ec	lible cannabinoid produ	ict" means any		
6.27	product that i	s intended to be eater	n or consumed	l as a beverage by hum	ans; contains a		
6.28	cannabinoid,	including an artificia	lly derived ca	nnabinoid, in combinat	ion with food		
6.29	ingredients; is	s not a drug; and is a	type of produ	ct approved for sale by	the office, or is		
6.30	substantially s	similar to a product ap	proved by the	office including but not	t limited to products		
6.31	that resemble	nonalcoholic beveraş	ges, candy, and	l baked goods. Edible c	annabinoid product		
6.32	includes lowe	er potency edible proc	ducts.				

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7.1	Subd. 30	. Health care practit	t ioner. "Health o	are practitioner" mea	ns a		
7.2							
7.3	Minnesota-licensed doctor of medicine, a Minnesota-licensed physician assistant acting within the scope of authorized practice, or a Minnesota-licensed advanced practice registered						
7.4	nurse who has the primary responsibility for the care and treatment of the qualifying medical						
7.5	condition of an individual diagnosed with a qualifying medical condition.						
7.6	Subd. 31	Health record. "He	alth record" has	the meaning given in	section 144.291,		
7.7	subdivision 2	<u>2.</u>					
7.8	Subd. 32.	<u>Hemp concentrate</u>	. <u>(a)</u> "Hemp con	centrate" means:			
7.9	(1) the ex	stracts and resins of a	hemp plant or l	emp plant parts;			
7.10	(2) the ex	tracts or resins of a h	emp plant or he	mp plant parts that are	e refined to increase		
7.11	the presence	of targeted cannabin	oids; or				
7.12	<u>(3)</u> a proc	luct that is produced	by refining extr	acts or resins of a hen	np plant or hemp		
7.13	plant parts a	nd is intended to be c	onsumed by con	nbustion or vaporizat	ion of the product		
7.14	and inhalation of smoke, aerosol, or vapor from the product.						
7.15	(b) Hemp	concentrate does not	include artificia	lly derived cannabino	ids or hemp-derived		
7.16	consumer pr	oducts.					
7.17	Subd. 33	Hemp-derived con	sumer product	(a) "Hemp-derived c	onsumer product"		
7.18	means a proc	luct intended for hun	nan or animal co	onsumption that:			
7.19	(1) consis	sts of hemp plant part	ts;				
7.20	<u>(2) is her</u>	np concentrate; or					
7.21	(3) contain	ins hemp concentrate	<u>.</u>				
7.22	<u>(b)</u> Hemp	o-derived consumer p	roduct includes	hemp-derived topical	products, but does		
7.23	not include e	dible cannabinoid pr	oducts, artificia	lly derived cannabino	ids, hemp fiber		
7.24	products, or	hemp grain.					
7.25	Subd. 34.	Hemp-derived topi	ical product. "H	Iemp-derived topical	product" means a		
7.26	product inter	nded for human or an	imal consumption	on that contains hemp	concentrate and is		
7.27	intended for	application externally	y to a part of the	body of a human or	animal.		
7.28	Subd. 35.	Hemp fiber produc	t. "Hemp fiber p	roduct" means an inter	rmediate or finished		
7.29	product mad	e from the fiber of he	emp plant parts t	hat is not intended for	r human or animal		
7.30	consumption	. Hemp fiber product	includes but is n	ot limited to cordage,	paper, fuel, textiles,		
7.31	bedding, inst	ulation, construction	materials, comp	ost materials, and ind	ustrial materials.		

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8.1	Subd. 36	. Hemp grain. "Hen	np grain" means t	he harvested seeds o	of the hemp plant			
8.2	intended for	consumption as a fo	od or part of a foo	od product. Hemp g	rain includes oils			
8.3	pressed or ex	pressed or extracted from harvested hemp seeds.						
8.4	<u>Subd. 37</u>	. Hemp plant. "Hen	np plant" means al	l parts of the plant of	f the genus Cannabis			
8.5	that is growi	ing or has not been h	arvested and has	a delta-9 tetrahydrod	cannabinol			
8.6	concentratio	n of no more than 0.	3 percent on a dry	v weight basis.				
8.7	<u>Subd. 38</u>	. <u>Hemp plant parts.</u>	"Hemp plant part	ts" means any part of	f the harvested hemp			
8.8	plant, includ	ling the flower, bud,	leaves, stems, and	l stalk, but does not	include derivatives,			
8.9	extracts, can	nabinoids, isomers,	acids, salts, and sa	alts of isomers that a	are separated from			
8.10	the plant. He	emp plant parts does	not include hemp	fiber products, her	p grain, or hemp			
8.11	seed.							
8.12	<u>Subd. 39</u>	. Hemp seed. "Hem	p seed" means the	viable seed of the p	plant of the genus			
8.13	Cannabis that	at is intended to be p	lanted and is rease	onably expected to g	grow into a hemp			
8.14	plant. Hemp	seed does not includ	le cannabis seed o	or hemp grain.				
8.15	<u>Subd. 40</u>	. Industrial hemp. "	Industrial hemp"	has the meaning give	en in section 18K.02,			
8.16	subdivision	<u>3.</u>						
8.17	<u>Subd. 41</u>	. Intoxicating canna	abinoid. "Intoxica	ating cannabinoid" n	neans a cannabinoid,			
8.18	including an	artificially derived	cannabinoid, that	when introduced int	to the human body			
8.19	impairs the c	central nervous system	m or impairs the h	uman audio, visual,	or mental processes.			
8.20	Intoxicating	cannabinoid include	s but is not limite	d to any tetrahydroc	cannabinol.			
8.21	<u>Subd. 42</u>	<u>. Labor peace agree</u>	e ment. "Labor pe	ace agreement" mea	ns an agreement			
8.22	between a ca	annabis business and	a bona fide labor	organization that pr	rotects the state's			
8.23	interests by,	at minimum, prohib	iting the labor org	anization from enga	aging in picketing,			
8.24	work stoppa	ges, or boycotts again	nst the cannabis b	usiness. This type of	f agreement shall not			
8.25	mandate a pa	articular method of e	lection or certifica	ation of the bona fide	e labor organization.			
8.26	<u>Subd. 43</u>	. License holder. "L	icense holder" me	eans a person, coope	erative, or business			
8.27	that holds ar	ny of the following li	censes:					
8.28	<u>(1) canna</u>	abis cultivator;						
8.29	<u>(2) canna</u>	abis manufacturer;						
8.30	<u>(3) canna</u>	abis retailer;						
8.31	<u>(4) canna</u>	abis wholesaler;						
8.32	<u>(5) canna</u>	abis transporter;						

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9.1	(6) cannab	is testing facility;			
9.2	(7) cannab	is microbusiness;			
9.3	(8) cannab	is event organizer;			
9.4	(9) cannab	is delivery service;			
9.5	(10) lower	potency edible retail	er;		
9.6	<u>(11) medic</u>	al cannabis cultivato	<u>r;</u>		
9.7	<u>(12) medic</u>	al cannabis processo	r; or		
9.8	(13) medic	al cannabis retailer.			
9.9	<u>Subd. 44.</u>	Local unit of govern	ment. "Local	unit of government" me	eans a home rule
9.10	charter or state	atory city, county, tov	wn, or other po	litical subdivision.	
9.11	<u>Subd. 45.</u>	Lower potency edib	le product. "L	ower potency edible pr	oduct" means any
9.12	product that:				
9.13	(1) is inten	ded to be eaten or co	onsumed as a bo	everage by humans;	
9.14	(2) contain	s a cannabinoid, inclu	iding an artifici	ially derived cannabino	id, in combination
9.15	with food ingr	edients;			
9.16	(3) is not a	drug;			
9.17	(4) is pack	aged in servings that	contain no mo	re than five milligrams	of delta-9
9.18	tetrahydrocani	abinol per serving, 2	25 milligrams o	of cannabidiol per servi	ng, 25 milligrams
9.19	of cannabigero	ol per serving, or any	combination of	f those cannabinoids the	at does not exceed
9.20	the identified a	amounts;			
9.21	(5) does no	ot contain more than	a combined tot	al of 0.5 milligrams of	all other
9.22	cannabinoids;				
9.23	<u>(6) does no</u>	ot contain an artificia	lly derived can	nabinoid other than de	<u>lta-9</u>
9.24	tetrahydrocani	nabinol; and			
9.25	<u>(7) is a typ</u>	e of product approve	d for sale by th	ne office or is substantia	ally similar to a
9.26	product approv	ved by the office, inc	luding but not	limited to products that	t resemble
9.27	nonalcoholic b	beverages, candy, and	l baked goods.		
9.28	<u>Subd. 46.</u>	Matrix barcode. <u>"M</u>	atrix barcode"	means a code that store	es data in a
9.29	two-dimension	nal array of geometri	cally shaped da	ark and light cells capa	ble of being read
9.30	by the camera	on a smartphone or o	other mobile de	evice.	

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10.1	Subd. 47. Medical canna	binoid product. (a) '	'Medical cannabinoic	l product" means a
10.2	cannabinoid product provided	to a patient enrolled	l in the registry progra	am; a registered
10.3	designated caregiver; or a par	ent, legal guardian, c	or spouse of an enroll	ed patient, by a
10.4	cannabis retailer or medical ca	nnabis retailer to treat	or alleviate the sympt	oms of a qualifying
10.5	medical condition. A medical	cannabinoid produc	t must be in the form	of:
10.6	(1) liquid, including but n	ot limited to oil;		
10.7	<u>(2) pill;</u>			
10.8	(3) liquid or oil for use wi	th a vaporized delive	ry method;	
10.9	(4) water-soluble cannabin	oid multiparticulate, i	ncluding granules, pov	wder, and sprinkles;
10.10	(5) orally dissolvable proc	luct, including lozens	ges, gum, mints, bucc	al tablets, and
10.11	sublingual tablets;			
10.12	(6) edible products in the	form of gummies and	l chews;	
10.13	(7) topical formulation; or	-		
10.14	(8) any allowable form or	delivery method app	roved by the office.	
10.15	(b) Medical cannabinoid	product does not inclu	ıde adult-use cannabi	noid products.
10.16	Subd. 48. Medical canna	bis business. "Medic	al cannabis business'	' means an entity
10.17	licensed under this chapter to	engage in one or mo	re of the following:	
10.18	(1) the cultivation of cann	abis plants for medic	al cannabis flower;	
10.19	(2) the manufacture of me	edical cannabinoid pro	oducts; and	
10.20	(3) the retail sale of medic	cal cannabis flower a	nd medical cannabing	oid products.
10.21	Subd. 49. Medical canna	bis flower. "Medical	cannabis flower" mea	ns cannabis flower
10.22	provided to a patient enrolled	in the registry progra	am; a registered desig	nated caregiver; or
10.23	a parent, legal guardian, or sp	ouse of an enrolled p	patient by a cannabis r	retailer or medical
10.24	cannabis business to treat or a	alleviate the sympton	ns of a qualifying med	dical condition.
10.25	Medical cannabis flower doe	s not include adult-us	e cannabis flower or	hemp-derived
10.26	consumer products.			
10.27	Subd. 50. Medical canna	bis paraphernalia. "	Medical cannabis par	aphernalia" means
10.28	a delivery device, related sup	ply, or educational m	aterial used by a pation	ent enrolled in the
10.29	registry program to administe	er medical cannabis a	nd medical cannabing	oid products.
10.30	Subd. 51. Nonintoxicatin	g cannabinoid. "Noi	nintoxicating cannabi	noid" means a
10.31	cannabinoid that when introd	uced into the human l	oody does not impair	the central nervous

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11.1 system and does not impair the human audio, visual, or mental processes. Nonintoxicating

11.2 cannabinoid includes but is not limited to cannabidiol and cannabigerol but does not include

11.3 <u>any artificially derived cannabinoid.</u>

11.4 Subd. 52. **Office.** "Office" means the Office of Cannabis Management.

11.5 Subd. 53. Outdoor advertisement. "Outdoor advertisement" means an advertisement

11.6 that is located outdoors or can be seen or heard by an individual who is outdoors and includes

11.7 billboards; advertisements on benches; advertisements at transit stations or transit shelters;

advertisements on the exterior or interior of buses, taxis, light rail transit, or business vehicles;

and print signs that do not meet the requirements in section 342.66, subdivision 2, paragraph

11.10 (b), but that are placed or located on the exterior property of a cannabis business.

- 11.11 Subd. 54. Patient. "Patient" means a Minnesota resident who has been diagnosed with
- 11.12 <u>a qualifying medical condition by a health care practitioner and who has met all other</u>
- 11.13 requirements for patients under this chapter to participate in the registry program.

11.14 Subd. 55. Patient registry number. "Patient registry number" means a unique

11.15 identification number assigned by the Division of Medical Cannabis to a patient enrolled

11.16 <u>in the registry program.</u>

11.17 <u>Subd. 56.</u> Qualifying medical condition. "Qualifying medical condition" means a

- 11.18 diagnosis of any of the following conditions:
- 11.19 (1) Alzheimer's disease;

11.20 (2) autism spectrum disorder that meets the requirements of the fifth edition of the

11.21 Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric

- 11.22 Association;
- 11.23 (3) cancer, if the underlying condition or treatment produces one or more of the following:
- 11.24 (i) severe or chronic pain;
- 11.25 (ii) nausea or severe vomiting; or
- 11.26 (iii) cachexia or severe wasting;
- 11.27 (4) chronic motor or vocal tic disorder;
- 11.28 <u>(5) chronic pain;</u>
- 11.29 <u>(6) glaucoma;</u>
- 11.30 (7) human immunodeficiency virus or acquired immune deficiency syndrome;
- 11.31 (8) intractable pain as defined in section 152.125, subdivision 1, paragraph (c);

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12.1	(9) obstruct	ve sleep apnea;					
12.2	<u>(10)</u> post-tra	umatic stress disorder	• <u>•</u>				
12.3	(11) Tourett	e's syndrome;					
12.4	(12) amyotrophic lateral sclerosis;						
12.5	(13) seizure	s, including those char	acteristic of epile	psy;			
12.6	(14) severe	and persistent muscle	spasms, including	those characteristic	c of multiple		
12.7	sclerosis;						
12.8	(15) inflam	natory bowel disease,	including Crohn's	s disease;			
12.9	(16) irritable	e bowel syndrome;					
12.10	<u>(17)</u> obsessi	ve-compulsive disorde	er;				
12.11	(18) sickle c	ell disease;					
12.12	(19) termina	l illness, with a probal	ole life expectanc	y of under one year	, if the illness or		
12.13	its treatment produces one or more of the following:						
12.14	(i) severe or	chronic pain;					
12.15	<u>(ii) nausea c</u>	or severe vomiting; or					
12.16	<u>(iii) cachexi</u>	a or severe wasting; or	• •				
12.17	(20) any oth	er medical condition c	or its treatment ap	proved by the office	<u>e.</u>		
12.18	<u>Subd. 57.</u> R	egistered designated	caregiver. "Regis	stered designated ca	regiver" means		
12.19	an individual w	<u>ho:</u>					
12.20	<u>(1) is at leas</u>	t 18 years old;					
12.21	(2) is not dis	equalified for a crimina	l offense accordi	ng to section 342.20), subdivision 2;		
12.22	(3) has been	approved by the Divi	sion of Medical C	Cannabis to assist a	patient with		
12.23	obtaining medie	cal cannabis flower and	d medical cannab	inoid products from	1 a cannabis		
12.24	retailer or medi	cal cannabis retailer ar	nd with administe	ring medical canna	bis flower and		
12.25	medical cannab	inoid products; and					
12.26	(4) is author	ized by the Division o	f Medical Cannab	ois to assist a patien	t with the use of		
12.27	medical cannab	is flower and medical	cannabinoid prod	lucts.			
12.28	<u>Subd. 58.</u> R	egistry or registry pr	ogram. "Registry	" or "registry progr	am" means the		
12.29	patient registry	established under this	chapter listing pa	tients authorized to	obtain medical		

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13.1	cannabis flower, medical cannabinoid products, and medical cannabis paraphernalia from						
13.2	cannabis retai	ilers and medical car	nnabis retailers a	nd administer medica	al cannabis flower		
13.3	and medical c	cannabinoid product	<u>s.</u>				
13.4	Subd. 59.	Registry verificatio	on. "Registry veri	fication" means the ve	erification provided		
13.5	by the Divisio	on of Medical Canna	abis that a patien	t is enrolled in the reg	gistry program and		
13.6	that includes t	the patient's name, p	atient registry nu	umber, and, if applical	ole, the name of the		
13.7	patient's regis	tered designated car	egiver or parent	, legal guardian, or sp	ouse.		
13.8	<u>Subd. 60.</u>	Restricted area. "R	lestricted area" n	neans an area where c	annabis flower or		
13.9	cannabinoid p	products are cultivat	ed, manufactured	d, or stored by a cann	abis business.		
13.10	Subd. 61.	Statewide monitor	ing system. "Sta	tewide monitoring sy	stem" means the		
13.11	system for int	egrated cannabis tra	cking, inventory	y, and verification esta	ablished or adopted		
13.12	by the office.						
13.13	Subd. 62.	Synthetic cannabir	noid. "Synthetic	cannabinoid" means	a substance with a		
13.14	similar chemi	cal structure and pha	rmacological act	ivity to a cannabinoid	but is not extracted		
13.15	or derived from cannabis plants, cannabis flower, hemp plants, or hemp plant parts and is						
13.16	instead create	d or produced by ch	emical or bioche	emical synthesis.			
13.17	Subd. 63.	Veteran. "Veteran"	means an indivi	dual who satisfies the	requirements in		
13.18	section 197.4	<u>47.</u>					
13.19	Subd. 64.	Visiting designated	l caregiver. "Vis	iting designated cares	giver" means an		
13.20	individual wh	o is authorized unde	er a visiting patie	nt's jurisdiction of res	sidence to assist the		
13.21	visiting patier	it with the use of me	dical cannabis fl	ower and medical car	mabinoid products.		
13.22	To be conside	red a visiting design	nated caregiver, t	he individual must po	ossess a valid		
13.23	verification ca	ard or its equivalent	that is issued by	the visiting patient's	jurisdiction of		
13.24	residence and	that verifies that the	e individual is au	thorized to assist the v	visiting patient with		
13.25	the administra	ation of medical can	nabis flower and	medical cannabinoid	products under the		
13.26	laws or regula	ations of the visiting	patient's jurisdie	ction of residence.			
13.27	Subd. 65.	Visiting patient. "V	isiting patient" m	eans an individual wh	o is not a Minnesota		
13.28	resident and v	vho possesses a vali	d registration ve	rification card or its e	equivalent that is		
13.29	issued under t	the laws or regulation	ons of another sta	te, district, commony	vealth, or territory		
13.30	of the United	States verifying that	t the individual i	s enrolled in or autho	rized to participate		
13.31	in that jurisdi	ction's medical cann	abis or medical	marijuana program.			
13.32	Subd. 66.	Volatile solvent. "V	Volatile solvent" 1	means any solvent that	at is or produces a		
13.33	flammable ga	s or vapor that, whe	n present in the a	air in sufficient quant	ities, will create		

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14.1	explosive or :	ignitable mixtures. Vola	atile solvent in	ncludes but is not limite	d to butane, hexane,
14.2	and propane.	*			<u>_</u>
14.3	Sec. 2. [34]	2.02] OFFICE OF CA	ANNABIS M	ANAGEMENT.	
14.4	Subdivisi	on 1. Establishment.	The Office of	Cannabis Managemer	t is created with the
14.5	-			rules, establishing pol	icy, and exercising
14.6	its regulatory	authority over the car	mabis indust	ry, the office must:	
14.7	<u>(1) promo</u>	ote the public health ar	nd welfare;		
14.8	(2) protect	et public safety;			
14.9	(3) elimin	nate the illicit market f	or cannabis f	lower and cannabinoid	products;
14.10	(4) meet	the market demand for	cannabis flo	wer and cannabinoid p	roducts;
14.11	<u>(5) prome</u>	ote a craft industry for	cannabis flov	ver and cannabinoid p	oducts; and
14.12	(6) priori	tize growth and recove	ery in commu	nities that have experie	enced a
14.13	disproportion	nate, negative impact f	rom cannabis	prohibition.	
14.14	Subd. 2. Powers and duties. The office has the following powers and duties:				
14.15	(1) to dev	elop, maintain, and en	force an organ	nized system of regulat	ion for the cannabis
14.16	industry;				
14.17	(2) to esta	blish programming, se	rvices, and no	tification to protect, ma	aintain, and improve
14.18	the health of	citizens;			
14.19	(3) to pre	vent unauthorized acco	ess to cannab	is flower, cannabinoid	products, and
14.20	hemp-derive	d consumer products b	y individuals	under 21 years of age	2
14.21	(4) to esta	ablish and regularly up	date standard	ls for product testing, p	backaging, and
14.22	labeling;				
14.23	<u>(5) to pro</u>	mote economic growth	n with an em	phasis on growth in are	as that experienced
14.24	a disproporti	onate, negative impact	from cannab	is prohibition;	
14.25	<u>(6) to issu</u>	ue and renew licenses;			
14.26	(7) to req	uire fingerprints from	individuals d	etermined to be subjec	t to fingerprinting,
14.27	including the	submission of fingerr	prints to the F	ederal Bureau of Inves	tigation where
14.28	required by 1	aw and to obtain crimi	nal convictio	n data for individuals s	seeking a license
14.29	from the offi	ce on the individual's b	behalf or as a	cooperative member o	r director, manager,
14.30	or general pa	rtner of a business ent	ity;		

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15.1	(8) to re	ceive reports required	by this chapter	and inspect the premise	es, records, books,
15.2	<u> </u>			compliance with all ap	
15.3	rules;				
15.4	(9) to au	uthorize the use of unma	arked motor veł	nicles to conduct seizure	s or investigations
15.5	pursuant to	the office's authority;			
15.6	(10) to i	mpose and collect civi	l and administra	ative penalties as provid	ed in this chapter;
15.7	(11) to r	ublish such informatio	n as may be dee	med necessary for the w	velfare of cannabis
15.8		cannabis workers, and	-		
15.0	<u>e domesses,</u>	cumuers werkers, une		<u>survey</u> or enciency,	
15.9	<u>(12) to 1</u>	make loans and grants	in aid to the ext	ent that appropriations a	re made available
15.10	for that pur	pose;			
15.11	(13) to a	authorize research and	studies on canr	nabis flower, cannabino	id products, and
15.12	the cannabi	is industry;			
15.13	<u>(14) to </u>	provide reports as requ	ired by law;		
15.14	(15) to e	establish limits on the p	otency of cann	abis flower and cannabi	noid products that
15.15	can be sold	to customers by license	d cannabis retai	lers and licensed cannab	is microbusinesses
15.16	with an end	lorsement to sell canna	bis flower and	cannabinoid products to	customers; and
15.17	<u>(16) to a</u>	exercise other powers a	and authority an	nd perform other duties	required by law.
15.18	Subd. 3	. <u>Medical cannabis p</u>	rogram. The po	owers and duties of the	Department of
15.19	Health with	respect to the medical	cannabis progra	m under Minnesota Statu	utes 2022, sections
15.20	<u>152.22 to 1</u>	52.37, are transferred	to the Office of	Cannabis Management	under section
15.21	15.039.				
15.22	Subd. 4	. Interagency agreem	ents. (a) The of	fice and the commissio	ner of agriculture
15.23	shall enter	into interagency agreen	ments to ensure	that edible cannabinoic	l products are
15.24	handled, m	anufactured, and inspe	cted in a manne	er that is consistent with	the relevant food
15.25	safety requ	irements in chapters 28	3A, 31, and 34A	and associated rules.	
15.26	<u>(b) The</u>	office may cooperate a	and enter into of	her agreements with the	e commissioner of
15.27	agriculture	and may cooperate and	d enter into agre	eements with the comm	issioners and
15.28	directors of	f other state agencies a	nd departments	to promote the benefici	al interests of the
15.29	state.				
15.30	Subd. 5	. Rulemaking. The of	fice may adopt	rules to implement any	provisions in this
15.31	chapter. Ru	les for which notice is	published in th	e State Register before	July 1, 2025, may
15.32	be adopted	using the expedited ru	lemaking proce	ess in section 14.389.	

15

16.1	Subd. 6. Director. (a) The governor shall appoint a director of the office with the advice
16.2	and consent of the senate. The director must be in the unclassified service and must serve
16.3	at the pleasure of the governor.
16.4	(b) The salary of the director must not exceed the salary limit established under section
16.5	15A.0815, subdivision 3.
16.6	(c) While serving as the director and within two years after terminating service, the
16.7	director is prohibited from having a direct or an indirect financial interest in a cannabis
16.8	business licensed under this chapter.
16.9	Subd. 7. Employees. (a) The office may employ other personnel in the classified service
16.10	necessary to carry out the duties in this chapter.
16.11	(b) A prospective employee of the office must submit a completed criminal history
16.12	records check consent form, a full set of classifiable fingerprints, and the required fees to
16.13	the office. Upon receipt of this information, the office must submit the completed criminal
16.14	history records check consent form, full set of classifiable fingerprints, and required fees
16.15	to the Bureau of Criminal Apprehension. After receiving this information, the bureau must
16.16	conduct a Minnesota criminal history records check of the license applicant. The bureau
16.17	may exchange a license applicant's fingerprints with the Federal Bureau of Investigation to
16.18	obtain the applicant's national criminal history record information. The bureau must return
16.19	the results of the Minnesota and federal criminal history records checks to the director to
16.20	determine if the applicant is disqualified under section 342.20.
16.21	(c) While employed by the office and within two years after terminating employment,
16.22	an employee may not have a direct or an indirect financial interest in a cannabis business
16.23	licensed under this chapter.
16.24	Subd. 8. Division of Social Equity. The office must establish a Division of Social Equity.
16.25	At a minimum, the division must:
16.26	(1) administer grants to communities that experienced a disproportionate, negative impact
16.27	from cannabis prohibition in order to promote economic development, provide services to
16.28	prevent violence, support early intervention programs for youth and families, and promote
16.29	community stability and safety;
16.30	(2) act as an ombudsperson for the office to provide information, investigate complaints
16.31	under this chapter, and provide or facilitate dispute resolutions; and
16.32	(3) report to the office on the status of complaints and social equity in the cannabis
16.33	industry.

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17.1	EFFEC	C TIVE DATE. This se	ection is effectiv	e July 1, 2023, excep	t for subdivision 3,			
17.2		fective January 1, 202						
	~ • •							
17.3	Sec. 3. <u>[3</u>	Sec. 3. [342.03] CANNABIS ADVISORY COUNCIL.						
17.4		ision 1. Membership.	(a) The Cannaba	is Advisory Council i	s created consisting			
17.5		wing members:						
17.6	(1) the	director of the Office of	of Cannabis Mar	agement or a designed	ee;			
17.7	(2) the	commissioner of empl	oyment and eco	nomic development c	or a designee;			
17.8	(3) the	commissioner of reven	nue or a designee	<u>.</u>				
17.9	(4) the	commissioner of healt	h or a designee;					
17.10	(5) the	commissioner of publi	ic safety or a des	ignee;				
17.11	(6) the	commissioner of huma	an rights or a des	signee;				
17.12	(7) the commissioner of labor or a designee;							
17.13	<u>(8) the </u>	commissioner of agric	ulture or a desig	nee;				
17.14	(9) the	commissioner of the P	ollution Control	Agency or a designe	<u>e;</u>			
17.15	(10) the	e superintendent of the	Bureau of Crim	inal Apprehension or	a designee;			
17.16	<u>(11) a r</u>	epresentative from the	League of Minn	nesota Cities appointe	ed by the league;			
17.17	<u>(12) a r</u>	epresentative from the	Association of	Minnesota Counties a	appointed by the			
17.18	association	· · · · · · · · · · · · · · · · · · ·						
17.19	<u>(13) an</u>	expert in minority bus	siness developm	ent appointed by the	governor;			
17.20	<u>(14) an</u>	expert in economic de	evelopment strate	egies for under-resou	rced communities			
17.21	appointed b	by the governor;						
17.22	<u>(15) an</u>	expert in farming or r	epresenting the i	nterests of farmers ap	ppointed by the			
17.23	governor;							
17.24	<u>(16) an</u>	expert representing the	e interests of can	nabis workers appoin	ted by the governor;			
17.25	<u>(17) an</u>	expert representing th	e interests of em	ployers appointed by	the governor;			
17.26	<u>(18) an</u>	expert in municipal la	w enforcement v	with advanced trainin	g in impairment			
17.27	detection a	nd evaluation appointe	ed by the govern	<u>or;</u>				
17.28	<u>(19) an</u>	expert in social welfar	re or social justic	ce appointed by the g	overnor;			

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18.1	<u>(20) an e</u>	expert in criminal justic	e reform to mi	igate the disproportio	nate impact of drug
18.2	prosecutions	s on communities of co	olor appointed	by the governor;	
18.3	<u>(21)</u> an e	expert in the prevention	n and treatment	of substance use disc	orders appointed by
18.4	the governor	<u>r;</u>			
18.5	<u>(22)</u> an e	expert in minority busi	ness ownership	appointed by the gov	vernor;
18.6	<u>(23)</u> an e	expert in women-owne	d businesses ap	pointed by the govern	nor;
18.7	<u>(24) an e</u>	expert in cannabis retai	iling appointed	by the governor;	
18.8	<u>(25)</u> an e	expert in cannabis proc	luct manufactu	ring appointed by the	governor;
18.9	<u>(26)</u> an e	expert in laboratory sci	ences and toxic	cology appointed by the	he governor;
18.10	<u>(27)</u> an e	expert in providing leg	al services to c	annabis businesses ap	pointed by the
18.11	governor;				
18.12	<u>(28)</u> an e	expert in cannabis culti	ivation appoint	ed by the governor;	
18.13	<u>(29) two</u>	patient advocates, one	who is a patient	enrolled in the medica	al cannabis program
18.14	and one pati	ent with experience in	the mental hea	lth system or substan	ce use disorder
18.15	treatment sy	stem appointed by the	governor;		
18.16	<u>(30) a ve</u>	eteran appointed by the	e governor; and		
18.17	<u>(31) one</u>	member of each of the	e following fed	erally recognized Trib	bes, designated by
18.18	the elected 7	Tribal president or cha	irperson of the	governing bodies of:	
18.19	(i) the Fo	ond du Lac Band;			
18.20	(ii) the C	Frand Portage Band;			
18.21	(iii) the N	Mille Lacs Band;			
18.22	(iv) the V	White Earth Band;			
18.23	(v) the B	ois Forte Band;			
18.24	(vi) the I	Leech Lake Band;			
18.25	(vii) the	Red Lake Nation;			
18.26	(viii) the	Upper Sioux Commu	nity;		
18.27	(ix) the I	Lower Sioux Indian Co	ommunity;		
18.28	(\mathbf{x}) the S	hakopee Mdewakanto	n Sioux Comm	unity; and	
18.29	(xi) the I	Prairie Island Indian C	ommunity.		

Article 1 Sec. 3.

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19.1	(b) Whi	ile serving on the Canr	nabis Advisory	Council and within tw	o years after		
19.2	terminating	g service, a council mer	nber shall not se	erve as a lobbyist, as de	efined under section		
19.3	10A.01, su	bdivision 21.					
19.4	Subd. 2	. Terms; compensatio	n; removal; vac	eancy; expiration. The	e membership terms,		
19.5	compensati	ion, removal of membe	ers appointed by	y the governor, and fil	ling of vacancies of		
19.6	members a	re provided in section	15.059.				
19.7	Subd. 3	<u>Officers; meetings.</u>	(a) The director	of the Office of Cann	abis Management		
19.8	or the direc	tor's designee must ch	air the Cannabi	s Advisory Council. T	he advisory council		
19.9	must elect	a vice-chair and may e	lect other office	ers as necessary.			
19.10	<u>(b) The</u>	advisory council shall	meet quarterly	or upon the call of the	e chair.		
19.11	<u>(c) Mee</u>	tings of the advisory c	ouncil are subj	ect to chapter 13D.			
19.12	<u>Subd. 4</u>	Subd. 4. Duties. (a) The duties of the advisory council shall include:					
19.13	(1) reviewing national cannabis policy;						
19.14	(2) examining the effectiveness of state cannabis policy;						
19.15	(3) reviewing developments in the cannabis industry;						
19.16	(4) reviewing developments in the study of cannabis flower and cannabinoid products;						
19.17	<u>(5) takin</u>	ng public testimony; a	nd				
19.18	<u>(6) mak</u>	ing recommendations	to the Office of	Cannabis Manageme	nt.		
19.19	<u>(b) At i</u>	ts discretion, the advis	ory council may	y examine other relate	d issues consistent		
19.20	with this se	ection.					
19.21	Sec. 4. [3	42.04] STUDIES; RE	EPORTS.				
19.22	<u>(a) The</u>	office shall conduct a	study to determ	ine the expected size	and growth of the		
19.23	regulated c	annabis industry, inclu	ding an estimat	e of the demand for ca	annabis flower and		
19.24	cannabinoi	d products, the number	and geographic	distribution of cannabi	s businesses needed		
19.25	to meet tha	t demand, and the anti	cipated busines	s from residents of oth	ner states.		
19.26	<u>(b) The</u>	office shall conduct a	study to determ	ine the size of the illic	cit cannabis market,		
19.27	the sources	of illicit cannabis flows	er and illicit can	nabinoid products in th	e state, the locations		
19.28	of citations	issued and arrests mad	de for cannabis	offenses, and the suba	reas, such as census		
19.29	tracts or ne	ighborhoods, that expe	erience a dispro	portionately large amo	ount of cannabis		
19.30	enforcemen	<u>nt.</u>					

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20.1	(c) The office shall conduct a study on impaired driving to determine the number of
20.2	accidents involving one or more drivers who admitted to using cannabis flower or
20.3	cannabinoid products or who tested positive for cannabis or tetrahydrocannabinol, the
20.4	number of arrests of individuals for impaired driving in which the individual tested positive
20.5	for cannabis or tetrahydrocannabinol, and the number of convictions for driving under the
20.6	influence of cannabis flower, cannabinoid products, or tetrahydrocannabinol.
20.7	(d) The office shall provide preliminary reports on the studies conducted pursuant to
20.8	paragraphs (a) to (c) to the legislature by January 15, 2024, and shall provide final reports
20.9	to the legislature by January 15, 2025. The reports may be consolidated into a single report
20.10	by the office.
20.11	(e) The office shall conduct a study on the state's mental health system and substance
20.12	use disorder treatment system to determine the rates at which individuals access those
20.13	systems. At a minimum, the report shall include information about the number of people
20.14	admitted to emergency rooms for treatment of a mental illness or substance use disorder,
20.15	ordered by a court to participate in mental health or substance use programming, and who
20.16	voluntarily agreed to accept mental health or substance use treatment or admission to a
20.17	state-operated treatment program or treatment facility. The report must include summary
20.18	data disaggregated by the month of admission or order; age, race, and sex of the individuals;
20.19	whether the admission or order was for a mental illness or substance use disorder; and, to
20.20	the extent known, the substance of abuse that resulted in the admission or order. Data must
20.21	be obtained, retained, and reported in a way that prevents the unauthorized release of private
20.22	data on individuals as defined in section 13.02. The office shall submit the report by January
20.23	15, 2027, and the report may be combined with the annual report submitted by the office.
20.24	(f) The office shall submit an annual report to the legislature by January 15, 2024, and
20.25	each January 15 thereafter. The annual report shall include but not be limited to the following:
20.26	(1) the status of the regulated cannabis industry;
20.27	(2) the status of the illicit cannabis market;
20.28	(3) the number of accidents, arrests, and convictions involving drivers who admitted to
20.29	using cannabis flower or cannabinoid products or who tested positive for cannabis or
20.30	tetrahydrocannabinol;
20.31	(4) the change in potency, if any, of cannabis flower and cannabinoid products available
20.32	through the regulated market;

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21.1	(5) prog	gress on providing oppo	ortunities to indi	viduals and communi	ties that experienced
21.2	a dispropo	rtionate, negative impa	ct from cannabi	s prohibition, includi	ng but not limited to
21.3	providing 1	relief from criminal con	nvictions and in	creasing economic o	pportunities;
21.4	<u>(6) the</u>	status of racial and geo	graphic diversi	ty in the cannabis ind	ustry;
21.5	<u>(7)</u> proj	posed legislative chang	jes;		
21.6	<u>(8) info</u>	ormation on the adverse	effects of second	nd-hand smoke from a	any cannabis flower,
21.7	cannabinoi	id products, and hemp-	derived consum	er products that are c	consumed by
21.8	combustion	n or vaporization of the	product and in	halation of smoke, ae	rosol, or vapor from
21.9	the produc	t; and			
21.10	<u>(9) reco</u>	ommendations for level	s of funding for	<u>r:</u>	
21.11	<u>(i)</u> a coo	ordinated education pro	gram to addres	s and raise public awa	areness about the top
21.12	three adver	rse health effects, as de	termined by the	e commissioner of hea	alth, associated with
21.13	the use of o	cannabis flower or can	nabinoid produc	ets by individuals und	ler 21 years of age;
21.14	<u>(ii) a co</u>	ordinated education pro	ogram to educat	e pregnant women, bi	eastfeeding women,
21.15	and women	n who may become preg	gnant on the adv	verse health effects of	cannabis flower and
21.16	cannabinoi	id products;			
21.17	<u>(iii) trai</u>	ining, technical assistar	ice, and educati	onal materials for hor	ne visiting programs
21.18	and Tribal	home visiting program	s regarding safe	e and unsafe use of ca	annabis flower and
21.19	cannabinoi	id products in homes w	ith infants and	young children;	
21.20	<u>(iv) mo</u>	del programs to educat	e middle schoo	l and high school stu	dents on the health
21.21	effects on o	children and adolescen	ts of the use of	cannabis flower, canr	abinoid products,
21.22	and other i	ntoxicating or controlle	ed substances;		
21.23	(v) gran	nts issued through the C	CanTrain, CanN	avigate, CanStartup,	and CanGrow
21.24	programs;				
21.25	(vi) gra	nts to organizations for	r community de	velopment in social e	equity communities
21.26	through the	e CanRenew program;			
21.27	<u>(vii) tra</u>	ining of peace officers a	nd law enforcer	nent agencies on chan	ges to laws involving
21.28	<u>cannabis fl</u>	ower, cannabinoid proc	lucts, and hemp	-derived consumer pr	oducts, and the law's
21.29	impact on	searches and seizures;			
21.30	(viii) tr	aining of peace officers	s to increase the	number of drug reco	ognition experts;

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22.1	(ix) training of peace off	icers on the cultural us	es of sage and distin	guishing use of sage
22.2	from the use of cannabis flo			
22.3	and Training should approv			
22.4	(x) the retirement and re	placement of drug dete	ection dogs; and	
22.5	(xi) the Department of H	Iuman Services and co	unty social service a	gencies to address
22.6	any increase in demand for	services.		
22.7	(g) In developing the rec	ommended funding lev	els under paragraph	(f), clause (9), items
22.8	(vii) to (xi), the office shall			
22.9	Chiefs of Police Association			
22.10	Cities, the Association of M			
		,,		
22.11	Sec. 5. [342.05] STATEW	VIDE MONITORING	SYSTEM.	
22.12	Subdivision 1. Statewid	e monitoring. The off	ice must contract wi	th an outside vendor
22.13	to establish a statewide mor	itoring system for inte	grated cannabis trac	king, inventory, and
22.14	verification to track all canna	bis plants, cannabis flov	wer, cannabinoid pro	ducts, and artificially
22.15	derived cannabinoids from s	eed, immature plant, or	creation until dispos	al or sale to a patient
22.16	or customer.			
22.17	Subd. 2. Data submission	on requirements. The	monitoring system 1	nust allow cannabis
22.18	businesses to submit monito	oring data to the office	through the use of n	nonitoring system
22.19	software commonly used w	ithin the cannabis indu	stry and may also pe	ermit cannabis
22.20	businesses to submit monito	oring data through man	ual data entry with a	approval from the
22.21	office.			
22.22	Sec. 6. [342.06] APPROV	AL OF CANNABIS	FLOWER, PROD	UCTS, AND
22.23	CANNABINOIDS.			
22.24	(a) The office shall appr	ove types of cannabis f	flower, cannabinoid	products, and
22.25	hemp-derived consumer pro	oducts other than hemp	-derived topical pro	ducts for retail sale.
22.26	(b) The office shall not a	approve any cannabino	id product or hemp-	derived consumer
22.27	product that:			
22.28	(1) is or appears to be a	lollipop or ice cream;		
22.29	(2) bears the likeness or	contains characteristic	s of a real or fictiona	al person, animal, or
22.30	<u>fruit;</u>			

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23.1	(3) is model	led after a type or	brand of produc	ets primarily consume	d by or marketed to
23.2	children;				
23.3	(4) contains	a synthetic canna	binoid;		
23.4	(5) is made l	by applying a cann	abinoid, includi	ng but not limited to a	n artificially derived
23.5	cannabinoid, to	a finished food p	roduct that does	not contain cannabin	oids and is sold to
23.6	consumers, inc	luding but not lim	ited to a candy of	or snack food; or	
23.7	(6) if the pro	oduct is an edible	cannabinoid pro	oduct, contains an ingr	edient, other than a
23.8	cannabinoid, th	at is not approved	by the United S	States Food and Drug	Administration for
23.9	use in food.				
23.10	(c) The offic	ce must not appro	ve any cannabis	flower, cannabinoid p	product, or
23.11	hemp-derived c	consumer product	that:		
23.12	(1) is intend	led to be consume	d by combustion	n or vaporization of th	e product and
23.13	inhalation of sn	noke, aerosol, or v	apor from the p	product; and	
23.14	(2) imparts	a taste or smell, of	ther than the tas	te or smell of cannabi	s flower, that is
23.15	distinguishable	by an ordinary pe	erson before or c	luring consumption of	the product.
23.16	(d) The offic	ce may adopt rules	to limit or proh	ibit ingredients in or a	dditives to cannabis
23.17	flower, cannabi	noid products, or	hemp-derived c	onsumer products to e	ensure compliance
23.18	with the limitat	tions in paragraph	<u>(c).</u>		
23.19	Sec. 7. [342.0	07] AGRICULTU	RAL AND FO	OD SAFETY PRAC	TICES;
23.20	RULEMAKIN	\ <u>G.</u>			
23.21	Subdivision	1. Plant propaga	ation standards	. In consultation with	the commissioner
23.22	of agriculture, t	the office by rule 1	nust establish c	ertification, testing, an	nd labeling
23.23	requirements for	or the methods use	ed to grow new o	cannabis plants or hen	np plants, including
23.24	but not limited	to growth from see	ed, clone, cutting	g, or tissue culture. The	e requirements must
23.25	prohibit the cul	tivation of cannab	ois plants derive	d from genetic engine	ering, as defined in
23.26	section 18F.02,	subdivision 4.			
23.27	<u>Subd. 2.</u> Ag	gricultural best pr	ractices. In cons	sultation with the com	missioner of
23.28	agriculture and	representatives fr	om the Universit	ity of Minnesota Exter	nsion Service, the
23.29	office shall esta	ablish best practice	es for:		
23.30	(1) the culti	vation and prepara	ation of cannabi	s plants; and	
23.31	(2) the use of	of pesticides, fertil	izers, soil amen	dments, and plant ame	endments in relation
23.32	to growing can	nabis plants.			

Article 1 Sec. 7.

23

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24.1	Subd. 3. Edible cannabinoid product handler endorsement. (a) Any person seeking
24.2	to manufacture, process, sell, handle, or store an edible cannabinoid product, other than an
24.3	edible cannabinoid product that has been placed in its final packaging, must first obtain an
24.4	edible cannabinoid product handler endorsement.
24.5	(b) In consultation with the commissioner of agriculture, the office shall establish an
24.6	edible cannabinoid product handler endorsement.
24.7	(c) The office must regulate edible cannabinoid product handlers and assess penalties
24.8	in the same manner provided for food handlers under chapters 28A, 31, and 34A and
24.9	associated rules, with the following exceptions:
24.10	(1) the office must issue an edible cannabinoid product handler endorsement, rather than
24.11	<u>a license;</u>
24.12	(2) eligibility for an edible cannabinoid product handler endorsement is limited to persons
24.13	who possess a valid license issued by the office;
24.14	(3) the office may not charge a fee for issuing or renewing the endorsement;
24.15	(4) the office must align the term and renewal period for edible cannabinoid product
24.16	handler endorsements with the term and renewal period of the license issued by the office;
24.17	and
24.18	(5) an edible cannabinoid product must not be considered adulterated solely because the
24.19	product contains tetrahydrocannabinol, cannabis concentrate, or any other material extracted
24.20	or derived from a cannabis plant, cannabis flower, hemp plant, or hemp plant parts.
24.21	(d) The edible cannabinoid product handler endorsement must prohibit the manufacture
24.22	of edible cannabinoid products at the same premises where food is manufactured, except
24.23	for the limited production of edible products produced solely for product development,
24.24	sampling, or testing.
24.25	Sec. 8. [342.08] ESTABLISHMENT OF ENVIRONMENTAL STANDARDS.
24.26	Subdivision 1. Water standards. In consultation with the commissioner of the Pollution
24.27	Control Agency, the office by rule must establish appropriate water standards for cannabis
24.28	businesses.
24.29	Subd. 2. Energy use. In consultation with the commissioner of commerce, the office
24.30	by rule must establish appropriate energy standards for cannabis businesses.

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25.1	Subd. 3	8. Solid waste. In cons	ultation with the	e commissioner of the	e Pollution Control
25.2	Agency, th	e office by rule must e	stablish appropr	iate solid waste stand	lards for the disposal
25.3	<u>of:</u>				
25.4	<u>(1) can</u>	nabis flower and canna	abinoid products	<u>.</u>	
25.5	<u>(2) pac</u>	kaging;			
25.6	(3) recy	clable materials, inclu	ding minimum	requirements for the	use of recyclable
25.7	materials;	and			
25.8	<u>(4) othe</u>	er solid waste.			
25.9	Subd. 4	. Odor. The office by 1	rule must establi	sh appropriate standa	rds and requirements
25.10	to limit od	ors produced by canna	bis businesses.		
25.11	Subd. 5	. Applicability; federa	al, state, and loc	e <mark>al laws.</mark> A cannabis b	ousiness must comply
25.12	with all ap	plicable federal, state,	and local laws r	elated to the subjects	s of subdivisions 1 to
25.13	<u>4.</u>				
25.14	Subd. 6	5. Rulemaking. (a) The	e office may onl	y adopt a rule under t	his section if the rule
25.15	is consister	nt with and at least as s	tringent as appl	icable state and feder	al laws related to the
25.16	subjects of	Subdivisions 1 to 4.			
25.17	<u>(b) The</u>	office must coordinat	e and consult wi	ith a department or a	gency of the state
25.18	regarding t	he development and in	plementation of	f a rule under this sect	tion if the department
25.19	or agency	has expertise or a regu	latory interest ir	n the subject matter o	f the rule.
25.20	Sec. 9. [3	342.09] PERSONAL 2	ADULT USE O	PF CANNABIS.	
25.21	Subdiv	ision 1. Personal adul	t use, possession	n, and transportation	n of cannabis flower
25.22	and canna	ibinoid products. (a) A	An individual 2	l years of age or olde	er may:
25.23	<u>(1) use</u>	, possess, or transport of	cannabis paraph	ernalia;	
25.24	<u>(2) pos</u>	sess or transport two ou	inces or less of a	dult-use cannabis flor	wer in a public place;
25.25	<u>(3) pos</u>	sess five pounds or les	s of adult-use ca	annabis flower in the	individual's private
25.26	residence;				
25.27	<u>(4) pos</u>	sess or transport eight	grams or less of	adult-use cannabis c	concentrate;
25.28	<u>(5) pos</u>	sess or transport edible	e cannabinoid pr	oducts infused with	a combined total of
25.29	800 millig	rams or less of tetrahy	drocannabinol;		

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26.1	(6) give	for no remuneration tw	o ounces or less	of adult-use cannabis	s flower, eight grams
26.2	<u> </u>	dult-use cannabis conc			
26.3	800 milligr	ams or less of tetrahyd	lrocannabinol to	an individual who is	at least 21 years of
26.4	age; and				
26.5	<u>(7) use a</u>	adult-use cannabis flow	wer and adult-us	e cannabinoid produc	cts in the following
26.6	locations:				
26.7	<u>(i) a priv</u>	vate residence, includi	ng the individua	l's curtilage or yard;	
26.8	<u>(ii) on p</u>	private property, not ge	nerally accessib	le by the public, unle	ess the individual is
26.9	explicitly p	rohibited from consum	ning cannabis flo	ower or cannabinoid	products on the
26.10	property by	the owner of the prop	erty; or		
26.11	<u>(iii) on t</u>	he premises of an estab	olishment or even	nt licensed to permit o	on-site consumption.
26.12	<u>(b) Exce</u>	ept as provided in para	graph (c), an ind	lividual may not:	
26.13	<u>(1) use,</u>	possess, or transport c	annabis flower	or cannabinoid produ	cts if the individual
26.14	is under 21	years of age;			
26.15	<u>(</u> 2) use a	cannabis flower or can	nabinoid produc	ts in a motor vehicle a	as defined in section
26.16	<u>169A.03, st</u>	ubdivision 15;			
26.17	<u>(3)</u> use of	cannabis flower or can	nabinoid produc	ets at any location wh	ere smoking is
26.18	prohibited u	under section 144.414;	<u>.</u>		
26.19	<u>(4) use c</u>	or possess cannabis flow	wer or cannabino	oid products in a publ	ic school, as defined
26.20	in section 1	20A.05, subdivisions	9, 11, and 13, or	in a charter school g	overned by chapter
26.21	<u>124E, inclu</u>	ding all facilities, whet	her owned, rente	ed, or leased, and all v	rehicles that a school
26.22	district own	ns, leases, rents, contra	cts for, or contro	ols;	
26.23	<u>(5)</u> use o	or possess cannabis flow	wer or cannabing	id products in a state	correctional facility;
26.24	<u>(6) oper</u>	ate a motor vehicle wh	ile under the inf	luence of cannabis flo	ower or cannabinoid
26.25	products;				
26.26	<u>(7) give</u>	for no remuneration c	annabis flower	or cannabinoid produ	ects to an individual
26.27	under 21 ye	ears of age; or			
26.28	<u>(8) give</u>	for no remuneration c	annabis flower	or cannabinoid produ	ets as a sample or
26.29	promotiona	l gift if the giver is in	the business of s	selling goods or servi	ces.
26.30	<u>(c)</u> The	prohibitions under par	agraph (b), clau	ses (1) to (4), do not	apply to use other
26.31	than by smo	oking or by a vaporized	delivery method	l, possession, or trans	portation of medical

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27.1	cannabis flow	ver or medical canna	binoid products	by a patient; a registe	ered designated
27.2	caregiver; or	a parent, legal guard	lian, or spouse o	f a patient.	
27.3	(d) A pro	prietor of a family or	r group family d	ay care program mus	t disclose to parents
27.4				s of the family or grou	
27.5	program, if tl	he proprietor permits	s the smoking or	use of cannabis flow	er or cannabinoid
27.6	products on t	he premises outside	of its hours of op	peration. Disclosure n	nust include posting
27.7	on the premis	ses a conspicuous wi	ritten notice and	orally informing pare	ents or guardians.
27.8	Subd. 2.	Home cultivation of	f cannabis for p	ersonal adult use. U	p to eight cannabis
27.9	plants, with r	no more than four be	ing mature, flow	vering plants may be g	grown at a single
27.10	residence, inc	cluding the curtilage	or yard, without	t a license to cultivate	cannabis issued
27.11	under this ch	apter provided that c	cultivation takes	place at the primary 1	residence of an
27.12	individual 21	years of age or older	and in an enclos	ed, locked space that	is not open to public
27.13	view.				
27.14	<u>Subd. 3.</u>	Home extraction of	cannabis conce	ntrate by use of vola	atile solvent
27.15	prohibited. 1	No person may use a	volatile solvent t	o separate or extract c	annabis concentrate
27.16	without a car	mabis manufacturer,	cannabis microl	ousiness, or medical o	cannabis processor
27.17	license issued	d under this chapter.			
27.18	Subd. 4.	Sale of cannabis flo	wer and cannal	oinoid products prol	iibited. No person
27.19	may sell cann	abis flower or canna	binoid products	without a license issue	d under this chapter
27.20	that authorize	es the sale.			
27.21	<u>Subd. 5.</u>	mportation of hem	p-derived produ	e cts. No person may ir	nport lower potency
27.22	edible produc	ets or hemp-derived	consumer produ	cts, other than hemp-	derived topical
27.23	products, that	t are manufactured c	outside the bound	laries of the state of N	Ainnesota with the
27.24	intent to sell	the products to cons	umers within the	e state or to any other	person or business
27.25	that intends to	o sell the products to	consumers with	in the state without a	icense issued under
27.26	this chapter t	hat authorizes the im	portation of suc	h products. This subc	livision does not
27.27	apply to prod	lucts lawfully purcha	ased for personal	use.	
27.28	<u>Subd. 6.</u>	Violations; penaltie	s. (a) In addition	to penalties listed in	this subdivision, a
27.29	person who v	violates the provision	ns of this chapter	is subject to any app	licable criminal
27.30	penalty.				
27.31	(b) The or	ffice may assess the	following civil p	penalties on a person	who sells cannabis
27.32	flower or can	nabinoid products w	vithout a license	issued under this cha	pter that authorizes
27.33	the sale:				

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28.1	(1) if the p	person sells more that	an two ounces b	ut not more than eight	ounces of cannabis
28.2	flower, up to			U	
28.3	(2) if the t	person sells more the	an eight ounces	but not more than one	pound of cannabis
28.4	flower, up to		0		1
28.5	(3) if the t	person sells more th	an one pound bi	ut not more than five p	ounds of cannabis
28.6	flower, up to				
28.7	(4) if the t	person sells more th	an five nounds l	out not more than 25 p	ounds of cannabis
28.8	flower, up to				
28.9			on 25 nounds bi	at not more than 50 po	unds of connohis
28.9	····	\$250,000; and	all 25 poullus of	at not more than 50 pol	
				Saannahia flamman na ta	¢1 000 000
28.11	<u> </u>		-	Ceannabis flower, up to	
28.12	<u> </u>	-		penalties on a person v	
28.13	concentrate w	vithout a license issu	ied under this cl	napter that authorizes t	he sale:
28.14	(1) if the p	person sells more the	an eight grams l	out not more than 40 g	rams of cannabis
28.15	concentrate, u	up to \$1,000;			
28.16	(2) if the p	person sells more the	an 40 grams but	not more than 80 grar	ns of cannabis
28.17	concentrate, u	up to \$5,000;			
28.18	(3) if the p	person sells more the	an 80 grams but	not more than 400 gra	ams of cannabis
28.19	concentrate, u	up to \$25,000;			
28.20	(4) if the p	person sells more that	n 400 grams bu	t not more than two kil	ograms of cannabis
28.21	concentrate, u	up to \$100,000;			
28.22	(5) if the p	person sells more the	an two kilogram	ns but not more than fo	ur kilograms of
28.23	cannabis con	centrate, up to \$250,	,000; and		
28.24	<u>(6) if the p</u>	erson sells more that	n four kilograms	of cannabis concentrat	e, up to \$1,000,000.
28.25	(d) The of	fice may assess the	following civil	penalties on a person w	ho imports or sells
28.26	products infu	sed with tetrahydroc	cannabinol with	out a license issued und	ler this chapter that
28.27	authorizes the	e importation or sale	<u>;</u>		
28.28	(1) if the p	erson imports or sell	s products infus	ed with a total of more t	han 800 milligrams
28.29	but not more	than four grams of t	etrahydrocanna	binol, up to \$1,000;	
28.30	(2) if the p	person imports or se	lls products infu	used with a total of mo	re than four grams
28.31	but not more	than eight grams of	tetrahydrocanna	abinol, up to \$5,000;	

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29.1	(3) if t	he person imports or sel	ls products infu	sed with a total of mo	ore than eight grams
29.2	but not mo	ore than 40 grams of tet	rahydrocannabi	nol, up to \$25,000;	
29.3	<u>(4) if t</u>	he person imports or sel	lls products infu	sed with a total of mo	ore than 40 grams
29.4	but not me	ore than 200 grams of te	etrahydrocannab	inol, up to \$100,000;	
29.5	<u>(5) if t</u>	he person imports or sel	lls products infu	sed with a total of mo	ore than 200 grams
29.6	but not mo	ore than 400 grams of te	etrahydrocannab	inol, up to \$250,000;	and
29.7	<u>(6) if t</u>	he person imports or sel	lls products infu	sed with a total of mo	ore than 400 grams
29.8	of tetrahyo	drocannabinol, up to \$1,	,000,000.		
29.9		e office may assess a civ			
29.10 29.11		t on a person who grows plants, without a license	-		
29.11	nowening	plants, without a license			nis enapter.
29.12	Sec. 10.	[342.10] LICENSES; '	TYPES.		
29.13	The of	fice shall issue the follo	wing types of li	cense:	
29.14	<u>(1) car</u>	nabis cultivator, includ	ing:		
29.15	<u>(i) craf</u>	ft cultivator; and			
29.16	<u>(ii) bul</u>	lk cultivator;			
29.17	<u>(2) car</u>	nabis manufacturer;			
29.18	<u>(3) car</u>	nabis retailer;			
29.19	<u>(4) car</u>	nabis wholesaler;			
29.20	<u>(5) car</u>	nabis transporter;			
29.21	<u>(6)</u> car	mabis testing facility;			
29.22	<u>(7)</u> car	mabis microbusiness;			
29.23	<u>(8)</u> car	nabis event organizer;			
29.24	<u>(9) car</u>	mabis delivery service;			
29.25	<u>(10) lo</u>	wer potency edible reta	iler;		
29.26	<u>(11) m</u>	edical cannabis cultivat	or;		
29.27	<u>(12) m</u>	edical cannabis process	or; and		
29.28	<u>(13) m</u>	edical cannabis retailer.			
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30.1	Sec. 11. [342.11] LICENSES;	FEES.		
30.2	Except	for the application fee	s authorized und	ler sections 342.12, pa	ragraph (d), and
30.3	342.15, suł	odivision 4, the office	shall not charge	a fee for annual license	es issued under this
30.4	chapter.				
30.5	Sec. 12.]	342.12] LICENSES;	TRANSFERS;	ADJUSTMENTS.	
30.6	<u>(a) Lice</u>	enses issued under this	chapter may no	t be transferred. A nev	v license must be
30.7	obtained w	hen:			
30.8	(1) the	form of the licensee's	legal business st	ructure converts or cha	anges to a different
30.9	type of lega	al business structure;			
30.10	<u>(2) the</u>	licensee dissolves, cor	solidates, or me	rges with another lega	l organization;
30.11	<u>(3) with</u>	in the previous 24 mc	onths, 50 percent	or more of the license	e is transferred by
30.12	<u>a single tra</u>	nsaction or multiple tr	ansactions to:		
30.13	<u>(i) anot</u>	her person or legal org	ganization; or		
30.14	(ii) a pe	erson or legal organiza	tion who had les	s than a five percent o	wnership interest
30.15	in the licen	see at the time of the	first transaction;	or	
30.16	<u>(4)</u> any	other event or combin	ation of events	hat results in a substit	ution, elimination,
30.17	or withdray	wal of the licensee's re	sponsibility for	the operation of the lic	ensee.
30.18	<u>(b) Lice</u>	enses must be renewed	annually.		
30.19	<u>(c) Lice</u>	ense holders may petit	on the office to	adjust the tier of a lice	nse issued within a
30.20	license cate	egory provided that the	e license holder	meets all applicable re	quirements.
30.21	<u>(d)</u> The	office by rule may pe	rmit relocation o	of a licensed cannabis l	ousiness, adopt
30.22	requiremen	ts for the submission	of a license relo	cation application, esta	blish standards for
30.23	the approva	al of a relocation appli	cation, and char	ge a fee not to exceed	\$250 for reviewing
30.24	and proces	sing applications. Relo	ocation of a licer	nsed premises pursuant	t to this paragraph
30.25	does not ex	ttend or otherwise mo	dify the license t	erm of the license sub	ject to relocation.
30.26	Sec. 13.]	342.14] LOCAL CO	NTROL.		
30.27	<u>(a)</u> A lo	ocal unit of governmen	t may not prohil	oit the possession, tran	sportation, or use
30.28	of cannabis	s flower or cannabinoi	d products autho	prized under this chapt	er.
30.29	<u>(b) A lo</u>	ocal unit of governmer	it may not prohi	bit the establishment o	r operation of a
30.30	cannabis b	usiness licensed under	this chapter.		

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31.1	(c) A local unit of government may adopt reasonable restrictions on the time, place, and
31.2	manner of the operation of a cannabis business provided that such restrictions do not prohibit
31.3	the establishment or operation of cannabis businesses. A local unit of government may
31.4	prohibit the operation of a cannabis business within 1,000 feet of a school, day care, or the
31.5	Capitol or Capitol grounds.
31.6	(d) The office shall work with local units of government to develop model ordinances
31.7	for reasonable restrictions on the time, place, and manner of the operation of a cannabis
31.8	business.
31.9	(e) If a local unit of government is conducting studies or has authorized a study to be
31.10	conducted or has held or has scheduled a hearing for the purpose of considering adoption
31.11	or amendment of reasonable restrictions on the time, place, and manner of the operation of
31.12	a cannabis business, the governing body of the local unit of government may adopt an
31.13	interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting
31.14	the planning process and the health, safety, and welfare of its citizens. Before adopting the
31.15	interim ordinance, the governing body must hold a public hearing. The interim ordinance
31.16	may regulate, restrict, or prohibit the operation of a cannabis business within the jurisdiction
31.17	or a portion thereof until January 1, 2025.
31.18	(f) Within 30 days of receiving a copy of an application from the office, a local unit of
31.19	government shall certify on a form provided by the office whether a proposed cannabis
31.20	business complies with local zoning ordinances and, if applicable, whether the proposed
31.21	business complies with the state fire code and building code.
31.22	(g) Upon receipt of an application for a license issued under this chapter, the office shall
31.23	contact the local unit of government in which the business would be located and provide
31.24	the local unit of government with 30 days in which to provide input on the application. The
31.25	local unit of government may provide the office with any additional information it believes
31.26	is relevant to the office's decision on whether to issue a license, including but not limited
31.27	to identifying concerns about the proposed location of a cannabis business or sharing public
31.28	information about an applicant.
31.29	(h) The office by rule shall establish an expedited complaint process to receive, review,
31.30	and respond to complaints made by a local unit of government about a cannabis business.
31.31	Complaints may include alleged violations of local ordinances or other alleged violations.
31.32	At a minimum, the expedited complaint process shall require the office to provide an initial
31.33	response to the complaint within seven days and perform any necessary inspections within

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32.1	30 days. Nothing in this paragraphs prohibits a local unit of government from enforcing a				
32.2	local ordinance.				
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32.3	Sec. 14. [342	.15] LICENSE A	PPLICATION A	AND RENEWAL; F	<u>EES.</u>
32.4				office by rule shall e	
32.5	-			nder this chapter. At a	
32.6	application to o	btain or renew a lic	ense shall include	e the following inform	ation, if applicable:
32.7	(1) the nam	e, address, and dat	e of birth of the a	applicant;	
32.8	(2) the disc	losure of ownershi	p and control rec	uired under paragrap	<u>h (b);</u>
32.9	(3) the disc	losure of whether t	he applicant or, i	f the applicant is a bu	siness, any officer,
32.10	director, manag	ger, and general pa	rtner of the busir	ness has ever filed for	bankruptcy;
32.11	(4) the addr	ess and legal prop	erty description of	of the business;	
32.12	(5) docume	ntation showing le	gal possession of	f the premises where	the business will
32.13	operate;				
32.14	(6) a diagra	m of the premises,	including a secu	urity drawing;	
32.15	<u>(7) a copy c</u>	of the security plan	· · ·		
32.16	(8) proof of	f trade name regist	ration;		
32.17	<u>(9) a copy c</u>	of the applicant's b	usiness plan show	wing the expected siz	e of the business;
32.18	anticipated gro	wth; the methods of	of record keeping	; the knowledge and	experience of the
32.19	applicant and a	ny officer, director	r, manager, and g	eneral partner of the	business; the
32.20	environmental	plan; and other rel	evant financial a	nd operational compo	onents;
32.21	(10) an attest	station signed by a	bona fide labor c	organization stating th	at the applicant has
32.22	entered into a l	abor peace agreem	ient;		
32.23	(11) certific	ation that the appl	icant will comply	y with the requirement	nts of this chapter
32.24	relating to the o	ownership and ope	ration of a canna	bis business;	
32.25	(12) identifi	ication of one or me	ore controlling pe	ersons or managerial e	mployees as agents
32.26	who shall be re	esponsible for deal	ing with the offic	e on all matters; and	
32.27	(13) a stater	ment that the applic	ant agrees to resp	oond to the office's sup	oplemental requests
32.28	for information	<u>l.</u>			

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33.1	<u>(b)</u> An	applicant must file and u	pdate as necess	ary a disclosure of ow	nership and control.	
33.2	The office by rule shall establish the contents and form of the disclosure. At a minimum,					
33.3	the disclosure shall include the following:					
33.4	<u>(1) the</u>	(1) the management structure, ownership, and control of the applicant or license holder,				
33.5	including t	the name of each cooper	ative member,	officer, director, mana	ger, general partner	
33.6	or busines	s entity; the office or po	sition held by a	each person; each pers	son's percentage	
33.7	ownership	interest, if any; and, if	the business ha	s a parent company, th	ne name of each	
33.8	owner, boa	ard member, and officer	of the parent co	ompany and the owner	r's, board member's,	
33.9	or officer's	s percentage ownership i	interest in the p	arent company and the	e cannabis business;	
33.10	<u>(2)</u> a st	atement from the applic	ant and, if the a	pplicant is a business,	from every officer,	
33.11	director, m	nanager, and general par	tner of the busi	ness, indicating wheth	her that person has	
33.12	previously	held, or currently holds,	an ownership in	nterest in a cannabis bu	siness in Minnesota,	
33.13	any other s	state or territory of the U	United States, o	r any other country;		
33.14	(3) if th	ne applicant is a corpora	tion, copies of	its articles of incorpor	ration and bylaws	
33.15	and any ar	mendments to its articles	s of incorporati	on or bylaws;		
33.16	<u>(4) cop</u>	ies of any partnership ag	reement, opera	ting agreement, or sha	reholder agreement;	
33.17	<u>(5) cop</u>	ies of any promissory n	otes, security i	nstruments, or other si	imilar agreements;	
33.18	<u>(6)</u> exp	lanation detailing the fu	inding sources	used to finance the bu	isiness;	
33.19	<u>(</u> 7) a lis	st of operating and inves	tment accounts	for the business, inclu	ding any applicable	
33.20	financial in	nstitution and account n	umber; and			
33.21	<u>(8) a lis</u>	st of each outstanding loa	n and financial	obligation obtained for	r use in the business,	
33.22	including 1	the loan amount, loan te	erms, and name	and address of the cro	editor.	
33.23	<u>(c) An</u>	application may include	<u>e:</u>			
33.24	<u>(1) pro</u>	of that the applicant is a	social equity a	applicant;		
33.25	<u>(</u> 2) a di	versity plan that establi	shes a goal of c	liversity in ownership	, management,	
33.26	employme	ent, and contracting;				
33.27	<u>(3)</u> a de	escription of the training	g and education	that will be provided	to any employee;	
33.28	or					
33.29	<u>(4) a co</u>	opy of business policies	governing ope	rations to ensure com	pliance with this	
33.30	chapter.					

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34.1	<u>(d)</u> Com	mitments made by an	applicant in its a	application, including	but not limited to	
34.2	the maintenance of a labor peace agreement, shall be an ongoing material condition of					
34.3	maintaining	and renewing the lice	ense.			
34.4	<u>(e)</u> An aj	oplication on behalf o	of a corporation of	or association shall be	signed by at least	
34.5	two officers	or managing agents of	of that entity.			
34.6	<u>Subd. 2.</u>	Application; proces	s. (a) An applica	nt must submit all rec	juired information	
34.7	to the office	on the forms and in t	the manner presc	ribed by the office.		
34.8	(b) If the	e office receives an ap	plication that fai	ls to provide the requ	ired information,	
34.9	the office sh	all issue a deficiency	notice to the app	olicant. The applicant	shall have ten	
34.10		ys from the date of the				
34.11	(c) Failu	re by an applicant to s	ubmit all required	l information will resu	It in the application	
34.12	being rejected	ed.				
34.13	(d) Upor	n receipt of a complet	ed application an	d fee, the office shall	forward a copy of	
34.14	the applicati	on to the local unit of	f government in v	which the business op	erates or intends to	
34.15	operate with	a form for certificati	on as to whether	a proposed cannabis	business complies	
34.16	with local ze	oning ordinances and	, if applicable, w	hether the proposed b	ousiness complies	
34.17	with the stat	e fire code and buildi	ng code.			
34.18	(e) With	in 90 days of receivin	g a completed ap	oplication, the office s	shall issue the	
34.19	appropriate	license or send the ap	plicant a notice of	of rejection setting for	rth specific reasons	
34.20	that the office	ce did not approve the	e application.			
34.21	Subd. 3.	Criminal history ch	eck. A license ap	plicant or, in the case	of a business entity,	
34.22	every coope	rative member or dire	ector, manager, a	nd general partner of	the business entity,	
34.23	<u>must submit</u>	a completed criminal	history records cl	neck consent form, a fu	all set of classifiable	
34.24	fingerprints,	, and the required fees	s to the office. Up	oon receipt of this info	ormation, the office	
34.25	<u>must submit</u>	the completed crimina	al history records	check consent form, fu	all set of classifiable	
34.26	fingerprints,	, and required fees to t	he Bureau of Cri	minal Apprehension.	After receiving this	
34.27	information	, the bureau must con	duct a Minnesota	a criminal history reco	ords check of the	
31 28	license annl	icant. The hureau may	v evchance a lice	nea annlicant's finger	mints with the	

- 34.28 <u>license applicant. The bureau may exchange a license applicant's fingerprints with the</u>
- 34.29 Federal Bureau of Investigation to obtain the applicant's national criminal history record
- 34.30 <u>information</u>. The bureau must return the results of the Minnesota and federal criminal history
- 34.31 records checks to the director to determine if the applicant is disqualified under section
- 34.32 <u>342.20.</u>

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35.1	Subd. 4. Application; fees. The office may charge a nonrefundable fee, not to exceed					
35.2				g and processing appli		
35.3	Sec. 15. [342	2.16] SOCIAL EQ	UITY APPLIC	ANTS.		
35.4	An individ	ual qualifies as a so	ocial equity appl	icant if the individual	<u>is:</u>	
35.5	<u>(1) a milita</u>	ry veteran who los	t honorable statu	s due to a cannabis-re	elated offense;	
35.6	(2) a reside	ent for the last five	years of one or r	nore subareas, such as	s census tracts or	
35.7	neighborhoods, that experienced a disproportionately large amount of cannabis enforcement					
35.8	as determined by the study conducted by the office pursuant to section 342.04, paragraph					
35.9	(b), and report	ed in the prelimina	ry report, final r	eport, or both; or		
35.10	(3) a reside	ent for the last five	years of one or r	nore census tracts who	ere, as reported in	
35.11	the most recently completed decennial census published by the United States Bureau of the					
35.12	Census, either	<u>:</u>				
35.13	(i) the pove	erty rate was 20 per	ccent or more; or			
35.14	(ii) the mee	dian family income	did not exceed	80 percent of statewid	e median family	
35.15	income or, if in a metropolitan area, did not exceed the greater of 80 percent of the statewide					
35.16	median family income or 80 percent of the median family income for that metropolitan					
35.17	area.					
35.18	Sec. 16. [34 2	2.17] LICENSE SI	ELECTION CR	RITERIA.		
35.19	Subdivisio	n 1. Market stabili	ty. The office sh	all issue the necessary	number of licenses	
35.20	in order to ensu	ure the sufficient su	pply of cannabis	flower and cannabino	id products to meet	
35.21	demand, provi	de market stability	, and limit the sa	le of unregulated can	nabis flower and	
35.22	cannabinoid p	roducts.				
35.23	<u>Subd. 2.</u> C	raft cultivation pr	iority. (a) The o	ffice shall prioritize is	suance of	
35.24	microbusiness	licenses with an en	dorsement to cul	tivate cannabis flower	and craft cultivator	
35.25	licenses.					
35.26	(b) Unless	the office determine	es that the issuan	ce of bulk cultivator li	censes is necessary	
35.27	to ensure a suf	ficient supply of ca	annabis flower a	nd cannabinoid produ	cts, the office shall	
35.28	not issue a bul	k cultivator license	before July 1, 2	028.		
35.29	<u>Subd. 3.</u> V	ertical integration	prohibited; exc	eptions. (a) Except as	otherwise provided	
35.30	in this subdivi	sion, the office shall	ll not issue licens	ses to a single applicat	nt that would result	
35.31	in the applicar	t being vertically i	ntegrated in viol	ation of the provisions	s of this chapter.	

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36.1	(b) Nothing in this section prohibits or limits the issuance of microbusiness licenses.
36.2	(c) If the office determines that the issuance of multiple licenses resulting in a single
36.3	applicant being vertically integrated is necessary to ensure a sufficient supply of cannabis
6.4	flower and cannabinoid products during the first calendar year in which cannabis flower
5.5	and cannabinoid products are lawfully sold to customers, the office may authorize one or
.6	more applicants to be fully vertically integrated. Regardless of when the licenses were
7	issued, licenses issued under the terms of this paragraph expire one year after the first day
	on which cannabis flower and cannabinoid products are lawfully sold to customers and the
	office may not issue multiple licenses resulting in a single applicant being vertically
)	integrated after that date.
	Subd. 4. Application score; license priority. (a) The office shall award points to each
	completed application in the following categories:
	(1) status as a social equity applicant or as an applicant who is substantially similar to
	a social equity applicant as described in paragraph (c);
	(2) status as a veteran applicant;
	(3) security and record keeping;
	(4) employee training plan;
	(5) business plan and financial situation;
	(6) diversity plan;
	(7) labor and employment practices;
	(8) knowledge and experience; and
	(9) environmental plan.
	(b) The office may award additional points to an application if the license holder would
	expand service to an underrepresented market including but not limited to participation in
	the medical cannabis program.
	(c) The office shall establish application materials permitting individual applicants to
	demonstrate the impact that cannabis prohibition has had on that applicant including but
	not limited to the arrest or imprisonment of the applicant or a member of the applicant's
	immediate family, and the office may award points to such applicants in the same manner
	as points are awarded to social equity applicants.

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37.1	(d) The office shall establish policies and guidelines, which shall be made available to
37.2	the public, regarding the number of points available in each category and the basis for
37.3	awarding those points. Status as a social equity applicant must account for at least 20 percent
37.4	of the total available points. In determining the number of points to award to a cooperative
37.5	or business applying as a social equity applicant, the office shall consider the number or
37.6	ownership percentage of cooperative members, officers, directors, managers, and general
37.7	partners who qualify as social equity applicants.
37.8	(e) Consistent with the goals identified in subdivision 1, the office shall issue licenses
37.9	in each license category, giving priority to applicants who receive the highest score under
37.10	paragraphs (a) and (b). If there are insufficient licenses available for entities that receive
37.11	identical scores, the office shall utilize a lottery to randomly select license recipients from
37.12	among those entities.
37.13	Sec. 17. [342.18] INSPECTION; LICENSE VIOLATIONS; PENALTIES.
37.14	Subdivision 1. Authority to inspect. (a) In order to carry out the purposes of this chapter,
37.15	the office, upon presenting appropriate credentials to the owner, operator, or agent in charge,
37.16	is authorized to:
37.17	(1) enter any cannabis business without delay and at reasonable times;
37.18	(2) inspect and investigate during regular working hours and at other reasonable times,
37.19	within reasonable limits and in a reasonable manner, any cannabis business and all relevant
37.20	conditions, equipment, records, and materials therein; and
37.21	(3) question privately any employer, owner, operator, agent, or employee of a cannabis
37.22	business.
37.23	(b) An employer, owner, operator, agent, or employee must not refuse the office entry
37.24	or otherwise deter or prohibit the office from taking action under paragraph (a).
37.25	Subd. 2. Powers of office. (a) In making inspections and investigations under this chapter,
37.26	the office shall have the power to administer oaths, certify as to official acts, take and cause
37.27	to be taken depositions of witnesses, issue subpoenas, and compel the attendance of witnesses
37.28	and production of papers, books, documents, records, and testimony. In case of failure of
37.29	any person to comply with any subpoena lawfully issued, or on the refusal of any witness
37.30	to produce evidence or to testify to any matter regarding which the person may be lawfully
37.31	interrogated, the district court shall, upon application of the office, compel obedience
37.32	proceedings for contempt, as in the case of disobedience of the requirements of a subpoena
37.33	issued by the court or a refusal to testify therein.

(b) If the office finds probable cause to believe that any cannabis plant, cannabis flower, 38.1 artificially derived cannabinoid, or cannabinoid product is being distributed in violation of 38.2 38.3 this chapter or rules adopted under this chapter, the office shall affix to the cannabis plant, cannabis flower, artificially derived cannabinoid, or cannabinoid product a tag, withdrawal 38.4 from distribution order, or other appropriate marking providing notice that the cannabis 38.5 plant, cannabis flower, artificially derived cannabinoid, or cannabinoid product is, or is 38.6 suspected of being, distributed in violation of this chapter, and has been detained or 38.7 38.8 embargoed, and warning all persons not to remove or dispose of the cannabis plant, cannabis flower, artificially derived cannabinoid, or cannabinoid product by sale or otherwise until 38.9 permission for removal or disposal is given by the office or the court. It is unlawful for a 38.10 person to remove or dispose of detained or embargoed cannabis plant, cannabis flower, 38.11 artificially derived cannabinoid, or cannabinoid product by sale or otherwise without the 38.12 office's or a court's permission and each transaction is a separate violation of this section. 38.13 (c) If any cannabis plant, cannabis flower, artificially derived cannabinoid, or cannabinoid 38.14 product has been found by the office to be in violation of this chapter, the office shall petition 38.15 the district court in the county in which the cannabis plant, cannabis flower, artificially 38.16 derived cannabinoid, or cannabinoid product is detained or embargoed for an order and 38.17 decree for the condemnation of the cannabis plant, cannabis flower, artificially derived 38.18 cannabinoid, or cannabinoid product. The office shall release the cannabis plant, cannabis 38.19 flower, artificially derived cannabinoid, or cannabinoid product when this chapter and rules 38.20 adopted under this chapter have been complied with or the cannabis plant, cannabis flower, 38.21 artificially derived cannabinoid, or cannabinoid product is found not to be in violation of 38.22 this chapter or rules adopted under this chapter. 38.23 (d) If the court finds that detained or embargoed cannabis plant, cannabis flower, 38.24 artificially derived cannabinoid, or cannabinoid product is in violation of this chapter or 38.25 rules adopted under this chapter, the following remedies are available: 38.26 38.27 (1) after entering a decree, the cannabis plant, cannabis flower, artificially derived cannabinoid, or cannabinoid product may be destroyed at the expense of the claimant under 38.28 38.29 the supervision of the office, and all court costs, fees, storage, and other proper expenses must be assessed against the claimant of the cannabis plant, cannabis flower, artificially 38.30 derived cannabinoid, or cannabinoid product or the claimant's agent; and 38.31 (2) if the violation can be corrected by proper labeling or processing of the cannabis 38.32 plant, cannabis flower, artificially derived cannabinoid, or cannabinoid product, the court, 38.33 after entry of the decree and after costs, fees, and expenses have been paid, and a good and 38.34 sufficient bond conditioned that the cannabis plant, cannabis flower, artificially derived 38.35

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cannabinoid, or cannabinoid product must be properly labeled or processed has been 39.1 executed, may by order direct that the cannabis plant, cannabis flower, artificially derived 39.2 39.3 cannabinoid, or cannabinoid product be delivered to the claimant for proper labeling or processing under the supervision of the office. The office's supervision expenses must be 39.4 paid by the claimant. The cannabis plant, cannabis flower, artificially derived cannabinoid, 39.5 or cannabinoid product must be returned to the claimant and the bond must be discharged 39.6 on representation to the court by the office that the cannabis plant, cannabis flower, artificially 39.7 39.8 derived cannabinoid, or cannabinoid product is no longer in violation and that the office's supervision expenses have been paid. 39.9 (e) If the office finds in any room, building, piece of equipment, vehicle of transportation, 39.10 or other structure any cannabis plant, cannabis flower, artificially derived cannabinoid, or 39.11 cannabinoid product that is unsound or contains any filthy, decomposed, or putrid substance, 39.12 or that may be poisonous or deleterious to health or otherwise unsafe, the office shall 39.13 condemn or destroy the item or in any other manner render the item as unsalable, and no 39.14 one has any cause of action against the office on account of the office's action. 39.15 (f) The office may enter into an agreement with the commissioner of agriculture to 39.16 analyze and examine samples or other articles furnished by the office for the purpose of 39.17 determining whether the sample or article violates this chapter or rules adopted under this 39.18 chapter. A copy of the examination or analysis report for any such article, duly authenticated 39.19 under oath by the laboratory analyst making the determination or examination, shall be 39.20 prima facie evidence in all courts of the matters and facts contained in the report. 39.21 Subd. 3. Aiding of inspection. Subject to rules issued by the office, a representative of 39.22 a cannabis business shall be given an opportunity to accompany the office during the physical 39.23 inspection of any cannabis business for the purpose of aiding such inspection. 39.24 39.25 Subd. 4. Complaints and reports; priority of inspection. (a) The office may conduct 39.26 inspections of any licensed cannabis business at any time to ensure compliance with the ownership and operation requirements of this chapter. 39.27 39.28 (b) Any person may report a suspected violation of a safety or health standard. If upon receipt of such notification the office determines that there are reasonable grounds to believe 39.29 that such violation or danger exists, the office shall make a special inspection as soon as 39.30 practicable to determine if such danger or violation exists. 39.31 (c) The office shall prioritize inspections of cannabis businesses where there are 39.32 reasonable grounds to believe that a violation poses imminent danger to the public or 39.33

39.34 <u>customers.</u>

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40.1	(d) The o	ffice shall promptly in	spect cannabis b	businesses that are the	subject of complaint
40.2	by a local unit of government.				
40.3	Subd 5	Violations; administ	rative orders a	nd nonalties (a) The	office may issue an
40.3		ve order to any license			
40.5		violation of this chap			
40.6	administrative order may require the business to correct the violation or to cease and desist				
40.7	from committing the violation. The order must state the deficiencies that constitute the				
40.8	violation and	the time by which th	ne violation mus	st be corrected. If the	business believes
40.9	that the infor	rmation in the admini	strative order is	in error, the person n	nay ask the office to
40.10	consider the	parts of the order that	are alleged to b	e in error. The reques	t must be in writing,
40.11	delivered to	the office by certified	l mail within sev	ven days after receipt	of the order, and
40.12	provide docu	umentation to support	the allegation of	of error. The office m	ust respond to a
40.13	request for re	econsideration within	15 days after re	eceiving the request.	A request for
40.14	reconsiderati	ion does not stay the	correction order	unless the office issu	ies a supplemental
40.15	order grantir	ng additional time. Th	e office's dispos	sition of a request for	reconsideration is
40.16	<u>final.</u>				
40.17	<u>(b)</u> For ea	ach violation of this cl	hapter or rules a	dopted pursuant to the	is chapter, the office
40.18	may issue to	each business a mon	etary penalty of	up to \$10,000, an am	nount that deprives
40.19	the business	of any economic adv	antage gained b	y the violation, or bo	th.
40.20	<u>(c)</u> An ad	lministrative penalty 1	may be recovere	ed in a civil action in t	he name of the state
40.21	brought in th	ne district court of the	county where t	he violation is alleged	to have occurred
40.22	or the distric	t court where the offi	ce is housed.		
40.23	<u>(d)</u> In add	dition to penalties list	ed in this subdiv	vision, a person or bu	siness who violates
40.24	the provisior	ns of this chapter is su	bject to any app	olicable criminal pena	alty.
40.25	Subd. 6.	Nonpublic data. (a) '	The following d	lata collected, created	, or maintained by
40.26	the office is	classified as nonpubli	ic data, as define	ed in section 13.02, s	ubdivision 9, or as
40.27	private data	on individuals, as def	fined in section	13.02, subdivision 12	<u>:</u>
40.28	<u>(1)</u> data s	submitted by an appli	cant for a canna	bis business license,	other than the
40.29	applicant's n	ame and designated a	uddress;		
40.30	(2) the id	entity of a complaina	nt who has mad	le a report concerning	a license holder or
40.31	applicant that	at appears in inactive	complaint data	unless the complainar	nt consents to the
40.32	disclosure;				

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41.1	(3) the nature or content of unsubstantiated complaints when the information is not
41.2	maintained in anticipation of legal action;
41.3	(4) the record of any disciplinary proceeding except as limited by paragraph (b);
41.4	(5) data identifying retail or wholesale customers of a cannabis business; and
41.5	(6) data identifying cannabis workers.
41.6	(b) Minutes, application data on license holders except nondesignated addresses, orders
41.7	for hearing, findings of fact, conclusions of law, and specification of the final disciplinary
41.8	action contained in the record of the disciplinary action are classified as public, pursuant to
41.9	section 13.02, subdivision 15. If there is a public hearing concerning the disciplinary action,
41.10	the entire record concerning the disciplinary proceeding is public data pursuant to section
41.11	13.02, subdivision 15. If the license holder and the office agree to resolve a complaint
41.12	without a hearing, the agreement and the specific reasons for the agreement are public data.
41.13	(c) The office must establish written procedures to ensure that only individuals authorized
41.14	by law may enter, update, or access the data classified as nonpublic or private data on
41.14	individuals in this subdivision. An authorized individual's ability to enter, update, or access
41.16	data in the system must correspond to the official duties or training level of the individual
41.17	and to the statutory authorization granting access for that purpose. All queries and responses,
41.18	and all actions in which not public data are entered, updated, accessed, shared, or
41.19	disseminated, must be recorded in a data audit trail. Data contained in the audit trail have
41.20	the same classification as the underlying data tracked by the audit trail.
41.21	(d) The office must not share data classified as private under this subdivision or other
41.22	data identifying an individual applicant or license holder with any federal agency, federal
41.23	department, or federal entity unless specifically ordered to do so by a state or federal court.
41.24	Sec. 18. [342.19] LICENSE SUSPENSION OR REVOCATION; HEARING.
41.25	Subdivision 1. License revocation and nonrenewal. The office may revoke or not
41.26	renew a license when the office has cause to believe that a cannabis business has violated
41.27	an ownership or operational requirement in this chapter or rules adopted pursuant to this
41.28	chapter. The office must notify the license holder in writing, specifying the grounds for
41.29	revocation or nonrenewal and fixing a time of at least 20 days thereafter for a hearing on
41.30	the matter.
41.31	Subd. 2. Hearing; written findings. (a) Before the office revokes or does not renew a
41.32	license, the office must provide the license holder with a statement of the complaints made
41.33	against the license holder, and the office must hold a hearing to determine whether the office

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should revoke the license or deny renewal of the license. The license holder shall receive 42.1 notice at least 20 days before the date of the hearing and notice may be served either by 42.2 42.3 certified mail addressed to the address of the license holder as shown in the license application or in the manner provided by law for the service of a summons. At the time and 42.4 place fixed for the hearing, the office, or any office employee or agent authorized by the 42.5 42.6 office to conduct the hearing, shall receive evidence, administer oaths, and examine witnesses. 42.7 (b) After the hearing held pursuant to paragraph (a), or upon the failure of the license holder to appear at the hearing, the office must take action as is deemed advisable and issue 42.8 written findings that the office must mail to the license holder. An action of the office under 42.9 this paragraph is subject to judicial review pursuant to chapter 14. 42.10

42.11 Subd. 3. Temporary suspension. The office may temporarily, without hearing, suspend
42.12 the license and operating privilege of any business licensed under this chapter for up to 90
42.13 days if continuing the operation of the business would threaten the health or safety of any
42.14 person. The office may extend the period for an additional 90 days if the office notified the
42.15 business that the office intends to revoke or not renew a license and the hearing required
42.16 under subdivision 2 has not taken place.

42.17 Sec. 19. [342.20] ADULT-USE CANNABIS BUSINESS; GENERAL OWNERSHIP 42.18 DISQUALIFICATIONS AND REQUIREMENTS.

Subdivision 1. Criminal history check. Every license applicant and prospective cannabis 42.19 worker must submit a completed criminal history records check consent form, a full set of 42.20 classifiable fingerprints, and the required fees to the office. Upon receipt of this information, 42.21 the office must submit the completed criminal history records check consent form, full set 42.22 of classifiable fingerprints, and required fees to the Bureau of Criminal Apprehension. After 42.23 receiving this information, the bureau must conduct a Minnesota criminal history records 42.24 check of the license applicant. The bureau may exchange a license applicant's fingerprints 42.25 with the Federal Bureau of Investigation to obtain the applicant's national criminal history 42.26 record information. The bureau must return the results of the Minnesota and federal criminal 42.27 42.28 history records checks to the director to determine if the applicant is disqualified under this 42.29 section.

42.30 Subd. 2. Criminal offenses; disqualifications. (a) No person may hold or receive a

42.31 license issued under this chapter or work for a cannabis business if the person has been

42.32 convicted of, or received a stay of adjudication for, a violation of a state or federal controlled

42.33 substance law that is a felony under Minnesota law or would be a felony if committed in

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43.1	Minnesota	, regardless of the senter	nce imposed, un	less the office determi	nes that the person's
43.2	conviction was for the possession or sale of cannabis.				
43.3	(b) A person who has been convicted of, or received a stay of adjudication for, a violation				
43.4	of Minneso	ota Statutes 2022, sectio	on 152.023, sub	division 1, clause (3),	or a state or federal
43.5	law in con	formity with that provis	sion, for the sale	e of cannabis to a pers	son under the age of
43.6	18 may hol	ld or receive a license is	ssued under this	chapter, or work for a	a cannabis business,
43.7	if 20 years	have passed since the d	late the person v	vas convicted or adjuc	lication was stayed.
43.8	<u>(c) Exc</u>	ept as provided in parag	graph (a), (b), or	(d), a person who has	s been convicted of,
43.9	or received	l a stay of adjudication	for, a violation	of a state or federal la	w that is a felony
43.10	under Min	nesota law or would be	a felony if com	mitted in Minnesota,	regardless of the
43.11	sentence in	nposed, may hold or re	ceive a license i	ssued under this chap	oter, or work for a
43.12	<u>cannabis b</u>	usiness, if five years ha	ve passed since	the discharge of the	sentence.
43.13	<u>(d) No </u>	license holder or applica	ant may hold or 1	eceive a license issue	d under this chapter,
43.14	or work for	r a cannabis business, i	f the person has	been convicted of a s	sale of cannabis in
43.15	the first de	gree under section 152.	.0264, subdivisi	<u>on 2.</u>	
43.16	<u>(e)</u> A p	erson who has been cor	nvicted of sale c	of cannabis in the seco	ond degree under
43.17	section 152	2.0264, subdivision 3, r	nay hold or rece	eive a license issued u	nder this chapter or
43.18	work for a	cannabis business if ter	n years have pas	ssed since the dischar	ge of the sentence.
43.19	<u>(f)</u> A pe	erson who has been conv	victed of sale of	cannabis in the third d	legree under section
43.20	152.0264,	subdivision 4, may hole	d or receive a lie	cense issued under thi	is chapter or work
43.21	for a canna	bis business if five yea	rs have passed	since the discharge of	the sentence.
43.22	<u>(g)</u> A p	erson who has been con	nvicted of sale of	of cannabis in the four	rth degree under
43.23	section 152	2.0264, subdivision 5, r	nay hold or rece	eive a license issued u	nder this chapter or
43.24	work for a	cannabis business if or	ne year has pass	ed since the discharge	e of the sentence.
43.25	<u>(h) If th</u>	ne license holder or app	licant is a busin	ess entity, the disqual	ifications under this
43.26	subdivision	n apply to every cooper	ative member o	r every director, mana	ager, and general
43.27	partner of	the business entity.			
43.28	Subd. 3	8. Risk of harm; set as	ide. The office	may set aside a disqua	alification under
43.29	subdivision	n 2 if the office finds th	at the person ha	s submitted sufficient	t information to
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43.30 demonstrate that the person does not pose a risk of harm to any person served by the

43.31 applicant, license holder, or other entities as provided in this chapter.

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44.1	Subd. 4	. General requireme	nts. (a) A license	holder or applicant n	nust meet each of
44.2	the followi	ng requirements, if ap	plicable, to hold	or receive a license is	sued under this
44.3	chapter:				
44.4	<u>(1) be a</u>	at least 21 years of age	<u>.</u>		
44.5	<u>(2) hav</u>	e completed an applica	ation for licensur	e or application for re	newal;
44.6	<u>(3) hav</u>	e paid the applicable a	pplication fee;		
44.7	<u>(4) resi</u>	de in the state;			
44.8	<u>(5) if th</u>	e applicant or license	holder is a busin	ess entity, be incorpor	ated in the state or
44.9	otherwise	formed or organized u	nder the laws of t	the state;	
44.10	<u>(6) if th</u>	e applicant or license h	older is a busines	s entity, at least 75 per	cent of the business
44.11	must be ov	vned by Minnesota res	idents;		
44.12	<u>(7) not</u>	be employed by the of	ffice or any state	agency with regulator	ry authority under
44.13	this chapte	r or the rules adopted	pursuant to this c	hapter;	
44.14	<u>(8) not</u>	be a licensed peace off	icer, as defined in	section 626.84, subdi	vision 1, paragraph
44.15	<u>(c);</u>				
44.16	<u>(9) nev</u>	er have had a license p	previously issued	under this chapter re-	voked;
44.17	<u>(10) ha</u>	ve filed any previously	y required tax ret	urns for a cannabis bu	isiness;
44.18	<u>(11) hav</u>	ve paid and remitted ar	y business taxes,	gross receipts taxes, i	nterest, or penalties
44.19	due relatin	g to the operation of a	cannabis busines	<u>55;</u>	
44.20	<u>(12)</u> hav	ve fully and truthfully o	complied with all	information requests of	of the office relating
44.21	to license a	application and renewa	<u>al;</u>		
44.22	<u>(13) no</u>	t be disqualified under	subdivision 2;		
44.23	<u>(14) no</u>	t employ an individual	who is disqualif	ied from working for a	a cannabis business
44.24	under this	chapter; and			
44.25	<u>(15) me</u>	eet the ownership and	operational requi	rements for the type of	of license and, if
44.26	applicable,	endorsement sought of	or held.		
44.27	<u>(b) If th</u>	e license holder or app	licant is a busine	ss entity, every officer	, director, manager,
44.28	and genera	l partner of the busines	s entity must mee	et each of the requirem	ents of this section.

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45.1	Sec. 20. [.	342.21] CANNABIS	BUSINESS; G	ENERAL OPERAT	IONAL
45.2	REQUIRE	MENTS AND PROP	HIBITIONS.		
45.3	Subdivi	sion 1. Individuals u r	nder 21 vears o	f age . (a) A cannabis	business may not
45.4		individual under 21 ye	-		
45.5		age if the individual's		Ŧ	
45.6		ower, artificially derive	-		
45.7	<u>(b) A ca</u>	nnabis business may n	not permit an inc	lividual under 21 year	rs of age to enter the
45.8	business pre	emises other than entry	into an area that	t solely dispenses med	ical cannabis flower
45.9	or medical	cannabinoid products.			
45.10	<u>(c)</u> A ca	nnabis business may r	not sell or give c	annabis flower or car	nabinoid products
45.11	to an individ	dual under 21 years of a	age unless the in	dividual is a patient; r	egistered designated
45.12	caregiver; o	r a parent, legal guardi	an, or spouse of	a patient who is author	rized to use, possess,
45.13	or transport	medical cannabis or r	nedical cannabi	noid products.	
45.14	Subd. 2.	Use of cannabis flow	er and cannabi	noid products within	a licensed cannabis
45.15	<u>business. (a</u>	a) A cannabis business	s may not permi	t an individual who is	not an employee to
45.16	consume ca	nnabis flower or cann	abinoid product	s within its licensed p	premises unless the
45.17	business is l	icensed to permit on-si	te consumption	or the business has an	on-site endorsement
45.18	to a license	authorizing the sale o	f lower potency	edible products.	
45.19	<u>(b) Exce</u>	pt as otherwise provid	ed in this subdiv	rision, a cannabis busi	ness may not permit
45.20	an employed	e to consume cannabis	flower or cannab	inoid products within	its licensed premises
45.21	or while the	e employee is otherwis	se engaged in ac	tivities within the cou	urse and scope of
45.22	employmen	. <u>t.</u>			
45.23	<u>(c)</u> A ca	nnabis business may p	permit an emplo	yee to use medical ca	nnabis flower and
45.24	medical car	nabinoid products if t	hat individual is	s a patient.	
45.25	(d) For a	quality control, employ	yees of a license	d cannabis business m	nay sample cannabis
45.26	flower or ca	annabinoid products. E	Employees may	not interact directly w	with customers for at
45.27	least three h	nours after sampling a	product. Emplo	yees may not consum	ne more than three
45.28	samples in a	single 24-hour period	. All samples mu	ist be recorded in the s	tatewide monitoring
45.29	system.				
45.30	<u>Subd. 3</u> .	Restricted access. (a	a) Except as othe	erwise provided in thi	s subdivision, a
45.31	cannabis bu	siness may not permit	any individual to	enter a restricted area	a unless the cannabis
45.32	business rec	cords the individual's n	ame, time of en	try, time of exit, and a	uthorization to enter
45.33	the restricte	ed area through use of	an electronic or	manual entry log and	the individual:

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46.1	<u>(1) is a can</u>	nabis worker empl	oyed by or contra	ncted with the cannal	ois business;
46.2	<u>(2) is an em</u>	ployee of the offic	ce or another enfo	preement agency;	
46.3	(3) is a cont	tractor of the cann	abis business, inc	luding but not limite	ed to an electrician,
46.4	a plumber, an e	engineer, or an alar	rm technician, wh	ose scope of work w	vill not involve the
46.5	handling of car	mabis flower or ca	nnabinoid produc	ets and, if the individ	ual is working in an
46.6	area with imme	ediate access to car	nnabis flower or o	cannabinoid product	s, the individual is
46.7	supervised at a	ll times by a canna	abis worker emplo	oyed by or contracte	d with the cannabis
46.8	business; or				
46.9	<u>(4) has expl</u>	icit authorization fr	rom the office to e	nter a restricted area	and, if the individual
46.10	is in an area wit	h immediate access	s to cannabis flow	er or cannabinoid pro	ducts, the individual
46.11	is supervised at	all times by a can	nabis worker emp	loyed by or contracte	ed with the cannabis
46.12	business.				
46.13	(b) A canna	ıbis business shall	ensure that all are	eas of entry to restric	eted areas within its
46.14	licensed premis	ses are conspicuou	sly marked and c	annot be entered wit	hout recording the
46.15	individual's nat	me, time of entry,	time of exit, and a	authorization to enter	r the restricted area.
46.16	<u>Subd. 4.</u> Ve	ntilation and filt	ration. A cannabi	s business must mai	ntain a ventilation
46.17	and filtration sy	ystem sufficient to	meet the requirer	nents for odor contro	ol established by the
46.18	office.				
46.19	<u>Subd. 5.</u> Re	cords. (a) A cann	abis business mus	st retain financial rec	cords for the current
46.20	and previous ta	x year at the prima	ry business location	on and must make the	ose records available
46.21	for inspection l	by the office at any	time during regu	ular business hours.	
46.22	(b) When ap	oplicable, a cannab	is business must n	naintain financial reco	ords for the previous
46.23	ten tax years ar	nd must make those	e records availabl	e for inspection with	in one business day
46.24	of receiving a 1	request for inspect	ion by the office.		
46.25	(c) The offi	ce may require a c	annabis business	to submit to an audi	t of its business
46.26	records. The of	fice may select or a	pprove the audito	r and the cannabis bu	siness must provide
46.27	the auditor with	h access to all bus	ness records. The	e cost of the audit mu	ust be paid by the
46.28	cannabis busin	ess.			
46.29	<u>Subd. 6.</u> Di	versity report. <u>A</u>	cannabis busines	s shall provide an an	nual report on the
46.30	status of divers	ity in the business	ownership, mana	gement, and employ	ment and in services
46.31	for which the b	ousiness contracts.			
46.32	<u>Subd. 7.</u> Us	e of statewide mo	onitoring system	<u>(a)</u> A cannabis busi	ness must use the
46.33	statewide moni	toring system for	integrated cannab	ois tracking, inventor	y, and verification

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47.1	to track all	cannabis plants, canna	abis flower, canna	abinoid products, and	l artificially derived
47.2	cannabinoi	ds the cannabis busine	ess has in its poss	ession to the point of	f disposal, transfer,
47.3	or sale.				
47.4	<u>(b)</u> For	the purposes of this su	ubdivision, a can	nabis business posses	ses the cannabis
47.5	plants and	cannabis flower that th	ne business cultiv	vates from seed or im	mature plant, if
47.6	applicable,	or receives from anot	her cannabis bus	iness, possesses the a	rtificially derived
47.7	<u>cannabinoi</u>	ds that the business cr	eates or receives	from another cannab	is business, and
47.8	possesses t	he cannabinoid produc	ts that the busine	ss manufactures or re	ceives from another
47.9	cannabis b	usiness.			
47.10	<u>(c)</u> Sale	and transfer of canna	bis plants, cannal	bis flower, cannabing	oid products, and
47.11	artificially	derived cannabinoids r	nust be recorded	in the statewide monit	oring system within
47.12	the time es	tablished by rule.			
47.13	Subd. 8	. Disposal; loss docum	entation. (a) A c	annabis business mus	dispose of cannabis
47.14	plants, can	nabis flower, cannabin	oid products, and	d artificially derived	cannabinoids that
47.15	are damage	ed, have a broken seal,	have been conta	minated, or have not	been sold by the
47.16	expiration	date on the label.			
47.17	<u>(b) Dis</u>	posal must be conduct	ed in a manner aj	oproved by the office	<u>.</u>
47.18	(c) Disp	posed products must b	e documented in	the statewide monito	ring system.
47.19	<u>(d) Any</u>	lost or stolen products	s must be reported	l to local law enforce	ment and a cannabis
47.20	business m	ust log any lost or stol	en products in th	e statewide monitori	ng system as soon
47.21	as the loss	is discovered.			
47.22	Subd. 9	. Sale of approved pro	oducts. A cannab	is business may only	sell cannabis plants,
47.23	cannabis flo	ower, cannabinoid prod	ucts, and artificia	lly derived cannabino	ds that are approved
47.24	by the offic	ce and that comply wit	h this chapter an	d rules adopted pursu	ant to this chapter
47.25	regarding t	he testing, packaging,	and labeling of c	annabis plants, canna	abis flower,
47.26	cannabinoi	d products, and artific	ially derived can	nabinoids.	
47.27	Subd. 1	0. Security. A cannab	is business must	maintain and follow	a security plan to
47.28	deter and p	prevent the theft or div	ersion of cannabi	s plants, cannabis flo	wer, cannabinoid
47.29	products, a	nd artificially derived c	annabinoids, una	uthorized entry into th	e cannabis business,
47.30	and the the	ft of currency.			
47.31	Subd. 1	1. Financial relations	ship. (a) Except f	for the lawful sale of	cannabis plants,
47.32	cannabis fl	ower, cannabinoid pro	ducts, and artifici	ally derived cannabir	oids in the ordinary
47.33	course of b	usiness and as otherwi	<u>se provided in th</u>	is subdivision, no car	nabis business may

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48.1	offer, give, accept, receive, or borrow money or anything else of value or accept or receive
48.2	credit from any other cannabis business. This prohibition applies to offering or receiving a
48.3	benefit in exchange for preferential placement by a cannabis retailer, including preferential
48.4	placement on the cannabis retailer's shelves, display cases, or website. This prohibition
48.5	applies to every cooperative member or every director, manager, and general partner of a
48.6	cannabis business.
48.7	(b) This prohibition does not apply to merchandising credit in the ordinary course of
48.8	business for a period not to exceed 30 days.
48.9	(c) This prohibition does not apply to free samples of useable cannabis flower or
48.10	cannabinoid products packaged in a sample jar protected by a plastic or metal mesh screen
48.11	to allow customers to smell the cannabis flower or cannabinoid product before purchase.
48.12	A sample jar may not contain more than eight grams of useable cannabis flower, eight grams
48.13	of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of
48.14	tetrahydrocannabinol.
48.15	(d) This prohibition does not apply to free samples of cannabis flower or cannabinoid
48.16	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality
48.17	control and to allow cannabis retailers to determine whether to offer a product for sale. A
48.18	sample provided for these purposes may not contain more than eight grams of useable
48.19	cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product
48.20	infused with 100 milligrams of tetrahydrocannabinol.
48.21	(e) This prohibition does not apply to any fee charged by a licensed cannabis event
48.22	organizer to a cannabis business for participation in a cannabis event.
48.23	Subd. 12. Customer privacy. A cannabis business must not share data on retail or
48.24	wholesale customers with any federal agency, federal department, or federal entity unless
48.25	specifically ordered by a state or federal court.
48.26	Sec. 21. [342.22] CANNABIS CULTIVATOR LICENSING.
48.27	Subdivision 1. Authorized actions. (a) A cannabis cultivator license entitles the license
48.28	holder to grow cannabis plants within the approved amount of space from seed or immature
48.29	plant to mature plant, harvest cannabis flower from a mature plant, package and label
48.30	cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis
48.31	manufacturer located on the same premises, and perform other actions approved by the
48.32	office.

48.33 (b) The office may issue an applicant either of the following types of cultivator licenses:

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49.1	<u>(</u> 1) a craf	t cultivator license, w	which allows cu	tivation by a license l	nolder of not more			
49.2	<u>than 10,000</u> t	feet of plant canopy ı	unless the office	e, by rule, increases th	at limit; or			
49.3	(2) a bulk	cultivator license, w	hich allows cul	tivation by a license h	nolder of not more			
49.4	<u> </u>	feet of plant canopy.		¥				
49.5	(c) The of	ffice may, by rule, inc	rease the limit of	on craft cultivator plan	t canopy to no more			
49.6	<u>.</u>			nat expansion is consi				
49.7	identified in	section 342.02, subdi	ivision 1.					
49.8	<u>Subd. 2.</u>	Additional informat	ion required. 1	n addition to the info	mation required to			
49.9	be submitted	under section 342.15	, subdivision 1,	and rules adopted purs	suant to that section,			
49.10	<u>a person, coc</u>	operative, or business	seeking a cann	abis cultivator license	e must submit the			
49.11	following inf	formation in a form a	pproved by the	office:				
49.12	<u>(1)</u> an ope	erating plan demonst	rating the prope	osed size and layout of	f the cultivation			
49.13	facility; plan	s for wastewater and	waste disposal	for the cultivation fac	ility; plans for			
49.14	providing ele	ectricity, water, and o	ther utilities ne	cessary for the normal	operation of the			
49.15	cultivation fa	cility; and plans for c	compliance with	n the applicable buildi	ng code and federal			
49.16	and state env	and state environmental and workplace safety requirements;						
49.17	<u>(2) a culti</u>	ivation plan demonst	rating the prope	osed size and layout of	f the cultivation			
49.18	facility that w	facility that will be used exclusively for cultivation including the total amount of plant						
49.19	canopy; and							
49.20	(3) evider	nce that the business	will comply wi	th the applicable oper	ation requirements			
49.21	for the licens	e being sought.						
49.22	<u>Subd. 3.</u>]	<u>Multiple licenses; lin</u>	mits. (a) A pers	on, cooperative, or bu	siness holding a			
49.23	cannabis cult	ivator license may als	o hold a cannab	is manufacturing licens	se, medical cannabis			
49.24	cultivator lice	ense, medical cannab	ois producer lice	ense, license to grow i	ndustrial hemp, and			
49.25	cannabis eve	nt organizer license.						
49.26	(b) Excep	ot as provided in para	graph (a), no pe	erson, cooperative, or	business holding a			
49.27	cannabis cult	ivator license may ow	n or operate any	y other cannabis busine	ess. This prohibition			
49.28	does not prev	ent the transportation	of cannabis flow	ver from a cannabis cul	tivator to a cannabis			
49.29	manufacture	r licensed to the same	person, cooper	ative, or business and	located on the same			
49.30	premises.							
49.31	<u>(c)</u> The or	ffice by rule may lim	it the number o	f cannabis cultivator l	icenses a person,			
49.32	cooperative,	or business may hold	<u>l.</u>					

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50.1	<u>(d)</u> For pu	rposes of this subdiv	ision, a restrictio	on on the number or ty	ype of license a	
50.2	business may	hold applies to every	y cooperative me	ember or every directo	or, manager, and	
50.3	general partn	er of a cannabis busir	ness.			
50.4	Subd. 4. Limitations on health care practitioners. A health care practitioner who					
50.5	certifies qual	ifying medical condit	tions for patients	is prohibited from:		
50.6	(1) holding a direct or indirect economic interest in a cannabis cultivator;					
50.7	(2) servin	g as a cooperative me	ember, director, 1	nanager, general part	ner, or employee	
50.8	of a cannabis	cultivator; or				
50.9	(3) advert	tising with a cannabis	cultivator in any	y way.		

50.10 Subd. 5. **Remuneration.** A cannabis cultivator is prohibited from:

50.11 (1) accepting or soliciting any form of remuneration from a health care practitioner who
 50.12 certifies qualifying medical conditions for patients; or

50.13 (2) offering any form of remuneration to a health care practitioner who certifies qualifying 50.14 medical conditions for patients.

50.15 Sec. 22. [342.23] CANNABIS CULTIVATOR OPERATIONS.

50.16 <u>Subdivision 1.</u> <u>Cultivation records.</u> <u>A cannabis cultivator must prepare a cultivation</u>

50.17 record for each batch of cannabis plants and cannabis flower in the form required by the

50.18 office and must maintain each record for at least five years. The cultivation record must

50.19 include the quantity and timing, where applicable, of each pesticide, fertilizer, soil

50.20 amendment, or plant amendment used to cultivate the batch, as well as any other information

50.21 required by the office in rule. A licensed cultivator must present cultivation records to the

50.22 office, the commissioner of agriculture, or the commissioner of health upon request.

50.23 Subd. 2. Agricultural chemicals and other inputs. A cannabis cultivator is subject to
 50.24 rules promulgated by the office governing the use of pesticides, fertilizers, soil amendments,
 50.25 plant amendments, and other inputs to cultivate cannabis.

50.26 Subd. 3. Cultivation plan. A cannabis cultivator must prepare, maintain, and execute

50.27 an operating plan and a cultivation plan as directed by the office in rule, which must include

- 50.28 but is not limited to:
- 50.29 <u>(1) water usage;</u>
- 50.30 <u>(2) recycling;</u>
- 50.31 (3) solid waste disposal; and

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51.1	(4) a pest n	nanagement protoco	l that incorpora	tes integrated pest man	agement principles			
51.2	to control or p	prevent the introduct	ion of pests to t	he cultivation site.				
51.3	Subd. 4. P	esticides; pollinato	r protection. (a) A cannabis cultivato	r must comply with			
51.4				vs and rules enforced b				
51.5	of agriculture.	<u>'</u>						
51.6	(b) A cann	(b) A cannabis cultivator must not apply pesticides when pollinators are present or allow						
51.7	pesticides to d	lrift to flowering pla	nts that are attr	active to pollinators.				
51.8	<u>Subd. 5.</u> A	dulteration prohib	ited. A cannabi	s cultivator must not t	reat or otherwise			
51.9	adulterate can	nabis plants or cann	abis flower witl	n any substance or con	npound that has the			
51.10	effect or inten	t of altering the colo	or, appearance,	weight, or smell of the	cannabis.			
51.11	<u>Subd. 6.</u> In	1door, outdoor cult	ivation author	ized; security. A cann	abis cultivator may			
51.12	cultivate cann	abis plants indoors o	or outdoors, sub	ject to the security, fer	ncing, lighting, and			
51.13	any other requ	irements imposed b	y the office in 1	ule.				
51.14	<u>Subd. 7.</u>	eed limitation. The	commissioner of	of agriculture must not	issue a genetically			
51.15	engineered ag	riculturally related c	organism permi	t under chapter 18F fo	r cannabis seed or			
51.16	cannabis plant	s. A cannabis cultiva	ntor must not cul	tivate a cannabis plant	that is a genetically			
51.17	engineered org	ganism as defined in	section 18F.02	, subdivision 5.				
51.18	Sec. 23. [34]	2.24] CANNABIS M	MANUFACTU	RER LICENSING.				
51.19	Subdivisio	n 1. Authorized act	tions. A cannab	ois manufacturer licens	se, consistent with			
51.20	the specific lic	ense endorsement o	or endorsements	s, entitles the license h	older to:			
51.21	(1) purchas	se cannabis flower, c	annabinoid proc	lucts, hemp plant parts	, hemp concentrate,			
51.22	and artificially	derived cannabinoid	ls from cannabis	cultivators, other cann	abis manufacturers,			
51.23	cannabis micr	obusinesses, and inc	lustrial hemp g	rowers;				
51.24	(2) accept	cannabis from unlic	ensed persons v	vho are at least 21 yea	rs of age provided			
51.25	that the canna	bis manufacturer do	es not accept m	ore than two ounces f	rom an individual			
51.26	on a single oc	casion;						
51.27	<u>(3) make c</u>	annabis concentrate	· · · · · · · · · · · · · · · · · · ·					
51.28	<u>(4) make h</u>	emp concentrate, in	cluding hemp c	oncentrate with a delt	<u>a-9</u>			
51.29	tetrahydrocan	nabinol concentratio	on of more than	0.3 percent as measur	ed by weight;			
51.30	<u>(5) manufa</u>	acture artificially der	rived cannabing	pids;				

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52.1	(6) manufact	ure cannabinoid j	products and he	mp-derived consumer p	roducts for public		
52.2	consumption;						
52.3	(7) package a	and label cannabi	noid products a	nd hemp-derived consu	mer products for		
52.4	sale to other can	nabis businesses;					
52.5	(8) sell cannabis concentrate, hemp concentrate, artificially derived cannabinoids,						
52.6	cannabinoid pro	ducts, and hemp-	derived consum	er products to other car	mabis businesses;		
52.7	and						
52.8	(9) perform of	other actions appr	oved by the off	ice.			
52.9	<u>Subd. 2.</u> Add	litional informat	tion required.]	n addition to the inform	nation required to		
52.10	be submitted und	ler section 342.15	, subdivision 1,	and rules adopted pursu	ant to that section,		
52.11	a person, cooper	ative, or business	seeking a canna	abis manufacturer licens	se must submit the		
52.12	following inform	nation in a form a	pproved by the	office:			
52.13	(1) an operat	ing plan demonst	rating the propo	osed layout of the facilit	y, including a		
52.14	diagram of venti	lation and filtrati	on systems; pla	ns for wastewater and w	vaste disposal for		
52.15	the manufacturin	ig facility; plans fo	or providing ele	ctricity, water, and other	utilities necessary		
52.16	for the normal o	peration of the m	anufacturing fac	cility; and plans for con	pliance with		
52.17	applicable build	ing code and fede	eral and state en	vironmental and workp	lace safety		
52.18	requirements; ar	<u>ıd</u>					
52.19	(2) evidence	that the business	will comply wi	th the applicable operat	ion requirements		
52.20	for the endorsen	nent being sought	<u>.</u>				
52.21	<u>Subd. 3.</u> Mu	ltiple licenses; li	mits. (a) A pers	on, cooperative, or busi	ness holding a		
52.22	cannabis manufa	cturer license may	also hold a can	nabis cultivator license, a	a medical cannabis		
52.23	cultivator licens	e, a medical cann	abis processor l	icense, and a cannabis e	event organizer		
52.24	license.						
52.25	(b) Except as	provided in para	igraph (a), no pe	erson, cooperative, or b	usiness holding a		
52.26	cannabis manufa	acturer license ma	ay own or opera	te any other cannabis b	usiness. This		
52.27	prohibition does	not prevent trans	sportation of car	nnabis flower from a car	nnabis cultivator		
52.28	to a cannabis ma	nufacturer license	ed to the same pe	erson, cooperative, or bu	siness and located		
52.29	on the same prei	nises.					
52.30	(c) The offic	e by rule may lim	it the number o	f cannabis manufacture	r licenses that a		
52.31	person or busine	ss may hold.					

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53.1	(d) For purpo	oses of this subdivi	sion, a restricti	on on the number or ty	pe of license that			
53.2	a business may hold applies to every cooperative member or every director, manager, and							
53.3	general partner of	of a cannabis busin	ess.					
53.4	Subd. 4. Limitations on health care practitioners. A health care practitioner who							
53.5	certifies qualifyi	ng medical conditi	ons for patient	s is prohibited from:				
53.6	(1) holding a direct or indirect economic interest in a cannabis manufacturer;							
53.7	(2) serving as a cooperative member, director, manager, general partner, or employee							
53.8	of a cannabis ma	anufacturer; or						
53.9	(3) advertisir	ng with a cannabis	manufacturer i	n any way.				
53.10	Subd. 5. Ren	nuneration. A can	nabis manufac	turer is prohibited from	<u>ı:</u>			
53.11	(1) accepting	or soliciting any fo	orm of remuner	ration from a health care	e practitioner who			
53.12	certifies qualifyi	ng medical conditi	ons for patient	<u>s; or</u>				
53.13	(2) offering a	ny form of remuner	ation to a health	n care practitioner who c	ertifies qualifying			
53.14	medical condition	ons for patients.						
53.15	Sec. 24. [342.2	25] CANNABIS M	IANUFACTU	RER OPERATIONS.				

53.16 Subdivision 1. All manufacturer operations. (a) Cannabis manufacturing must take

53.17 place in an enclosed, locked facility that is used exclusively for the manufacture of

53.18 <u>cannabinoid products, creation of hemp concentrate, or creation of artificially derived</u>

53.19 cannabinoids except that a business that also holds a cannabis cultivator license may operate

53.20 in a facility that shares general office space, bathrooms, entryways, and walkways.

53.21 (b) Cannabis manufacturing must take place on equipment that is used exclusively for

53.22 the manufacture of cannabinoid products, creation of hemp concentrate, or creation of

53.23 <u>artificially derived cannabinoids.</u>

53.24 (c) A cannabis manufacturer must comply with all applicable packaging, labeling, and
 53.25 health and safety requirements.

53.26 <u>Subd. 2. Extraction and concentration.</u> (a) A cannabis manufacturer that creates
53.27 <u>cannabis concentrate, hemp concentrate, or artificially derived cannabinoids must obtain</u>
53.28 an endorsement from the office.

- 53.29 (b) A cannabis manufacturer must inform the office of all methods of extraction and
 53.30 concentration that the manufacturer intends to use and identify the volatile chemicals, if
- 53.31 any, that will be involved in the creation of cannabis concentrate or hemp concentrate. A

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54.1	cannabis m	anufacturer may not u	se a method of e	xtraction and concen	tration or a volatile
54.2	chemical w	vithout approval by the	e office.		
54.3	(c) A ca	annabis manufacturer i	nust inform the	office of all methods	of conversion that
54.4	<u> </u>	cturer will use, includin			
54.5	to create art	ificially derived cannal	pinoids and the m	olecular nomenclatur	e of all cannabinoids
54.6	or other ch	emical compound that	the manufacture	er will create. A cann	abis manufacturer
54.7	<u>may not us</u>	e a method of convers	ion or a catalyst	without approval by	the office.
54.8	<u>(d)</u> A ca	nnabis manufacturer n	nust obtain a cert	ification from an inde	ependent third-party
54.9	industrial h	ygienist or profession	al engineer appro	oving:	
54.10	<u>(1) all e</u>	electrical, gas, fire supp	pression, and exh	naust systems; and	
54.11	(2) the	plan for safe storage a	nd disposal of ha	zardous substances,	including but not
54.12	limited to a	my volatile chemicals.			
54.13	<u>(e)</u> A ca	annabis manufacturer t	hat manufacture	s cannabis concentra	te from cannabis
54.14	flower rece	ived from an unlicense	ed person who is	at least 21 years of ag	ge must comply with
54.15	all health a	nd safety requirements	s established by t	he office. At a minin	num, the office shall
54.16	require a ca	annabis manufacturer t	to:		
54.17	<u>(1) store</u>	e the cannabis flower in	n an area that is se	egregated from canna	bis flower and hemp
54.18	plant parts	received from a licens	ed cannabis busi	ness;	
54.19	<u>(2) perf</u>	orm the extraction and	l concentration o	n equipment that is u	sed exclusively for
54.20	extraction	or concentration of car	nnabis flower rec	eived from unlicense	ed individuals;
54.21	<u>(3) store</u>	e any cannabis concentr	rate in an area tha	t is segregated from c	annabis concentrate,
54.22	hemp conce	entrate, or artificially de	erived cannabinoi	ds derived or manufac	ctured from cannabis
54.23	flower or h	emp plant parts receiv	ed from a license	ed cannabis business	; and
54.24	<u>(4) prov</u>	vide any cannabis conc	centrate only to the	he person who provid	led the cannabis.
54.25	<u>(f)</u> Upo	n the sale of cannabis	concentrate, hen	np concentrate, or art	ificially derived
54.26	cannabinoi	ds to any person, coope	erative, or busine	ss, a cannabis manufa	acturer must provide
54.27	a statement	to the buyer that disc	loses the method	of extraction and co	ncentration or
54.28	conversion	used and any solvents,	gases, or catalyst	ts, including but not li	mited to any volatile
54.29	chemicals,	involved in that metho	od.		
54.30	Subd. 3	. <u>Production of consu</u>	<u>mer products. (</u>	a) A cannabis manufa	ecturer that produces
54.31	edible cann	abinoid products must	obtain an edible o	cannabinoid product l	nandler endorsement
54.32	from the of	fice.			

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55.1	(b) A canna	abis manufacturer r	nust obtain an e	ndorsement from the	office to produce:
55.2	(1) cannabi	noid products othe	r than edible ca	nnabinoid products; or	-
55.3	<u>(2) hemp-d</u>	erived consumer pi	roducts other th	an hemp-derived topic	al products.
55.4	(c) All area	s within the license	ed premises of a	cannabis manufactur	er producing
55.5	cannabinoid pr	oducts or hemp-der	rived consumer	products must meet the	e sanitary standards
55.6	specified in rul	les adopted by the o	office.		
55.7	(d) A canna	abis manufacturer r	nay only add cl	emicals or compound	s approved by the
55.8	office to canna	bis concentrate, he	mp concentrate	, or artificially derived	l cannabinoids.
55.9	(e) Upon th	e sale of any canna	abinoid product	or hemp-derived cons	umer product to a
55.10	cannabis busin	ess, a cannabis mar	nufacturer must	provide a statement to	o the buyer that
55.11	discloses the pr	oduct's ingredients	, including but r	ot limited to any chem	icals or compounds
55.12	and any major	food allergens decl	lared by name.		
55.13	(f) A canna	bis manufacturer s	hall not add any	cannabis flower, can	nabis concentrate,
55.14	artificially deri	ved cannabinoid, h	emp plant part,	or hemp concentrate	to a product where
55.15	the manufactur	er of the product h	olds a trademar	k to the product's nam	e, except that a
55.16	cannabis manu	facturer may use a	trademarked for	od product if the man	ufacturer uses the
55.17	product as a co	omponent or as part	t of a recipe and	where the cannabis m	nanufacturer does
55.18	not state or adv	ertise to the custom	er that the final r	etail cannabinoid produ	act or hemp-derived
55.19	consumer prod	luct contains a trade	emarked food p	roduct.	
55.20	Sec. 25. [342	2.26] CANNABIS 1	RETAILER L	CENSING.	
55.21	Subdivision	1. Authorized act	t ions . A cannab	s retailer license entitle	es the license holder
55.22	<u>to:</u>				
55.23	(1) purchas	e immature cannab	ois plants and se	edlings, cannabis flow	ver, cannabinoid
55.24	products, and l	nemp-derived cons	umer products f	rom cannabis cultivate	ors, cannabis
55.25	manufacturers,	cannabis microbusi	nesses, cannabis	wholesalers, and indus	strial hemp growers;
55.26	<u>(2) sell imr</u>	nature cannabis pla	ints and seedling	gs, adult-use cannabis	flower, adult-use
55.27	cannabinoid pr	oducts, hemp-deriv	ved consumer p	roducts, and other prod	ducts authorized by
55.28	law to custome	ers; and			
55.29	(3) perform	n other actions appr	oved by the off	ice.	
55.30	<u>Subd. 2.</u> A	lditional informat	tion required. 1	n addition to the infor	mation required to
55.31	be submitted u	nder section 342.15	, subdivision 1,	and rules adopted purs	uant to that section,

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i	a person, cooperative, or business seeking a cannabis retail license must submit the following
	nformation in a form approved by the office:
	(1) a list of every retail license held by the applicant and, if the applicant is a business,
e	very retail license held, either as an individual or as part of another business, by each
0	officer, director, manager, and general partner of the cannabis business;
	(2) an operating plan demonstrating the proposed layout of the facility, including a
d	liagram of ventilation and filtration systems; policies to avoid sales to individuals who are
u	nder 21 years of age; identification of a restricted area for storage; and plans to prevent
t	he visibility of cannabis flower, cannabinoid products, and hemp-derived consumer products
t	o individuals outside the retail location; and
	(3) evidence that the business will comply with the applicable operation requirements
f	or the license being sought.
	Subd. 3. Multiple licenses; limits. (a) A person, cooperative, or business holding a
C	annabis retailer license may also hold a cannabis delivery service license, a medical cannabi
r	retailer license, and a cannabis event organizer license.
	(b) Except as provided in paragraph (a), no person, cooperative, or business holding a
c	annabis retailer license may own or operate any other cannabis business.
	(c) No person, cooperative, or business may hold a license to own or operate more than
C	one cannabis retail business in one city or county.
	(d) The office by rule may limit the number of cannabis retailer licenses a person,
C	cooperative, or business may hold.
	(e) For purposes of this subdivision, a restriction on the number or type of license a
ł	ousiness may hold applies to every cooperative member or every director, manager, and
£	general partner of a cannabis business.
	Subd. 4. Municipal or county cannabis store. A city or county may establish, own,
2	and operate a municipal cannabis store subject to the restrictions in this chapter.
	Subd. 5. Limitations on health care practitioners. A health care practitioner who
(certifies qualifying medical conditions for patients is prohibited from:
	(1) holding a direct or indirect economic interest in a cannabis retailer;
	(2) serving as a cooperative member, director, manager, general partner, or employee
	of a cannabis retailer; or
	(3) advertising with a cannabis retailer in any way.
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57.1	Subd. 6. Remu	ineration. A ca	nnabis retailer i	s prohibited from:	
57.2	(1) accepting o	r soliciting any	form of remuner	ration from a health c	are practitioner who
57.3	certifies qualifying	g medical condi	tions for patient	s; or	
57.4	(2) offering any	y form of remune	eration to a healt	h care practitioner wh	o certifies qualifying
57.5	medical condition	s for patients.			
57.6	Sec. 26. [342.27] CANNABIS	RETAILER OI	PERATIONS.	
57.7	Subdivision 1.	Sale of cannab	ois and cannabi	noid products. (a) A	cannabis retailer
57.8	may only sell imm	ature cannabis	plants and seedli	ngs, adult-use cannal	bis flower, adult-use
57.9	cannabinoid produ	ets, and hemp-o	derived consume	er products to individ	uals who are at least
57.10	21 years of age.				
57.11	(b) A cannabis	retailer may se	ll immature can	nabis plants and seed	lings, adult-use
57.12	cannabis flower, a	dult-use cannab	pinoid products,	and hemp-derived co	onsumer products
57.13	other than hemp-d	erived topical p	products that:		
57.14	(1) are obtained	d from a license	ed Minnesota car	nnabis cultivator, can	nabis manufacturer,
57.15	cannabis microbus	siness, or canna	bis wholesaler;	and	
57.16	(2) meet all ap	plicable packag	ing and labeling	requirements.	
57.17	(c) A cannabis	retailer may se	ll up to two oun	ces of adult-use cann	abis flower, eight
57.18	grams of adult-use	cannabis conce	entrate, and edib	le cannabinoid produ	cts infused with 800
57.19	milligrams of tetra	hydrocannabin	ol during a sing	le transaction to a cus	stomer.
57.20	(d) Edible can	nabinoid produc	ets may not inclu	ide more than ten mi	lligrams per serving
57.21	and a single packa	ge may not incl	lude more than a	a total of 100 milligra	ums of
57.22	tetrahydrocannabi	nol. A package	may contain mu	ultiple servings of ten	milligrams of
57.23	tetrahydrocannabi	nol provided that	at each serving is	s indicated by scoring	s, wrapping, or other
57.24	indicators designa	ting the individ	ual serving size.	<u>.</u>	
57.25	Subd. 2. Sale o	f other product	ts. (a) A cannabi	s retailer may sell can	nabis paraphernalia,
57.26	including but not l	imited to childp	proof packaging	containers and other	devices designed to
57.27	ensure the safe sto	rage and monite	oring of cannabi	s flower and cannabi	noid products in the
57.28	home to prevent a	ccess by individ	luals under 21 y	ears of age.	
57.29	(b) A cannabis	retailer may se	ll hemp-derived	topical products.	
57.30	(c) A cannabis	retailer may se	ll the following	products that do not	contain cannabis
57.31	flower, cannabis c	oncentrate, hen	np concentrate, a	artificially derived ca	nnabinoids, or
57.32	tetrahydrocannabi	nol:			

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58.1	(1) drinks th	nat do not contain	alcohol and are 1	backaged in sealed con	tainers labeled for
58.2	retail sale;				
58.3	(2) books at	nd videos on the c	ultivation and us	e of cannabis flower a	nd cannabinoid
58.4	products;				
	<u> </u>	as and other nubli	actions published	I primarily for informa	tion and advantion
58.5 58.6	··· -	ints, cannabis flow		l primarily for informa	
58.7	(4) multiple	-use bags designed	d to carry purcha	ased items;	
58.8	(5) clothing	marked with the s	specific name, bi	and, or identifying log	o of the cannabis
58.9	retailer; and				
58.10	(6) hemp fil	per products and p	roducts that con	tain hemp grain.	
58.11	Subd. 3. Ag	e verification. (a)	Prior to initiating	g a sale, an employee of	a cannabis retailer
58.12	must verify that	t the customer is a	t least 21 years of	of age.	
58.13	(b) Proof of	`age may be estab	lished only by or	ne of the following:	
58.14	<u>(1) a valid c</u>	lriver's license or i	dentification car	d issued by Minnesota	, another state, or
58.15	a province of C	anada, and includi	ng the photograp	h and date of birth of th	e licensed person;
58.16	<u>(2) a valid 7</u>	Tribal identificatio	n card as defined	l in section 171.072, pa	aragraph (b);
58.17	<u>(3) a valid p</u>	bassport issued by	the United State	<u>s;</u>	
58.18	<u>(</u> 4) a valid i	nstructional permi	t issued under se	ection 171.05 to a perso	on of legal age to
58.19	purchase adult-	use cannabis or adj	ult-use cannabing	oid products, which incl	udes a photograph
58.20	and the date of	birth of the person	n issued the perm	<u>nit; or</u>	
58.21	(5) in the ca	se of a foreign nat	tional, by a valid	passport.	
58.22	(c) A canna	bis retailer may se	eize a form of ide	entification listed under	r paragraph (b) if
58.23	the cannabis re	tailer has reasonab	ole grounds to be	lieve that the form of i	dentification has
58.24	been altered or	falsified or is beir	ng used to violate	e any law. A cannabis 1	etailer that seizes
58.25	a form of ident	ification as author	ized under this p	aragraph must deliver	it to a law
58.26	enforcement ag	gency within 24 ho	ours of seizing it.		
58.27	Subd. 4. Dis	play of cannabis	flower and cann	abinoid products. (a)	A cannabis retailer
58.28	must designate	a retail area where	e customers are p	ermitted. The retail are	a shall include the
58.29	portion of the pr	emises where sam	ples of cannabis t	flower and cannabinoid	products available
58.30	for sale are disp	olayed. All other c	annabis flower a	nd cannabinoid produc	ets must be stored
58.31	in the secure st	orage area.			

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59.1	(b) A cannabis retailer may display one sample of each type of cannabis flower or
59.2	cannabinoid product available for sale. Samples of cannabis flower and cannabinoid products
59.3	must be stored in a sample jar or display case and be accompanied by a label or notice
59.4	containing the information required to be affixed to the packaging or container containing
59.5	cannabis flower and cannabinoid products sold to customers. A sample may not consist of
59.6	more than eight grams of adult-use cannabis flower or adult-use cannabis concentrate or an
59.7	edible cannabinoid product infused with more than 100 milligrams of tetrahydrocannabinol.
59.8	A cannabis retailer may allow customers to smell the cannabis flower or cannabinoid product
59.9	before purchase.
59.10	(c) A cannabis retailer may not sell cannabis flower or cannabinoid products used as a
59.11	sample for display.
59.12	Subd. 5. Posting of notices. A cannabis retailer must post all notices as required by the
59.13	office, including but not limited to:
59.14	(1) information about any product recall;
59.15	(2) a statement that operating a motor vehicle under the influence of intoxicating
59.16	cannabinoids is illegal; and
59.17	(3) a statement that cannabis flower, cannabinoid products, and hemp-derived consumer
59.18	products are only intended for consumption by individuals who are at least 21 years of age.
59.19	Subd. 6. Hours of operation. (a) Except as provided by paragraph (b), a cannabis retailer
59.20	may not sell cannabis flower, cannabinoid products, or hemp-derived consumer products
59.21	between 2:00 a.m. and 8:00 a.m. on the days of Monday through Saturday, nor between
59.22	2:00 a.m. and 10:00 a.m. on Sunday.
59.23	(b) A city or county may adopt an ordinance to permit sales between 2:00 a.m. and 8:00
59.24	a.m. on the days of Monday through Saturday, or between 2:00 a.m. and 10:00 a.m. on
59.25	Sunday.
59.26	Subd. 7. Building conditions. (a) A cannabis retailer shall maintain compliance with
59.27	state and local building, fire, and zoning requirements or regulations.
59.28	(b) A cannabis retailer shall ensure that the licensed premises is maintained in a clean
59.29	and sanitary condition, free from infestation by insects, rodents, or other pests.
59.30	Subd. 8. Security. A cannabis retailer shall maintain compliance with security
59.31	requirements established by the office including but not limited to requirements for
59.32	maintaining video surveillance records, use of specific locking mechanisms, establishment
59.33	of secure entries, and the number of employees working at all times.

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60.1	<u>Subd. 9.</u> L	ighting. A cannabi	s retailer must ke	ep all lighting outsi	de and inside the
60.2	dispensary in	good working orde	r and wattage suf	ficient for security of	cameras.
60.3	Subd. 10.	Deliveries. Cannab	is retailers may o	nly accept deliveries	s of cannabis flower,
60.4	cannabinoid p	roducts, and hemp-	-derived consume	er products into a lin	nited access area.
60.5	Deliveries ma	y not be accepted the	hrough the public	access areas unless	otherwise approved
60.6	by the office.				
60.7	Subd. 11.	Prohibitions. A car	nnabis retailer sha	all not:	
60.8	<u>(1) sell car</u>	mabis flower or car	nnabinoid produc	ts to a person who is	s visibly intoxicated;
60.9	(2) knowir	ngly sell more cann	abis flower or car	nnabinoid products	than a customer is
60.10	legally permit	ted to possess;			
60.11	<u>(3) give av</u>	vay immature cann	abis plants or see	dlings, cannabis flov	wer, cannabinoid
60.12	products, or h	emp-derived consu	mer products;		
60.13	(4) operate	e a drive-through w	indow;		
60.14	<u>(5)</u> allow f	or the dispensing o	f cannabis plants,	cannabis flower, ca	annabinoid products,
60.15	or hemp-deriv	ved consumer produ	icts in vending m	achines; or	
60.16	(6) sell can	nabis plants, canna	bis flower, or can	nabinoid products if	the cannabis retailer
60.17	knows that an	y required security	or statewide mor	itoring systems are	not operational.
60.18	Subd. 12. 1	Retail location; phy	vsical separation	required. (a) A licer	nsed cannabis retailer
60.19	that is also a lie	censed medical can	nabis retailer may	sell medical cannabi	is flower and medical
60.20	cannabinoid p	roducts on a portio	n of its premises.		
60.21	<u>(b)</u> The po	rtion of the premise	es in which medic	cal cannabis flower	and medical
60.22	<u>cannabinoid p</u>	roducts are sold m	ust be definite and	d distinct from all of	ther areas of the
60.23	cannabis retai	ler, must be accesse	ed through a disti	nct entrance, and m	ust provide an
60.24	appropriate sp	ace for a pharmacis	t employee of the	medical cannabis re	etailer to consult with
60.25	the patient to c	letermine the proper	r type of medical o	cannabis flower and	medical cannabinoid
60.26	products and j	proper dosage for th	ne patient.		
60.27	Sec. 27. [34]	2.28] CANNABIS	WHOLESALE	R LICENSING.	
60.28	Subdivisio	n 1. Authorized a	ctions. A cannabi	s wholesaler license	e entitles the license

60.29 holder to:

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61.1	(1) purchase immature cannabis plants and seedlings, cannabis flower, cannabinoid
61.2	products, and hemp-derived consumer products from cannabis cultivators, cannabis
61.3	manufacturers, cannabis microbusinesses, and industrial hemp growers;
61.4	(2) sell immature cannabis plants and seedlings, cannabis flower, cannabinoid products,
61.5	and hemp-derived consumer products to cannabis manufacturers and cannabis retailers;
61.6	(3) import hemp-derived consumer products and lower potency edible products that
61.7	contain hemp concentrate or artificially derived cannabinoids that are derived from hemp
61.8	plants or hemp plant parts; and
61.9	(4) perform other actions approved by the office.
61.10	Subd. 2. Additional information required. In addition to the information required to
61.11	be submitted under section 342.15, subdivision 1, and rules adopted pursuant to that section,
61.12	a person, cooperative, or business seeking a cannabis wholesaler license must submit the
61.13	following information in a form approved by the office:
61.14	(1) an operating plan demonstrating the proposed layout of the facility including a
61.15	diagram of ventilation and filtration systems and policies to avoid sales to unlicensed
61.16	cannabis businesses; and
61.17	(2) evidence that the business will comply with the applicable operation requirements
61.18	for the license being sought.
61.19	Subd. 3. Multiple licenses; limits. (a) A person, cooperative, or business holding a
61.20	cannabis wholesaler license may also hold a cannabis transporter license, a cannabis delivery
61.21	service license, and a cannabis event organizer license.
61.22	(b) Except as provided in paragraph (a), no person, cooperative, or business holding a
61.23	cannabis wholesaler license may own or operate any other cannabis business.
61.24	(c) The office by rule may limit the number of cannabis wholesaler licenses a person or
61.25	business may hold.
61.26	(d) For purposes of this subdivision, a restriction on the number or type of license a
61.27	business may hold applies to every cooperative member or every director, manager, and
61.28	general partner of a cannabis business.
61.29	Sec. 28. [342.29] CANNABIS WHOLESALER OPERATIONS.
61.30	Subdivision 1. Separation of products. A cannabis wholesaler must ensure that cannabis
61.31	plants, cannabis flower, and cannabinoid products are physically separated from all other

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62.1	products, inclu	iding hemp-derived	l consumer prod	lucts, in a manner that	t prevents any
62.2	cross-contamin	nation.			· · · · · ·
(2,2)	Subd 2 D		A connobic wh	olesaler must maintain	a acquirata records
62.3 62.4				to cannabis plants, ca	
62.5		roducts, and hemp-		· · ·	ulliablis nower,
02.5					
62.6				wholesaler shall main	
62.7	with state and	local building, fire,	, and zoning req	uirements or regulation	ons.
62.8	(b) A canna	abis wholesaler sha	ll ensure that th	e licensed premises is	s maintained in a
62.9	clean and sanit	ary condition, free	from infestation	n by insects, rodents,	or other pests.
62.10	<u>Subd. 4.</u> Sa	lle of other produc	cts. A cannabis	wholesaler may purch	nase and sell other
62.11	products or ite	ms for which the ca	annabis wholesa	ller has a license or au	uthorization or that
62.12	do not require	a license or author	ization. Product	s for which no license	e or authorization is
62.13	required includ	le but are not limite	ed to industrial he	emp products, produc	ts that contain hemp
62.14	grain, and can	nabis paraphernalia	i, including but i	not limited to childpro	oof packaging
62.15	containers and	other devices desig	gned to ensure th	e safe storage and mo	nitoring of cannabis
62.16	flower and can	nabinoid products	in the home to p	prevent access by indi	viduals under 21
62.17	years of age.				
62.18	<u>Subd. 5.</u> In	portation of hemp	-derived produ	cts. (a) A cannabis wh	olesaler that imports
62.19	lower potency	edible products or h	emp-derived con	nsumer products, othe	r than hemp-derived
62.20	topical produc	ts, that are manufac	ctured outside th	e boundaries of the s	tate of Minnesota
62.21	with the intent	to sell the products	s to a cannabis r	etailer or lower poten	cy edible product
62.22	retailer must of	btain a hemp-deriv	ed product impo	orter endorsement from	m the office.
62.23	(b) A canna	bis wholesaler wit	h a hemp-derive	d product importer er	ndorsement may sell
62.24	products manu	factured outside th	e boundaries of	the state of Minnesot	a if:
62.25	<u>(1)</u> the man	ufacturer is licensec	l in another juris	diction and subject to a	regulations designed
62.26	to protect the h	ealth and safety of	consumers that	the office determines	s are substantially
62.27	similar to the r	egulations in this s	tate; or		
62.28	(2) the can	nabis wholesaler es	stablishes, to the	satisfaction of the of	fice, that the
62.29	manufacturer e	engages in practices	s that are substar	ntially similar to the p	ractices required for
62.30	licensure of ma	anufacturers in this	state.		
62.31	(c) The can	nabis wholesaler n	nust enter all rel	evant information reg	arding an imported
62.32	product into th	e statewide monito	oring system bef	ore the product may b	be distributed to a
62.33	licensed canna	bis retailer or lowe	er potency edible	e product retailer. Rel	evant information

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63.1 includes information regarding the cultivation, processing, and testing of the industrial hemp
63.2 used in the manufacture of the product and information regarding the testing of the lower
63.3 potency edible product or hemp-derived consumer product. If information regarding the
63.4 industrial hemp, lower potency edible product, or hemp-derived consumer product was
63.5 submitted to a statewide monitoring system used in another state, the office may require
63.6 submission of any information provided to that statewide monitoring system and shall assist

- 63.7 <u>in the transfer of data from another state as needed and in compliance with any data</u>
- 63.8 <u>classification established by either state.</u>
- (d) The office may suspend, revoke, or cancel the endorsement of a distributor who is 63.9 prohibited from distributing products containing cannabinoids in any other jurisdiction, 63.10 convicted of an offense involving the distribution of products containing cannabinoids in 63.11 any other jurisdiction, or found liable for distributing any product that injured customers in 63.12 any other jurisdiction. A cannabis wholesaler shall disclose all relevant information related 63.13 to actions in another jurisdiction. Failure to disclose relevant information may result in 63.14 disciplinary action by the office, including the suspension, revocation, or cancellation of 63.15 an endorsement or license. 63.16
- 63.17 (e) Notwithstanding any law to the contrary, it shall not be a defense in any civil or
 63.18 criminal action that a licensed wholesaler relied on information on a product label or
 63.19 otherwise provided by a manufacturer who is not licensed in this state.
- 63.20 Sec. 29. [342.30] CANNABIS TRANSPORTER LICENSING.

63.21 Subdivision 1. Authorized actions. A cannabis transporter license entitles the license holder to transport immature cannabis plants and seedlings, cannabis flower, cannabinoid 63.22 products, artificially derived cannabinoids, hemp plant parts, hemp concentrate, and 63.23 hemp-derived consumer products from cannabis cultivators, cannabis manufacturers, cannabis 63.24 wholesalers, cannabis microbusinesses, medical cannabis retailers, medical cannabis 63.25 processors, and industrial hemp growers to cannabis manufacturers, cannabis testing facilities, 63.26 cannabis wholesalers, cannabis retailers, lower potency edible product retailers, medical 63.27 63.28 cannabis processors, and medical cannabis retailers and perform other actions approved by 63.29 the office.

63.30 Subd. 2. Additional information required. In addition to the information required to 63.31 be submitted under section 342.15, subdivision 1, and rules adopted pursuant to that section, 63.32 a person, cooperative, or business seeking a cannabis transporter license must submit the 63.33 following information in a form approved by the office:

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	<u>(1)</u> an app	propriate surety bond	d, certificate of in	nsurance, qualificatio	ns as a self-insurer,
	or other secu	rities or agreements,	, in the amount o	f not less than \$300,0	000, for loss of or
	damage to ca	rgo;			
	(2) an app	propriate surety bond	d, certificate of in	nsurance, qualificatio	ns as a self-insurer,
	or other secu	rities or agreements,	, in the amount o	f not less than \$1,000),000, for injury to
	one or more	persons in any one a	ccident and, if a	n accident has resulte	d in injury to or
	destruction o	f property, of not les	ss than \$100,000	because of such inju	ry to or destruction
	of property o	f others in any one a	accident;		
	(3) the nu	mber and type of equ	uipment the busin	ness will use to transp	oort cannabis flower
	and cannabin	oid products;			
	<u>(4) a load</u>	ing, transporting, an	d unloading plar	<u>l;</u>	
	(5) a desc	ription of the applic	ant's experience	in the distribution or	security business;
	and		-		
	<u>(6)</u> evider	nce that the business	will comply wit	h the applicable oper	ation requirements
	for the licens	e being sought.			
	Subd. 3. I	Multiple licenses; li	mits. (a) A perso	on, cooperative, or bu	siness holding a
	cannabis tran	sporter license may a	ulso hold a cannal	ois wholesaler license,	, a cannabis delivery
	service licens	se, and a cannabis ev	vent organizer lic	ense.	
	(b) Excep	t as provided in para	agraph (a), no pe	rson, cooperative, or	business holding a
(cannabis tran	sporter license may	own or operate a	any other cannabis bu	isiness.
	<u>(c)</u> The of	ffice by rule may lim	nit the number of	cannabis transporter	licenses a person or
	business may	<u>v hold.</u>			
	<u>(d)</u> For pu	urposes of this subdi	vision, restriction	ns on the number or t	ype of license a
	business may	hold apply to every	cooperative me	mber or every directo	or, manager, and
	general partn	er of a cannabis bus	iness.		
	Sec. 30. [34	42.31] CANNABIS	TRANSPORT	ER OPERATIONS.	
	Subdivisi	on 1. Manifest requ	iired. Before trai	nsporting cannabis pl	ants and seedlings,
				v derived cannabinoid	
				ansporter shall obtain	
	on a form esta	ablished by the offic	e. The manifest r	nust be kept with the	products at all times
	and the canna				

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65.1	Subd. 2. Records of transportation. Records of transportation must be kept for a
65.2	minimum of three years at the cannabis transporter's place of business and are subject to
65.3	inspection upon request by the office or law enforcement agency. Records of transportation
65.4	include the following:
65.5	(1) copies of transportation manifests for all deliveries;
65.6	(2) a transportation log documenting the chain of custody for each delivery, including
65.7	every employee and vehicle used during transportation; and
65.8	(3) financial records showing payment for transportation services.
65.9	Subd. 3. Storage compartment. Cannabis plants and seedlings, cannabis flower,
65.10	cannabinoid products, artificially derived cannabinoids, hemp plant parts, and hemp-derived
65.11	consumer products must be transported in a locked, safe, and secure storage compartment
65.12	that is part of the motor vehicle or in a locked storage container that has a separate key or
65.13	combination pad. Cannabis plants and seedlings, cannabis flower, cannabinoid products,
65.14	artificially derived cannabinoids, hemp plant parts, and hemp-derived consumer products
65.15	may not be visible from outside the motor vehicle.
65.16	Subd. 4. Identifying logos or business names prohibited. No vehicle or trailer may
65.17	contain an image depicting the types of items being transported, including but not limited
65.18	to an image depicting a cannabis or hemp leaf, or a name suggesting that the vehicle is used
65.19	in transporting cannabis plants and seedlings, cannabis flower, cannabinoid products,
65.20	artificially derived cannabinoids, hemp plant parts, or hemp-derived consumer products.
65.21	Subd. 5. Randomized deliveries. A cannabis transporter shall ensure that all delivery
65.22	times and routes are randomized.
65.23	Subd. 6. Multiple employees. All cannabis transporter vehicles transporting cannabis
65.24	plants and seedlings, cannabis flower, cannabinoid products, artificially derived cannabinoids,
65.25	hemp plant parts, or hemp-derived consumer products must be staffed with a minimum of
65.26	two employees. At least one delivery team member shall remain with the motor vehicle at
65.27	all times that the motor vehicle contains cannabis plants and seedlings, cannabis flower,
65.28	cannabinoid products, artificially derived cannabinoids, hemp plant parts, or hemp-derived
65.29	consumer products.
65.30	Subd. 7. Nonemployee passengers prohibited. Only a cannabis worker employed by
65.31	or contracted with the cannabis transporter and who is at least 21 years of age may transport
65.32	cannabis plants and seedlings, cannabis flower, cannabinoid products, artificially derived

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66.1	cannabino	ids, hemp plant parts, o	or hemp-derived	consumer products. A	All passengers in a
66.2		ist be cannabis workers			
66.3	Subd. 8	8. Drivers license requ	i ired. All driver	s must carry a valid di	river's license with
66.4		endorsements when ope			
66.5	cannabis f	lower, or cannabinoid p	products.		
66.6	Subd.	9. Vehicles subject to i	nspection. Any	vehicle assigned for t	he purposes of
66.7		ng cannabis plants and s			
66.8	inspected	at any licensed cannabi	s business or wl	nile en route during tra	insportation.
66.9	Sec. 31.	[342.32] CANNABIS	TESTING FAC	CILITY LICENSING	Y F.
66.10	Subdiv	vision 1. Authorized act	t ions. A cannabi	s testing facility license	e entitles the license
66.11	holder to c	obtain and test immatur	e cannabis plant	ts and seedlings, canna	abis flower,
66.12	cannabino	id products, hemp plant	parts, hemp con	centrate, artificially de	rived cannabinoids,
66.13	and hemp-	-derived consumer prod	lucts from canna	abis cultivators, canna	bis manufacturers,
66.14	cannabis v	vholesalers, cannabis m	nicrobusinesses,	medical cannabis cult	ivators, medical
66.15	<u>cannabis p</u>	processors, and industria	al hemp grower	<u>S.</u>	
66.16	Subd. 2	2. Additional information	tion required. I	n addition to the infor	mation required to
66.17	be submitt	ed under section 342.15	, subdivision 1,	and rules adopted purs	uant to that section,
66.18	a person, c	cooperative, or business	s seeking a cann	abis testing facility lic	ense must submit
66.19	the follow	ing information in a for	rm approved by	the office:	
66.20	<u>(1) an</u>	operating plan demonst	rating the prope	osed layout of the facil	ity, including a
66.21	diagram of	f ventilation and filtrati	on systems and	policies to avoid sales	to unlicensed
66.22	businesses	<u>.</u>			
66.23	<u>(2) pro</u>	of of accreditation by a	laboratory accre	diting organization app	proved by the office
66.24	<u>that, at a n</u>	ninimum, requires a lab	oratory to opera	te formal managemen	t systems under the
66.25	Internation	nal Organization for Sta	andardization; a	nd	
66.26	<u>(3) evi</u>	dence that the business	will comply wi	th the applicable opera	ation requirements
66.27	for the lice	ense being sought.			
66.28	Subd.	3. Multiple licenses; li	mits. (a) A pers	on, cooperative, or bu	siness holding a
66.29	cannabis t	esting facility license m	nay not own or o	operate, or be employe	ed by, any other
66.30	<u>cannabis b</u>	ousiness.			
66.31	<u>(b) The</u>	e office by rule may lim	it the number of	cannabis testing facili	ty licenses a person
66.32	or busines	s may hold.			

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67.1	(c) For purp	oses of this subdiv	vision, a restrict	ion on the number of	licenses a business
67.2	· · · ·			r every director, mana	
67.3	partner of a can			-	
67.4	Sec. 32. [342.	33] CANNABIS	FESTING FA	CILITY OPERATIO	DNS.
67.5	Subdivision	1. Testing service	es. A cannabis t	esting facility shall pr	rovide some or all
67.6	testing services	required under see	ction 342.60 an	d rules adopted pursu	ant to that section.
67.7	Subd. 2. Tes	sting protocols. A	cannabis testin	g facility shall follow	all testing protocols,
67.8	standards, and o	riteria adopted by	rule by the off	ice for the testing of d	lifferent forms of
67.9	cannabis flower	and cannabinoid p	roducts; determ	ining batch size; samp	ling; testing validity;
67.10	and approval ar	nd disapproval of t	ested cannabis	plants and seedlings,	cannabis flower,
67.11	cannabinoid pro	ducts, hemp plant	parts, hemp cor	centrate, artificially de	erived cannabinoids,
67.12	and hemp-deriv	ved consumer prod	ucts.		
67.13	<u>Subd. 3.</u> Re	cords. Records of	all business tra	nsactions and testing	results; records
67.14	required to be m	aintained pursuant	to any applical	ble standards for accred	ditation; and records
67.15	relevant to testi	ng protocols, stand	lards, and crite	ria adopted by the off	ice must be kept for
67.16	<u>a minimum of t</u>	hree years at the ca	annabis testing	facility's place of busi	ness and are subject
67.17	to inspection up	on request by the	office or law er	nforcement agency.	
67.18	Subd. 4. Dis	posal of cannabis	s flower and ca	annabinoid products	• A testing facility
67.19	shall dispose of	or destroy used, u	nused, and was	te cannabis plants and	seedlings, cannabis
67.20	flower, cannabi	noid products, hen	np plant parts, l	nemp concentrate, arti	ificially derived
67.21	<u>cannabinoids, a</u>	nd hemp-derived c	onsumer produ	cts pursuant to rules a	dopted by the office.
67.22	Sec. 33. [342.	34] CANNABIS I	MICROBUSI	NESS LICENSING.	
67.23	Subdivision	1. Authorized ac	tions. <u>A</u> cannal	ois microbusiness lice	ense, consistent with
67.24	the specific lice	nse endorsement o	r endorsements	, entitles the license he	older to perform any
67.25	or all of the foll	owing:			
67.26	(1) grow can	nabis plants from	seed or immatu	are plant to mature pla	nt, harvest cannabis
67.27	flower from a m	ature plant and pac	ckage and label	cannabis flower for sa	ale to other cannabis
67.28	businesses;				
67.29	(2) create ca	nnabis concentrate	e;		
67.30	<u>(3) manufac</u>	ture cannabinoid p	products for pul	olic consumption;	

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68.1	(4) pure	chase cannabis concent	rate and hemp c	oncentrate from a canr	nabis manufacturer,
68.2	<u> </u>	holesaler, or licensed he			
68.3	<u>(5) sell</u>	immature cannabis pla	nts and seedling	gs, adult-use cannabis	flower, adult-use
68.4	cannabino	id products, hemp-deriv	ved consumer p	roducts, and other proc	ducts authorized by
68.5	law to cust	tomers;			
68.6	<u>(6)</u> ope	erate an establishment th	nat permits on-s	site consumption of ed	ible cannabinoid
68.7	products; a	and			
68.8	(7) per	form other actions appr	oved by the off	ice.	
68.9	Subd. 2	2. Additional informat	ion required.	n addition to the infor	mation required to
68.10	be submitt	ed under section 342.15	, subdivision 1,	and rules adopted purs	uant to that section,
68.11	a person, c	cooperative, or business	seeking a cann	abis microbusiness lic	ense must submit
68.12	the follow	ing information in a for	m approved by	the office:	
68.13	<u>(1)</u> an o	operating plan demonst	rating the prope	osed layout of the facil	ity, including a
68.14	diagram of	f ventilation and filtration	on systems; pla	ns for wastewater and	waste disposal for
68.15	any cultiva	ation or manufacturing a	activities; plans	for providing electrici	ty, water, and other
68.16	utilities ne	cessary for the normal	operation of an	y cultivation or manufa	acturing activities;
68.17	plans for c	ompliance with applical	ole building cod	le and federal and state	environmental and
68.18	workplace	safety requirements and	d policies; and p	plans to avoid sales to u	Inlicensed cannabis
68.19	businesses	and individuals under	21 years of age	• <u>2</u>	
68.20	<u>(2) if th</u>	ne applicant is seeking a	an endorsement	to cultivate cannabis	plants and harvest
68.21	cannabis f	lower, a cultivation plan	n demonstrating	g the proposed size and	l layout of the
68.22	cultivation	facility that will be use	ed exclusively f	for cultivation includin	g the total amount
68.23	of plant ca	nopy;			
68.24	(3) if th	e applicant is seeking an	n endorsement t	o create cannabis conce	entrate, information
68.25	identifying	g all methods of extracti	on and concent	ration that the applican	t intends to use and
68.26	the volatile	e chemicals, if any, that	will be involve	ed in extraction or cond	centration; and
68.27	<u>(4) evic</u>	dence that the applicant	will comply w	ith the applicable oper	ation requirements
68.28	for the lice	ense being sought.			
68.29	Subd. 3	3. Multiple licenses; lin	nits. (a) A pers	on, cooperative, or bus	siness holding a
68.30	<u>cannabis n</u>	nicrobusiness license m	ay also hold a c	cannabis event organiz	er license.
68.31	<u>(b) Exc</u>	cept as provided in para	graph (a), no pe	erson, cooperative, or l	ousiness holding a
68.32	<u>cannabis n</u>	nicrobusiness license m	ay own or oper	ate any other cannabis	business.

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69.1	(c) The offi	ce by rule may limi	t the number o	f cannabis microbusir	ness licenses that a	
69.2		(c) The office by rule may limit the number of cannabis microbusiness licenses that a person or business may hold.				
69.3	(d) For pur	ooses of this subdivi	ision, a restric	ion on the number or	type of license that	
69.4	<u> </u>			member or every dire		
69.5	general partner	of a cannabis busin	less.			
69.6	Sec. 34. [342	.35] CANNABIS N	1ICROBUSI	NESS OPERATIONS	<u>5.</u>	
69.7	Subdivisior	<u>1. Cultivation end</u>	lorsement. (a)	A cannabis microbus	iness that cultivates	
69.8	cannabis plants	and harvests cannal	bis flower mus	t comply with the req	uirements in section	
69.9	342.23.					
69.10	(b) A canna	bis microbusiness th	nat cultivates c	annabis may cultivate	not more than 2,000	
69.11	square feet of p	plant canopy unless	the office, by	rule, increases that lin	nit. The office may,	
69.12	by rule, increas	se the limit on plant	canopy to no	more than 5,000 squar	re feet if the office	
69.13	determines that	expansion is consiste	ent with the go	als identified in section	342.02, subdivision	
69.14	<u>1.</u>					
69.15	<u>Subd. 2.</u> Ex	traction and conce	entration end	orsement. A cannabis	microbusiness that	
69.16	creates cannab	is concentrate must	comply with t	ne requirements in sec	ction 342.25,	
69.17	subdivisions 1	and 2.				
69.18	<u>Subd. 3.</u> Pr	oduction of custom	ner products o	endorsement. A cann	abis microbusiness	
69.19	that manufactu	rers edible cannabir	noid products 1	nust comply with the	requirements in	
69.20	section 342.25	, subdivisions 1 and	3.			
69.21	<u>Subd. 4.</u> Re	etail operations end	lorsement. <u>A</u>	cannabis microbusine	ss that operates a	
69.22	retail location 1	must comply with th	ne requirement	s in section 342.27.		
69.23	<u>Subd. 5.</u> Or	1-site consumption	endorsement	(a) A cannabis microl	ousiness may permit	
69.24	on-site consum	ption of edible canr	nabinoid produ	cts on a portion of its	premises.	
69.25	(b) The por	tion of the premises	in which on-s	ite consumption is pe	rmitted must be	
69.26	definite and dis	stinct from all other a	areas of the mi	crobusiness and must	be accessed through	
69.27	a distinct entra	nce.				
69.28	(c) Edible c	annabinoid product	s sold for on-s	ite consumption must	comply with this	
69.29	chapter and rul	es adopted pursuant	to this chapte	r regarding the testing	, packaging, and	
69.30	labeling of can	nabinoid products.				

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70.1	(d) Edib	ole cannabinoid produc	ets sold for on-s	ite consumption must	be served in the		
70.2	required pa	ckaging, but may be re	emoved from th	e products' packaging	by customers and		
70.3	consumed of	on site.					
70.4	<u>(e)</u> Food	(e) Food and beverages not otherwise prohibited by this subdivision may be prepared					
70.5	and sold on	and sold on site provided that the cannabis microbusiness complies with all relevant state					
70.6	and local la	ws, ordinances, licens	ing requirement	s, and zoning require	ments.		
70.7	<u>(f)</u> A can	nnabis microbusiness s	hall ensure that	the display and consur	nption of any edible		
70.8	cannabinoi	d product is not visible	e from outside o	f the licensed premise	es of the business.		
70.9	<u>(g)</u> A ca	annabis microbusiness	may offer recor	ded or live entertainm	nent provided that		
70.10	the cannabi	is microbusiness comp	lies with all rele	evant state and local la	aws, ordinances,		
70.11	licensing re	equirements, and zonin	g requirements.				
70.12	<u>(h) A ca</u>	annabis microbusiness	may not:				
70.13	(1) sell	edible cannabinoid pro	oducts to an indi	vidual who is under 2	21 years of age;		
70.14	<u>(2) pern</u>	(2) permit an individual who is under 21 years of age to enter the premises;					
70.15	(3) sell :	(3) sell more than one single serving of an edible cannabinoid product to a customer;					
70.16	(4) sell :	(4) sell an edible cannabinoid product to a person who is visibly intoxicated;					
70.17	(5) sell	(5) sell or allow the sale or consumption of alcohol or tobacco on the premises;					
70.18	<u>(6) sell p</u>	products that are intend	ed to be eaten or	consumed as a drink,	other than packaged		
70.19	and labeled edible cannabinoid products, that contain cannabis flower or hemp plant parts						
70.20	or are infused with cannabis concentrate, hemp concentrate, or artificially derived						
70.21	cannabinoi	ds;					
70.22	<u>(7) pern</u>	(7) permit edible cannabinoid products sold in the portion of the area designated for					
70.23	on-site consumption to be removed from that area;						
70.24	<u>(8)</u> pern	nit adult-use cannabis	flower, adult-us	e cannabinoid produc	ts, or tobacco to be		
70.25	consumed through smoking or a vaporized delivery method on the premises; or						
70.26	<u>(9)</u> distr	bute or allow free san	ples of adult-us	e cannabis flower, ad	ult-use cannabinoid		
70.27	products, or	r hemp-derived consur	mer products.				
70.28	Sec. 35. [342.36] CANNABIS	EVENT ORGA	NIZER LICENSIN	<u>G.</u>		
70.29	Subdivi	sion 1. Authorized ac	tions. A cannah	ois event organizer lice	ense entitles the		
70.30		der to organize a temp					
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71.1	Subd. 2. Additional information required. (a) In addition to the information required
71.2	to be submitted under section 342.15, subdivision 1, and rules adopted pursuant to that
71.3	section, a person, cooperative, or business seeking a cannabis event organizer license must
71.4	submit the following information in a form approved by the office:
71.5	(1) the type and number of any other cannabis business license held by the applicant;
71.6	(2) the address and location where the temporary cannabis event will take place;
71.7	(3) the name of the temporary cannabis event;
71.8	(4) a diagram of the physical layout of the temporary cannabis event showing where the
71.9	event will take place on the grounds, all entrances and exits that will be used by participants
71.10	during the event, all cannabis consumption areas, all cannabis retail areas where cannabis
71.11	flower and cannabinoid products will be sold, the location where cannabis waste will be
71.12	stored, and any location where cannabis flower and cannabinoid products will be stored;
71.13	(5) a list of the name, number, and type of cannabis businesses that will sell cannabis
71.14	plants, adult-use cannabis flower, adult-use cannabinoid products, and hemp-derived
71.15	consumer products at the event, which may be supplemented or amended within 72 hours
71.16	of the time at which the cannabis event begins;
71.17	(6) the dates and hours during which the cannabis event will take place;
71.18	(7) proof of local approval for the cannabis event; and
71.19	(8) evidence that the business will comply with the applicable operation requirements
71.20	for the license being sought.
71.21	(b) A person, cooperative, or business seeking a cannabis event organizer license may
71.22	also disclose whether the person or any officer, director, manager, and general partner of a
71.23	cannabis business is serving or has previously served in the military.
71.24	Subd. 3. Multiple licenses; limits. (a) A person, cooperative, or business holding a
71.25	cannabis event organizer license may not hold a cannabis testing facility license.
71.26	(b) The office by rule may limit the number of cannabis event licenses that a person or
71.27	business may hold.
71.28	(c) For purposes of this subdivision, restrictions on the number or type of license that a
71.29	business may hold apply to every cooperative member or every director, manager, and
71.30	general partner of a cannabis business.

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72.1	Sec. 36. [342	.37] CANNABIS I	EVENT ORG	ANIZER OPERATIO	NS.
72.2	Subdivision	<u>1 1. Local approval</u>	I. <u>A cannabis e</u>	vent organizer must rece	eive local approval,
72.3	including obtai	ning any necessary	permits or lice	enses issued by a local u	nit of government,
72.4	before holding	a cannabis event.			
72.5	Subd. 2. Cl	narging fees. (a) A	cannabis even	t organizer may charge	an entrance fee to
72.6	a cannabis even	<u>nt.</u>			
72.7	(b) A canna	ıbis event organizer	may charge a	fee to a cannabis busine	ess in exchange for
72.8	space to display	y and sell cannabis	flower and ca	nnabinoid products. An	y fee paid for
72.9	participation in	a cannabis event s	hall not be bas	ed on or tied to the sale	of cannabis plants,
72.10	adult-use canna	abis flower, adult-u	se cannabinoi	l products, or hemp-der	ived consumer
72.11	products.				
72.12	<u>Subd. 3.</u> Se	curity. A cannabis	event organize	r must hire or contract fo	or licensed security
72.13	personnel to pr	ovide security servi	ices at the can	nabis event. All security	personnel hired or
72.14	contracted for	shall be at least 21	years of age an	nd present on the license	ed event premises
72.15	at all times that cannabinoid products are available for sale or consumption of adult-use				
72.16	cannabis flower or adult-use cannabinoid products is allowed. The security personnel shall				
72.17	not consume ca	annabis flower or ca	annabinoid pro	ducts for at least 24 hou	irs before the event
72.18	or during the e	vent.			
72.19	<u>Subd. 4. Li</u>	mited access to ev	ent. A cannab	is event organizer shall	ensure that access
72.20	to an event is li	mited to individual	s who are at le	east 21 years of age. At	or near each public
72.21	entrance to any	area where the sale	or consumption	on of adult-use cannabis	flower or adult-use
72.22	cannabinoid pr	oducts is allowed, a	a cannabis even	nt organizer shall mainta	ain a clearly visible
72.23	and legible sign	n consisting of the	following state	ement: No persons unde	r 21 allowed. The
72.24	lettering of the	sign shall be not le	ess than one in	ch in height.	
72.25	Subd. 5. Ca	annabis waste. A ca	annabis event o	organizer shall ensure th	at all used, unused,
72.26	and waste cann	abis plants, cannab	ois flower, can	nabinoid products, and	hemp-derived
72.27	consumer prod	ucts that are not ren	moved by a cu	stomer or cannabis busi	iness are disposed
72.28	of in a manner	approved by the of	fice.		
72.29	<u>Subd. 6.</u> Tr	ansportation of ca	nnabis plants	, flower, and products	. All transportation
72.30	of cannabis pla	ints, adult-use cann	abis flower, ac	lult-use cannabinoid pro	oducts, and
72.31	hemp-derived	consumer products	intended for d	isplay or sale and all ca	nnabis plants,
72.32	adult-use canna	abis flower, adult-u	se cannabinoi	d products, and hemp-d	erived consumer
72.33	products used t	for display or not so	old during the	cannabis event must be	transported to and
72.34	from the canna	bis event by a licen	nsed cannabis	ransporter.	

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73.1	Subd. 7. Cannabis event sales. (a) Licensed cannabis retailers and licensed cannabis
73.2	microbusinesses with an endorsement to sell cannabis plants, adult-use cannabis flower,
73.3	adult-use cannabinoid products, and hemp-derived consumer products to customers, including
73.4	the cannabis event organizer, may sell cannabis plants, adult-use cannabis flower, adult-use
73.5	cannabinoid products, and hemp-derived consumer products to customers at a cannabis
73.6	event.
73.7	(b) All sales of cannabis plants, adult-use cannabis flower, adult-use cannabinoid
73.8	products, and hemp-derived consumer products at a cannabis event must take place in a
73.9	retail area as designated in the premises diagram.
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73.10	(c) Licensed cannabis retailers and licensed cannabis microbusinesses may only conduct
73.11	sales within their specifically assigned area.
73.12	(d) Licensed cannabis retailers and licensed cannabis microbusinesses must verify the
73.13	age of all customers pursuant to section 342.27, subdivision 3, before completing a sale and
73.14	may not sell cannabis flower or cannabinoid products to an individual under 21 years of
73.15	age.
73.16	(e) Licensed cannabis retailers and licensed cannabis microbusinesses may display one
73.17	sample of each type of cannabis plant, adult-use cannabis flower, adult-use cannabinoid
73.18	product, and hemp-derived consumer product available for sale. Samples of adult-use
73.19	cannabis and adult-use cannabinoid products must be stored in a sample jar or display case
73.20	and be accompanied by a label or notice containing the information required to be affixed
73.21	to the packaging or container containing adult-use cannabis flower and adult-use cannabinoid
73.22	products sold to customers. A sample may not consist of more than eight grams of adult-use
73.23	cannabis flower or adult-use cannabis concentrate, or an edible cannabinoid product infused
73.24	with more than 100 milligrams of tetrahydrocannabinol. A cannabis retailer may allow
73.25	customers to smell the adult-use cannabis flower or adult-use cannabinoid product before
73.26	purchase.
73.27	(f) The notice requirements under section 342.27, subdivision 5, apply to licensed
73.28	cannabis retailers and licensed cannabis microbusinesses offering cannabis plants, adult-use
73.29	cannabis flower, adult-use cannabinoid products, and hemp-derived consumer products for
73.30	sale at a cannabis event.
73.31	(g) Licensed cannabis retailers and licensed cannabis microbusinesses may not:
73.32	(1) sell adult-use cannabis flower or adult-use cannabinoid products to a person who is
73.33	visibly intoxicated;

41 (2) knowingly sell more adult-use cannabis flower or adult-use cannabinoid products; 42 than a customer is legally permitted to possess; 74.3 (3) sell medical cannabis flower or medical cannabinoid products; or hemp-derived 74.4 (4) give away cannabis plants, cannabis flower, cannabinoid products, or hemp-derived 74.5 (5) allow for the dispensing of cannabis plants, cannabis flower, cannabinoid products, or hemp-derived consumer products in vending machines. 74.6 (b) Except for samples of adult-use cannabinoid products for sale at a cannabis event 74.10 must be stored in a secure, locked container that is not accessible to the public. Adult-use 74.11 (i) All cannabis plants, adult-use cannabis flower, adult-use cannabinoid products being stored at a cannabis event shall 74.12 (i) All cannabis plants, adult-use cannabis flower, and adult-use cannabinoid products being stored at a cannabis of products 74.13 (i) All cannabis plants, adult-use cannabis flower, and adult-use cannabinoid products, or 74.14 hemp-derived consumer products for sale at a cannabis event must comply with this chapter 74.13 (j) All cannabis plants, adult-use cannabis flower, and adult-use cannabinoid products 74.14 hemp-derived consumer products or sale at a cannabis event must be recorded in the statewide monitoring 74.14 sold, damaged, or destroyed at a cannabis eve		SF73	REVISOR	BD	S0073-1	1st Engrossment
 (3) sell medical cannabis flower or medical cannabinoid products; (4) give away cannabis plants, cannabis flower, cannabinoid products, or hemp-derived consumer products; or (5) allow for the dispensing of cannabis plants, cannabis flower, cannabinoid products, or hemp-derived consumer products in vending machines. (h) Except for samples of adult-use cannabis flower and adult-use cannabis or products for sale at a cannabis event and adult-use cannabis flower and adult-use cannabis covent all adult-use cannabis flower and adult-use cannabis flower and adult-use cannabis event shall must be stored in a secure, locked container that is not accessible to the public. Adult-use cannabis flower and adult-use cannabis flower, adult-use cannabinoid products, or (i) All cannabis plants, adult-use cannabis flower, adult-use cannabinoid products, or hemp-derived consumer products for sale at a cannabis event must comply with this chapter and rules adopted pursuant to this chapter regarding the testing, packaging, and labeling of those items. (i) All cannabis plants, adult-use cannabis flower, and adult-use cannabinoid products sold, damaged, or destroyed at a cannabis event must be recorded in the statewide monitoring system. Subd. & Cannabis event on-site consumption, (a) If approved by the local unit of government, a cannabis of products, or both. (b) Access to areas where consumption of adult-use cannabis flower or adult-use cannabis (c) The cannabis event organizer shall ensure that consumption of adult-use cannabis (d) The cannabis event organizer shall ensure that consumption of adult-use cannabis (d) The cannabis event organizer shall ensure that consumption of adult-use cannabis (d) The cannabis event organizer shall ensure that consumption of adu	74.1	(2) know	vingly sell more adult	use cannabis flo	ower or adult-use can	nabinoid products
74.4 (4) give away cannabis plants, cannabis flower, cannabinoid products, or hemp-derived 74.5 consumer products; or 74.6 (5) allow for the dispensing of cannabis plants, cannabis flower, cannabinoid products, 74.7 or hemp-derived consumer products in vending machines. 74.8 (h) Except for samples of adult-use cannabis flower and adult-use cannabinoid products, 74.9 all adult-use cannabis flower and adult-use cannabinoid products for sale at a cannabis event 74.10 must be stored in a secure, locked container that is not accessible to the public. Adult-use 74.11 must be stored in a secure, locked container that is not accessible to the public. Adult-use 74.12 not be left unattended. 74.13 (i) All cannabis plants, adult-use cannabis flower, adult-use cannabinoid products, or 74.14 hemp-derived consumer products for sale at a cannabis event must comply with this chapter 74.15 and rules adopted pursuant to this chapter regarding the testing, packaging, and labeling of 74.16 those items. 74.17 (j) All cannabis plants, adult-use cannabis flower, and adult-use cannabinoid products 74.18 sold, damaged, or destroyed at a cannabis event must be recorded in the statewide monitoring 74.19 system. 74.20 Subd.	74.2	than a custor	mer is legally permitte	ed to possess;		
74.5 consumer products; or 74.6 (5) allow for the dispensing of cannabis plants, cannabis flower, cannabinoid products, 74.7 or hemp-derived consumer products in vending machines. 74.8 (h) Except for samples of adult-use cannabis flower and adult-use cannabinoid products, 74.9 all adult-use cannabis flower and adult-use cannabinoid products for sale at a cannabis event 74.10 must be stored in a secure, locked container that is not accessible to the public. Adult-use 74.11 must be stored in a secure, locked container that is not accessible to the public. Adult-use 74.12 not be left unattended. 74.13 (i) All cannabis plants, adult-use cannabis flower, adult-use cannabinoid products, or 74.14 hemp-derived consumer products for sale at a cannabis event must comply with this chapter 74.15 and rules adopted pursuant to this chapter regarding the testing, packaging, and labeling of 74.16 those items. 74.17 (j) All cannabis plants, adult-use cannabis flower, and adult-use cannabinoid products 74.18 sold, damaged, or destroyed at a cannabis event must be recorded in the statewide monitoring 74.19 Subd. 8, Cannabis event on-site consumption, (a) If approved by the local unit of 74.20 Subd. 8, Cannabis event on-site consumption of adult-use cannabis	74.3	(3) sell n	nedical cannabis flow	er or medical ca	unnabinoid products;	
74.5 consumer products; or 74.6 (5) allow for the dispensing of cannabis plants, cannabis flower, cannabinoid products, 74.7 or hemp-derived consumer products in vending machines. 74.8 (h) Except for samples of adult-use cannabis flower and adult-use cannabinoid products, 74.9 all adult-use cannabis flower and adult-use cannabinoid products for sale at a cannabis event 74.10 must be stored in a secure, locked container that is not accessible to the public. Adult-use 74.11 must be stored in a secure, locked container that is not accessible to the public. Adult-use 74.12 not be left unattended. 74.13 (i) All cannabis plants, adult-use cannabis flower, adult-use cannabinoid products, or 74.14 hemp-derived consumer products for sale at a cannabis event must comply with this chapter 74.15 and rules adopted pursuant to this chapter regarding the testing, packaging, and labeling of 74.16 those items. 74.17 (j) All cannabis plants, adult-use cannabis flower, and adult-use cannabinoid products 74.18 sold, damaged, or destroyed at a cannabis event must be recorded in the statewide monitoring 74.19 Subd. 8, Cannabis event on-site consumption, (a) If approved by the local unit of 74.20 Subd. 8, Cannabis event on-site consumption of adult-use cannabis	74 4	(4) give :	away cannahis plants	cannabis flowe	r cannabinoid produc	ts or hem n- derived
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74.31 Subdivision 1. Authorized actions. A cannabis delivery service license entitles the		<u> </u>		•	•	
	74.30	Sec. 37. <u>[3</u>	42.38] CANNABIS	DELIVERY SI	ERVICE LICENSIN	<u>G.</u>
74.32 license holder to purchase cannabis flower, cannabinoid products, and hemp-derived	74.31	Subdivis	ion 1. Authorized ac	tions. A cannab	is delivery service lic	ense entitles the
	74.32	license hold	er to purchase cannab	is flower, canna	binoid products, and	hemp-derived

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consumer products from licensed cannabis retailers, licensed cannabis microbusinesses with 75.1 an endorsement to sell adult-use cannabis flower and adult-use cannabinoid products to 75.2 customers, and medical cannabis retailers; transport and deliver cannabis flower, cannabinoid 75.3 products, and hemp-derived consumable products to customers; and perform other actions 75.4 approved by the office. 75.5 Subd. 2. Additional information required. In addition to the information required to 75.6 be submitted under section 342.15, subdivision 1, and rules adopted pursuant to that section, 75.7 75.8 a person, cooperative, or business seeking a cannabis delivery service license must submit the following information in a form approved by the office: 75.9 75.10 (1) a list of all vehicles to be used in the delivery of cannabis flower, cannabinoid products, and hemp-derived consumer products including: 75.11 (i) the vehicle make, model, and color; 75.12 (ii) the vehicle identification number; and 75.13 (iii) the license plate number; 75.14 (2) proof of insurance for each vehicle; 75.15 (3) a business plan demonstrating policies to avoid sales of cannabis flower, cannabinoid 75.16 products, and hemp-derived consumer products to individuals who are under 21 years of 75.17 age and plans to prevent the visibility of cannabis flower, cannabinoid products, and 75.18 hemp-derived consumer products to individuals outside the delivery vehicle; and 75.19 (4) evidence that the business will comply with the applicable operation requirements 75.20 for the license being sought. 75.21 75.22 Subd. 3. Multiple licenses; limits. (a) A person, cooperative, or business holding a cannabis delivery service license may also hold a cannabis retailer license, a cannabis 75.23 wholesaler license, a cannabis transporter license, a cannabis event organizer license, and 75.24 a medical cannabis retailer license subject to the ownership limitations that apply to those 75.25 licenses. 75.26 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a 75.27 cannabis delivery service license may own or operate any other cannabis business. 75.28 75.29 (c) The office by rule may limit the number of cannabis delivery service licenses that a person or business may hold. 75.30

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76.1	(d) For purp	oses of this subdivi	sion, a restric	tion on the number or t	ype of license that
76.2	a business may	hold applies to ever	ry cooperative	e member or every dire	ctor, manager, and
76.3	general partner	of a cannabis busin	ess.		

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76.4 Sec. 38. [342.39] CANNABIS DELIVERY SERVICE OPERATIONS.

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Subdivision 1. Age or registry verification. Prior to completing a delivery, a cannabis
 delivery service shall verify that the customer is at least 21 years of age or is enrolled in the
 registry program. Section 342.27, subdivision 3, applies to the verification of a customer's
 age. Registry verification issued by the Division of Medical Cannabis may be considered
 evidence that the person is enrolled in the registry program.

Subd. 2. Records. The office by rule shall establish record-keeping requirements for a
 cannabis delivery service, including but not limited to proof of delivery to individuals who
 are at least 21 years of age or enrolled in the registry program.

76.13Subd. 3. Amount to be transported. The office by rule shall establish limits on the

76.14 amount of cannabis flower, cannabinoid products, and hemp-derived consumer products

76.15 that a cannabis delivery service may transport.

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76.16 Subd. 4. Statewide monitoring system. Receipt of cannabis flower and cannabinoid

76.17 products by the cannabis delivery service and a delivery to a customer must be recorded in

76.18 the statewide monitoring system within the time established by rule.

76.19 Subd. 5. Storage compartment. Cannabis flower, cannabinoid products, and

76.20 hemp-derived consumer products must be transported in a locked, safe, and secure storage

76.21 compartment that is part of the cannabis delivery service vehicle or in a locked storage

76.22 container that has a separate key or combination pad. Cannabis flower, cannabinoid products,

and hemp-derived consumer products may not be visible from outside the cannabis delivery
 service vehicle.

 76.25
 Subd. 6. Identifying logos or business names prohibited. No cannabis delivery service

vehicle or trailer may contain an image depicting the types of items being transported,

76.27 including but not limited to an image depicting a cannabis or hemp leaf, or a name suggesting

76.28 that the cannabis delivery service vehicle is used for transporting cannabis flower,

76.29 cannabinoid products, or hemp-derived consumer products.

76.30 Subd. 7. Nonemployee passengers prohibited. Only a cannabis worker employed by

76.31 or contracted with the cannabis delivery service and who is at least 21 years of age may

76.32 transport cannabis flower, cannabinoid products, or hemp-derived consumer products. All

	SF73	REVISOR	BD	S0073-1	1st Engrossment
77.1	passengers	in a cannabis delivery	service vehicle	e must be cannabis wo	rkers employed by
77.2		ed with the cannabis do			
77.3	Subd. 8.	. Vehicles subject to in	spection. Anv	cannabis delivery servi	ce vehicle is subject
77.4		-		t any licensed cannabis	
77.5	· · · · · ·	ring transportation.			<u>, , , , , , , , , , , , , , , , , , , </u>
77.6	Sec. 39. <u>[3</u>	342.40] LOWER POT	ENCY EDIBL	E PRODUCT RETAI	LER LICENSING.
77.7	Subdivi	sion 1. Authorized ac	tions. A lower	potency edible produc	t retailer license
77.8	entitles the	license holder to:			
77.9	<u>(1) purc</u>	hase lower potency ed	lible products f	rom cannabis manufac	turers, cannabis
77.10	wholesalers	s, and cannabis microb	ousinesses;		
77.11	<u>(2) sell</u>	lower potency edible p	products to cus	tomers; and	
77.12	<u>(3) perfe</u>	orm other actions appr	oved by the of	fice.	
77.13	<u>Subd. 2</u> .	Licensing exception	s; requiremen	ts. (a) Except as otherv	vise provided in this
77.14	subdivision	, the provisions of this	chapter relatir	ng to license application	ns, license selection
77.15	criteria, ger	neral ownership disqua	difications and	requirements, and gen	eral operational
77.16	requiremen	ts do not apply to a lov	wer potency ed	ible product license or	licensee.
77.17	<u>(b)</u> A lic	cense applicant or, in t	he case of a bu	siness entity, every coo	operative member
77.18	or director,	manager and general	partner of the b	ousiness entity must sub	bmit a completed
77.19	criminal his	story records check co	nsent form, a f	ull set of classifiable fi	ngerprints, and the
77.20	required fee	es to the office. Upon	receipt of this i	nformation, the office	must submit the
77.21	completed of	criminal history record	ls check conser	nt form, full set of class	ifiable fingerprints,
77.22	and require	d fees to the Bureau of	Criminal Appr	ehension. After receivi	ng this information,
77.23	the bureau r	nust conduct a Minnes	ota criminal his	story records check of the	he license applicant.
77.24	The bureau	may exchange a licen	se applicant's f	ingerprints with the Fe	deral Bureau of
77.25	Investigatio	on to obtain the applica	ant's national c	riminal history record	information. The
77.26	bureau mus	t return the results of t	he Minnesota a	and federal criminal his	tory records checks
77.27	to the direc	tor to determine if the	applicant is dis	squalified under section	<u>n 342.20.</u>
77.28	<u>(c)</u> The	office may issue a low	ver potency edi	ble products license to	an applicant who:
77.29	<u>(1) is at</u>	least 21 years of age;			
77.30	<u>(2) has c</u>	completed an applicati	on for licensur	e or application for rer	newal and has fully
77.31	and truthful	lly complied with all in	nformation req	uests relating to license	e application and
77.32	renewal;				

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78.1	(3) registers	with the statewide	monitoring s	ystem;	
78.2	(A) is not em	ployed by the office	e or any state	agency with regulatory	y authority over this
		ployed by the office		agency with regulatory	7 authority over this
78.3	chapter; and				
78.4	(5) is not dis	equalified under sec	tion 342.20,	subdivision 2.	
78.5	(d) Licenses	must be renewed a	nnually. The	office may charge an a	pplication fee not
78.6	to exceed \$250	to cover the costs as	ssociated wit	h reviewing and proces	ssing applications
78.7	but must not cha	arge a licensing fee.	<u>.</u>		
78.8	(e) Licenses	may not be transfer	red.		
78.9	<u>Subd. 3.</u> Mu	ltiple licenses; lim	its. (a) A per	son, cooperative, or bu	siness holding a
78.10	lower potency e	dible product licens	se may not ov	wn, operate, or be emp	loyed by any other
78.11	cannabis busine	<u></u>			
78.12	(b) A person	n, cooperative, or bu	siness holdi	ng a lower potency edib	ole product license
78.13	may hold an off	-sale or on-sale lice	nse for the s	ale of 3.2 percent malt	liquor, an on-sale
78.14	intoxicating liqu	uor license, an off-sa	ale intoxicati	ng liquor license, or a c	ombination off-sale
78.15	and on-sale into	xicating liquor licer	nse.		
78.16	Sec. 40. [342.	41] LOWER POT	ENCY EDII	BLE PRODUCT RET	AILER
78.17	OPERATIONS	<u>S.</u>			
78.18	Subdivision	1. Sale of lower po	tency edible	e products. (a) A lower	r potency edible
78.19	product retailer	may only sell lower	potency edi	ble products to individu	als who are at least
78.20	21 years of age.				
78.21	(b) A lower	potency edible prod	uct retailer m	nay sell lower potency e	edible products that:
78.22	(1) are obtai	ned from a licensed	Minnesota c	cannabis manufacturer,	cannabis
78.23	microbusiness,	or cannabis wholesa	aler; and		
78.24	(2) meet all	applicable packagin	g and labelin	ng requirements.	
78.25	Subd. 2. Sal	e of other products	. A lower po	tency edible product re	tailer may sell other
78.26	products or item	ns for which the low	ver potency e	dible product retailer h	as a license or
78.27	authorization or	that do not require	a license or	authorization.	
78.28	Subd. 3. Ag	e verification. Prior	to initiating	a sale, an employee of	the lower potency
78.29	edible product r	retailer must verify t	hat the custo	omer is at least 21 years	of age. Section
78.30	<u>342.27, subdivis</u>	sion 3, applies to the	e verificatior	n of a customer's age.	

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79.1	Subd. 4. Display and storage of lower potency edible products. A lower potency
79.2	edible product retailer shall ensure that all lower potency edible products are displayed
79.3	behind a checkout counter where the public is not permitted. All lower potency edible
79.4	products that are not displayed must be stored in a secure area.
79.5	Subd. 5. Compliant products. A lower potency edible product retailer shall ensure that
79.6	all lower potency edible products offered for sale comply with the limits on the amount and
79.7	types of cannabinoids that a lower potency edible product can contain, including but not
79.8	limited to the requirement that lower potency edible products:
79.9	(1) be packaged in servings that contain no more than five milligrams of delta-9
79.10	tetrahydrocannabinol per serving, 25 milligrams of cannabidiol per serving, 25 milligrams
79.11	of cannabigerol per serving, or any combination of those cannabinoids that does not exceed
79.12	the identified amounts;
79.13	(2) do not contain more than a combined total of 0.5 milligrams of all other cannabinoids;
79.14	(3) do not contain an artificially derived cannabinoid other than delta-9
79.15	tetrahydrocannabinol; and
79.16	(4) if the package contains more than one serving, indicate each serving by scoring,
79.17	wrapping, or other indicators that appear on the lower potency edible product designating
79.18	the individual serving size.
79.19	Subd. 6. On-site consumption. (a) A lower potency edible product retailer that also
79.20	holds an on-sale license for the sale of 3.2 percent malt liquor, an on-sale intoxicating liquor
79.21	license, or a combination off-sale and on-sale intoxicating liquor license may sell lower
79.22	potency edible products that are intended to be consumed as a beverage for on-site
79.23	consumption.
79.24	(b) lower potency edible products sold for on-site consumption must comply with this
79.25	chapter and rules adopted pursuant to this chapter regarding the testing, packaging, and
79.26	labeling of cannabinoid products.
79.27	(c) lower potency edible products sold for on-site consumption must be served in the
79.28	required packaging, but may be removed from the products' packaging by customers and
79.29	consumed on site.
79.30	(d) Food and beverages not otherwise prohibited by this subdivision may be prepared
79.31	and sold on site provided that the lower potency edible product retailer complies with all
79.32	relevant state and local laws, ordinances, licensing requirements, and zoning requirements.

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80.1	(e) A lower potency edible product retailer may offer recorded or live entertainm	ient
80.2	provided that the lower potency edible product retailer complies with all relevant sta	te and
80.3	local laws, ordinances, licensing requirements, and zoning requirements.	
80.4	(f) A lower potency edible product retailer may not:	
80.5	(1) sell lower potency edible products to an individual who is under 21 years of a	age;
80.6	(2) sell lower potency edible products to a customer who the lower pot	roduct
80.7	retailer knows or reasonably should know has consumed alcohol sold or provided by	y the
80.8	lower potency edible product retailer within the previous five hours;	
80.9	(3) sell a lower potency edible product to a person who is visibly intoxicated;	
80.10	(4) sell cannabis flower, hemp-derived consumer products, or any cannabinoid products	roduct
80.11	other than lower potency edible products that are intended to be consumed as a beve	rage;
80.12	(5) permit lower potency edible products that have been removed from the products (5) permit lower potency edible products that have been removed from the products that have been removed from that h	icts'
80.13	packaging to be removed from the premises of the lower potency edible product reta	uiler;
80.14	(6) allow for the dispensing of lower potency edible products in vending machine	es;
80.15	(7) sell lower potency edible products when the statewide monitoring system is r	ıot
80.16	operational; or	
80.17	(8) distribute or allow free samples of lower potency edible products.	
80.18	Subd. 7. Statewide monitoring system. (a) A lower potency edible product reta	iler
80.19	shall record all lower potency edible products it receives in the statewide monitoring sy	ystem.
80.20	(b) A lower potency edible product retailer shall record all lower potency edible pro	oducts
80.21	sold, damaged, or destroyed in the statewide monitoring system.	
80.22	Subd. 8. Posting of notices. A lower potency edible product retailer must post all n	otices
80.23	as provided in section 342.27, subdivision 5.	
80.24	Subd. 9. Building conditions. (a) A lower potency edible product retailer shall ma	<u>aintain</u>
80.25	compliance with state and local building, fire, and zoning requirements or regulation	<u>1S.</u>
80.26	(b) A lower potency edible product retailer shall ensure that the licensed premise	<u>es is</u>
80.27	maintained in a clean and sanitary condition, free from infestation by insects, rodent	s, or
80.28	other pests.	
80.29	Subd. 10. Enforcement. The office shall inspect lower potency cannabinoid pro-	duct
80.30	retailers and take enforcement action as provided in sections 342 18 and 342 19	

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80.30 retailers and take enforcement action as provided in sections 342.18 and 342.19.

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81.1	Sec. 41. [342	.42] MEDICAL (CANNABIS BUS	SINESS LICENSES.	
81.2	Subdivision	1. License types	(a) The office sh	all issue the following	g types of medical
81.3	cannabis busin	ess licenses:			
81.4	(1) medical	cannabis cultivato	or;		
81.5	(2) medical	cannabis processo	or; and		
81.6	(3) medical	cannabis retailer.			
81.7	(b) The Div	vision of Medical (Cannabis may ove	ersee the licensing and	l regulation of
81.8	medical cannal	ois businesses.			
81.9	<u>Subd. 2.</u> <u>M</u>	ultiple licenses; li	mits. (a) A perso	n, cooperative, or bus	iness holding:
81.10	<u>(1) a medic</u>	al cannabis cultiva	tor license may a	llso hold a medical ca	nnabis processor
81.11	license, a canna	abis cultivator licer	nse, a cannabis ma	anufacturer license, ar	nd a cannabis event
81.12	organizer licen	se subject to the or	wnership limitati	ons that apply to those	e licenses;
81.13	<u>(2)</u> a medic	al cannabis proces	sor license may a	llso hold a medical ca	nnabis cultivator
81.14	license, a canna	abis cultivator licer	nse, a cannabis ma	anufacturer license, ar	nd a cannabis event
81.15	organizer licen	se subject to the or	wnership limitati	ons that apply to those	e licenses; or
81.16	<u>(3) a medica</u>	al cannabis retailer	license may also ł	old a cannabis retailer	license, a cannabis
81.17	delivery servic	e license, and a ca	nnabis event orga	nizer license subject	to the ownership
81.18	limitations that	apply to those lice	enses.		
81.19	(b) Except	as provided in para	agraph (a), no per	son, cooperative, or b	ousiness holding a
81.20	medical cannal	ois license may ow	n or operate any	other cannabis busine	ess.
81.21	(c) The offi	ce by rule may lin	nit the number of	medical cannabis bus	iness licenses that
81.22	a person or bus	iness may hold.			
81.23	(d) For pur	ooses of this subdi	vision, a restriction	on on the number of li	censes or type of
81.24	license that a b	usiness may hold a	applies to every c	ooperative member of	r every director,
81.25	manager, and g	general partner of a	a medical cannabi	is business.	
81.26	<u>Subd. 3.</u> Re	egistered medical	cannabis manuf	acturers. (a) As used	in this subdivision,
81.27	"medical canna	bis manufacturer"	means either of t	he two in-state manufa	acturers of medical
81.28	cannabis regist	ered with the com	missioner of heal	th pursuant to section	152.25 as of July
81.29	<u>1, 2023.</u>				
81.30	(b) Notwith	standing any law	to the contrary, th	e registration or rereg	sistration period of
81.31	a medical cann	abis manufacturer	expires on July 1	, 2024.	

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82.1	Subd. 4	4. Limitations on heal	th care practiti	oners. A health care p	practitioner who
82.2		ualifying medical cond			
82.3	<u>(1) hole</u>	ding a direct or indirec	t economic inter	est in a medical canna	ıbis business;
82.4	(2) serv	ving on a board of dire	ctors or as an em	plovee of a medical c	annabis business:
82.5	<u>or</u>				<u></u>
82.6		vertising with a medical	l cannabis busin	ess in any way.	
82.7	Subd. 5	5. Remuneration. A m	edical cannabis	business is prohibited	from:
82.8	<u>(1) acc</u>	epting or soliciting any	form of remune	ration from a health ca	re practitioner who
82.9	certifies qu	ualifying medical cond	itions for patient	s; or	
82.10	(2) offe	ering any form of remun	eration to a healt	h care practitioner who	certifies qualifying
82.11		onditions for patients.		•	
82.12	EFFE	CTIVE DATE. This se	ection is effectiv	e January 1 2024	
02.12				<u>e vanaary 1, 202 n</u>	
82.13	Sec. 42.	[342.43] MEDICAL (CANNABIS BU	SINESS APPLICAT	<u>'IONS.</u>
82.14	Subdiv	ision 1. Information re	equired. In addit	ion to information requ	ired to be submitted
82.15	under sect	ion 342.15, subdivision	n 1, and rules ad	opted pursuant to that	section, a person,
82.16	cooperativ	e, or business seeking	a medical canna	bis business license m	ust submit the
82.17	following	information in a form a	approved by the	office:	
82.18	<u>(1) for</u>	medical cannabis culti	vator license app	blicants:	
82.19	<u>(i) an o</u>	perating plan demonstra	ating the propose	d size and layout of the	cultivation facility;
82.20	plans for v	vastewater and waste d	isposal for the c	ultivation facility; pla	ns for providing
82.21	electricity,	water, and other utiliti	es necessary for	the normal operation	of the cultivation
82.22	facility; an	nd plans for compliance	e with applicable	building code and fee	deral and state
82.23	environme	ental and workplace saf	ety requirement	<u>s;</u>	
82.24	<u>(ii) a cu</u>	ultivation plan demons	trating the prope	sed size and layout of	the cultivation
82.25	facility tha	t will be used exclusive	ely for cultivation	n for medical cannabis	, including the total
82.26	amount of	plant canopy; and			
82.27	(iii) evi	idence that the busines	s will comply w	ith the applicable oper	ration requirements
82.28	for the lice	ense being sought;			
82.29	(2) for	medical cannabis proc	essor license app	blicants:	
82.30	<u>(i)</u> an o	perating plan demonst	rating the propos	sed layout of the facili	ity, including a
82.31	diagram of	f ventilation and filtrati	on systems; pla	ns for wastewater and	waste disposal for

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83.1	the manufacturing facility; plans for providing electricity, water, and other utilities necess	ary
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83.2 for the normal operation of the manufacturing facility; and plans for compliance with

83.3 <u>applicable building code and federal and state environmental and workplace safety</u>

83.4 requirements;

- 83.5 (ii) all methods of extraction and concentration that the applicant intends to use and the
- 83.6 volatile chemicals, if any, that are involved in extraction or concentration;
- 83.7 (iii) if the applicant is seeking an endorsement to manufacture products infused with
- 83.8 cannabinoids for consumption by patients enrolled in the registry program, proof of an
- 83.9 edible cannabinoid product handler endorsement from the office; and
- 83.10 (iv) evidence that the applicant will comply with the applicable operation requirements
- 83.11 for the license being sought; or

83.12 (3) for medical cannabis retailer license applicants:

83.13 (i) a list of every retail license held by the applicant and, if the applicant is a business,

83.14 every retail license held, either as an individual or as part of another business, by each

83.15 officer, director, manager, and general partner of the cannabis business;

83.16 (ii) an operating plan demonstrating the proposed layout of the facility including a

83.17 diagram of ventilation and filtration systems, policies to avoid sales to individuals who are

83.18 not authorized to receive the distribution of medical cannabis flower or medical cannabinoid

83.19 products, identification of a restricted area for storage, and plans to prevent the visibility of

- 83.20 <u>cannabis flower and cannabinoid products;</u>
- 83.21 (iii) if the applicant holds or is applying for a cannabis retailer license, a diagram showing
- 83.22 the portion of the premises in which medical cannabis flower and medical cannabinoid

83.23 products will be sold and distributed and identifying an area that is definite and distinct

83.24 from all other areas of the cannabis retailer, accessed through a distinct entrance, and contains

83.25 an appropriate space for a pharmacist employee of the medical cannabis retailer to consult

83.26 with the patient to determine the proper type of medical cannabis flower and medical

- 83.27 cannabinoid products and proper dosage for the patient; and
- 83.28 (iv) evidence that the applicant will comply with the applicable operation requirements
 83.29 for the license being sought.
- 83.30 Subd. 2. Segregation of medical cannabis. A person, cooperative, or business seeking
 83.31 a medical cannabis cultivator license or a medical cannabis processor license and any other
- 83.32 type of cannabis business license, other than a cannabis event organizer license, must identify

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84.1	the methods	s that will be used to se	gregate medical	cannabis flower and r	nedical cannabinoid
84.2	products fro	om other cannabis flow	ver and cannabin	oid products to avoid c	cross-contamination.
84.3	EFFEC	TIVE DATE. This se	ection is effectiv	e January 1, 2024.	
84.4	Sec. 43.	342.44] MEDICAL (CANNABIS CU	ULTIVATORS.	
84.5	<u>(a)</u> A m	edical cannabis cultiv	ator license enti	tles the license holder	to grow cannabis
84.6	plants with	in the approved amou	nt of space from	seed or immature pla	ant to mature plant,
84.7	harvest can	nabis flower from a m	ature plant, pack	kage and label cannab	is flower as medical
84.8	cannabis flo	ower, sell medical can	nabis flower to	medical cannabis pro	cessors and medical
84.9	cannabis ret	tailers, transport medic	al cannabis flow	ver to a medical cannal	ois processor located
84.10	on the same	e premises, and perfor	m other actions	approved by the offic	<u>e.</u>
84.11	<u>(b)</u> A m	edical cannabis cultiv	ator license hold	ler must comply with	all requirements of
84.12	section 342	.23.			
84.13	<u>(c) A m</u>	edical cannabis cultiva	ator license hold	er must verify that eve	ery batch of medical
84.14	cannabis flo	ower has passed safety	y, potency, and c	consistency testing at	a cannabis testing
84.15	facility app	roved by the office for	the testing of m	edical cannabis flowe	r before the medical
84.16	cannabis cu	ltivator may package	, label, or sell the	e medical cannabis flo	ower to any other
84.17	entity.				
84.18	EFFEC	TIVE DATE. This se	ection is effectiv	e January 1, 2024.	
84.19	Sec. 44. [342.45] MEDICAL (CANNABIS PR	OCESSORS.	
84.20	(a) A me	edical cannabis process	sor license, consi	stent with the specific	license endorsement
84.21		nents, entitles the lice			
84.22	<u>(1) purc</u>	hase medical cannabi	s flower, medica	l cannabinoid produc	ts, hemp plant parts,
84.23	and hemp c	oncentrate from medic	al cannabis culti	vators, other medical	cannabis processors,
84.24	and industr	ial hemp growers;			
84.25	<u>(2) mak</u>	e cannabis concentrat	e from medical o	cannabis flower;	
84.26	<u>(3) mak</u>	e hemp concentrate, i	ncluding hemp c	concentrate with a del	<u>ta-9</u>
84.27	tetrahydroc	annabinol concentrati	on of more than	0.3 percent as measu	red by weight;
84.28	<u>(4) man</u>	ufacture medical canr	abinoid product	<u>s;</u>	
84.29	(5) pack	age and label medica	l cannabinoid pr	oducts for sale to othe	er medical cannabis
84.30	processors	and to medical cannal	ois retailers; and		

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85.1	(6) perform	other actions app	roved by the offic	<u>e.</u>	
85.2	(b) A medie	cal cannabis cultiv	ator license holde	r must comply with	all requirements of
85.3	section 342.23	, including require	ments to obtain sp	pecific license endo	rsements.
85.4	(c) A medic	al cannabis proces	ssor license holder	must verify that ev	ery batch of medical
85.5	cannabinoid pr	oduct has passed sa	afety, potency, and	consistency testing	at a cannabis testing
85.6	facility approv	ed by the office fo	r the testing of me	edical cannabinoid	products before the
85.7	medical cannal	ois processor may	package, label, or	sell the medical can	nnabinoid product to
85.8	any other entity	<u>y.</u>			
85.9	EFFECTI	VE DATE. This se	ection is effective	January 1, 2024.	
85.10	Sec. 45. [342	.46] MEDICAL (CANNABIS RET	AILERS.	
85.11	Subdivisior	1 1. Authorized a	ctions. (a) A medi	cal cannabis retaile	r license entitles the
85.12	license holder t	to purchase medica	al cannabis flower	and medical cannab	pinoid products from
85.13	medical cannal	ois cultivators and	medical cannabis	processors and sell	or distribute medical
85.14	cannabis flowe	er and medical can	nabinoid products	to any person auth	orized to receive
85.15	distribution.				
85.16	(b) A medie	cal cannabis retail	er license holder n	nust verify that all r	nedical cannabis
85.17	flower and mee	dical cannabinoid	products have pas	sed safety, potency,	and consistency
85.18	testing at a can	nabis testing facilit	y approved by the	office for the testing	of medical cannabis
85.19	flower and med	lical cannabinoid p	roducts before the	medical cannabis re	etailer may distribute
85.20	the medical car	mabis flower or me	edical cannabis pro	oduct to any person	authorized to receive
85.21	distribution.				
85.22	<u>Subd. 2.</u> Di	stribution require	ements. (a) Prior to	o distribution of med	lical cannabis flower
85.23	or medical can	nabinoid products	, a medical cannal	ois retailer licensee	must:
85.24	<u>(1) review a</u>	and confirm the pa	tient's registry ve	rification;	
85.25	(2) verify th	nat the person requ	esting the distribute	ution of medical car	nnabis flower or
85.26	medical cannal	binoid products is	the patient, the pa	tient's registered de	signated caregiver,
85.27	or the patient's	parent, legal guar	dian, or spouse us	ing the procedures	specified in section
85.28	<u>152.11, subdiv</u>	ision 2d;			
85.29	(3) ensure t	hat a pharmacist e	mployee of the m	edical cannabis reta	iler has consulted
85.30	with the patien	t if required accord	ding to subdivisio	n 3; and	

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86.1	(4) apply a patient-specific label on the medical cannabis flower or medical cannabinoid
86.2	product that includes recommended dosage requirements and other information as required
86.3	by rules adopted by the office.

- (b) A medical cannabis retailer may not deliver medical cannabis flower or medical
 cannabinoid products unless the medical cannabis retailer also holds a cannabis delivery
 service license. Delivery of medical cannabis flower and medical cannabinoid products are
 subject to the provisions of section 342.39.
- 86.8Subd. 3. Final approval for distribution of medical cannabis flower and medical86.9cannabinoid products. (a) A cannabis worker who is employed by a medical cannabis86.10retailer and who is licensed as a pharmacist pursuant to chapter 151 shall be the only person86.11who may give final approval for the distribution of medical cannabis flower and medical
- 86.12 <u>cannabinoid products. Prior to the distribution of medical cannabis flower or medical</u>
- 86.13 cannabinoid products, a pharmacist employed by the medical cannabis retailer must consult
- 86.14 with the patient to determine the proper type of medical cannabis flower, medical cannabinoid
- 86.15 product, or medical cannabis paraphernalia and proper dosage for the patient after reviewing
- 86.16 the range of chemical compositions of medical cannabis flower or medical cannabinoid
- 86.17 product. For purposes of this subdivision, a consultation may be conducted remotely by
- 86.18 secure videoconference, telephone, or other remote means, as long as:
- 86.19 (1) the pharmacist engaging in the consultation is able to confirm the identity of the
 86.20 patient; and
- 86.21 (2) the consultation adheres to patient privacy requirements that apply to health care
 86.22 services delivered through telemedicine.
- 86.23 (b) Notwithstanding paragraph (a), a pharmacist consultation is not required prior to the distribution of medical cannabis flower or medical cannabinoid products when a medical 86.24 cannabis retailer is distributing medical cannabis flower or medical cannabinoid products 86.25 to a patient according to a patient-specific dosage plan established with that medical cannabis 86.26 retailer and is not modifying the dosage or product being distributed under that plan. Medical 86.27 86.28 cannabis flower or medical cannabinoid products distributed under this paragraph must be distributed by a pharmacy technician employed by the medical cannabis retailer. 86.29 86.30 Subd. 4. 90-day supply. A medical cannabis retailer shall not distribute more than a
- 86.31 90-day supply of medical cannabis flower or medical cannabinoid products to a patient,
- 86.32 registered designated caregiver, or parent, legal guardian, or spouse of a patient according
- 86.33 to the dosages established for the individual patient.

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87.1	Subd. 5. Distribution to recipient in a motor vehicle. A medical cannabis retailer may
87.2	distribute medical cannabis flower and medical cannabinoid products to a patient, registered
87.3	designated caregiver, or parent, legal guardian, or spouse of a patient who is at a dispensary
87.4	location but remains in a motor vehicle, provided that:
87.5	(1) staff receive payment and distribute medical cannabis flower and medical cannabinoid
87.6	products in a designated zone that is as close as feasible to the front door of the facility;
87.7	(2) the medical cannabis retailer ensures that the receipt of payment and distribution of
87.8	medical cannabis flower and medical cannabinoid products are visually recorded by a
87.9	closed-circuit television surveillance camera and provides any other necessary security
87.10	safeguards;
87.11	(3) the medical cannabis retailer does not store medical cannabis flower or medical
87.12	cannabinoid products outside a restricted access area and staff transport medical cannabis
87.13	flower and medical cannabinoid products from a restricted access area to the designated
87.14	zone for distribution only after confirming that the patient, designated caregiver, or parent,
87.15	guardian, or spouse has arrived in the designated zone;
87.16	(4) the payment and distribution of medical cannabis flower and medical cannabinoid
87.17	products take place only after a pharmacist consultation takes place, if required under
87.18	subdivision 3;
87.19	(5) immediately following distribution of medical cannabis flower or medical cannabinoid
87.20	products, staff enter the transaction in the statewide monitoring system; and
87.21	(6) immediately following distribution of medical cannabis flower and medical
87.22	cannabinoid products, staff take the payment received into the facility.
87.23	Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis
87.24	retailer must distribute medical cannabis flower and medical cannabinoid products provided
87.25	that the portion of the premises in which medical cannabis flower and medical cannabinoid
87.26	products are sold is definite and distinct from all other areas of the cannabis retailer, is
87.27	accessed through a distinct entrance, and provides an appropriate space for a pharmacist
87.28	employee of the medical cannabis retailer to consult with the patient to determine the proper
87.29	type of medical cannabis flower and medical cannabinoid products and proper dosage for
87.30	the patient.
87.31	EFFECTIVE DATE. This section is effective January 1, 2024.

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88.1	Sec. 46. [3	42.47] PATIENT RI	EGISTRY PRO	GRAM.	
88.2	Subdivis	ion 1. Administratio	n. The Division	of Medical Cannabis	must administer the
88.3	medical can	nabis registry program	<u>n.</u>		
88.4	Subd. 2.	Application procedu	ure for patients.	(a) A patient seekin	g to enroll in the
88.5	registry prog	ram must submit to th	e Division of Me	dical Cannabis an ap	plication established
88.6	by the Divisi	ion of Medical Canna	abis and a copy o	of the certification sp	ecified in paragraph
88.7	(b) or, if the	patient is a veteran w	ho receives care	from the United Sta	tes Department of
88.8	Veterans Aff	fairs, the information	required pursua	nt to subdivision 3. T	he patient must
88.9	provide at le	ast the following info	ormation in the a	pplication:	
88.10	(1) the pa	atient's name, mailing	g address, and da	te of birth;	
88.11	(2) the na	ame, mailing address,	, and telephone r	number of the patient	's health care
88.12	practitioner;				
88.13	(3) the na	ame, mailing address,	, and date of birt	h of the patient's regi	stered designated
88.14	caregiver, if a	any, or the patient's pa	rent, legal guardi	an, or spouse if the pa	arent, legal guardian,
88.15	or spouse wi	Ill be acting as the pat	tient's caregiver;		
88.16	<u>(4) a disc</u>	closure signed by the	patient that inclu	ides:	
88.17	<u>(i)</u> a state	ement that, notwithsta	anding any law to	o the contrary, the Of	fice of Cannabis
88.18	Managemen	t, the Division of Mee	dical Cannabis, o	or an employee of the	Office of Cannabis
88.19	Managemen	t or Division of Medi	cal Cannabis ma	y not be held civilly	or criminally liable
88.20	for any injur	y, loss of property, pe	rsonal injury, or	death caused by an a	ct or omission while
88.21	acting within	n the employee's scop	e of office or en	ployment under this	section; and
88.22	(ii) the pa	atient's acknowledgm	ent that enrollm	ent in the registry pro	ogram is conditional
88.23	on the patier	nt's agreement to mee	t all other requir	ements of this section	n; and
88.24	<u>(5) all otl</u>	her information requi	red by the Divis	ion of Medical Cann	abis.
88.25	<u>(b)</u> As pa	art of the application	under this subdiv	vision, a patient must	submit a copy of a
88.26	certification	from the patient's hea	alth care practition	oner that is dated wit	hin 90 days prior to
88.27	the submissi	on of the application	and that certifies	that the patient has b	been diagnosed with
88.28	<u>a qualifying</u>	medical condition.			
88.29	<u>(c) A pati</u>	ient's health care pract	titioner may subr	nit a statement to the	Division of Medical
88.30	Cannabis de	claring that the patier	nt is no longer di	agnosed with a quali	fying medical
88.31	condition. W	ithin 30 days after rec	eipt of a statement	nt from a patient's hea	lth care practitioner,
88.32	the Division	of Medical Cannabis	s must provide w	ritten notice to a path	ent stating that the

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89.1	patient's enrollment in the registry program will be revoked in 30 days unless the patient
89.2	submits a certification from a health care practitioner that the patient is currently diagnosed
89.3	with a qualifying medical condition or, if the patient is a veteran, the patient submits
89.4	confirmation that the patient is currently diagnosed with a qualifying medical condition in
89.5	a form and manner consistent with the information required for an application made pursuant
89.6	to subdivision 3. If the Division of Medical Cannabis revokes a patient's enrollment in the
89.7	registry program pursuant to this paragraph, the division must provide notice to the patient
89.8	and to the patient's health care practitioner.
89.9	Subd. 3. Application procedure for veterans. (a) The Division of Medical Cannabis
89.10	shall establish an alternative certification procedure for veterans who receive care from the
89.11	United States Department of Veterans Affairs to confirm that the veteran has been diagnosed
89.12	with a qualifying medical condition.
89.13	(b) A patient who is also a veteran and is seeking to enroll in the registry program must
89.14	submit to the Division of Medical Cannabis an application established by the Division of
89.15	Medical Cannabis that includes the information identified in subdivision 2, paragraph (a),
89.16	and the additional information required by the Division of Medical Cannabis to certify that
89.17	the patient has been diagnosed with a qualifying medical condition.
89.18	Subd. 4. Enrollment; denial of enrollment; revocation. (a) Within 30 days after the
89.19	receipt of an application and certification or other documentation of a diagnosis with a
89.20	qualifying medical condition, the Division of Medical Cannabis must approve or deny a
89.20 89.21	<u>qualifying medical condition, the Division of Medical Cannabis must approve or deny a</u> patient's enrollment in the registry program. If the Division of Medical Cannabis approves
89.21	patient's enrollment in the registry program. If the Division of Medical Cannabis approves
89.21 89.22	patient's enrollment in the registry program. If the Division of Medical Cannabis approves a patient's enrollment in the registry program, the office must provide notice to the patient
89.21 89.22 89.23	patient's enrollment in the registry program. If the Division of Medical Cannabis approves a patient's enrollment in the registry program, the office must provide notice to the patient and to the patient's health care practitioner.
89.21 89.22 89.23 89.24	patient's enrollment in the registry program. If the Division of Medical Cannabis approves a patient's enrollment in the registry program, the office must provide notice to the patient and to the patient's health care practitioner. (b) A patient's enrollment in the registry program must only be denied if the patient:
 89.21 89.22 89.23 89.24 89.25 	 patient's enrollment in the registry program. If the Division of Medical Cannabis approves a patient's enrollment in the registry program, the office must provide notice to the patient and to the patient's health care practitioner. (b) A patient's enrollment in the registry program must only be denied if the patient: (1) does not submit a certification from a health care practitioner or, if the patient is a
 89.21 89.22 89.23 89.24 89.25 89.26 	 patient's enrollment in the registry program. If the Division of Medical Cannabis approves a patient's enrollment in the registry program, the office must provide notice to the patient and to the patient's health care practitioner. (b) A patient's enrollment in the registry program must only be denied if the patient: (1) does not submit a certification from a health care practitioner or, if the patient is a veteran, the documentation required under subdivision 3 that the patient has been diagnosed
 89.21 89.22 89.23 89.24 89.25 89.26 89.27 	 patient's enrollment in the registry program. If the Division of Medical Cannabis approves a patient's enrollment in the registry program, the office must provide notice to the patient and to the patient's health care practitioner. (b) A patient's enrollment in the registry program must only be denied if the patient: (1) does not submit a certification from a health care practitioner or, if the patient is a veteran, the documentation required under subdivision 3 that the patient has been diagnosed with a qualifying medical condition;
 89.21 89.22 89.23 89.24 89.25 89.26 89.27 89.28 	patient's enrollment in the registry program. If the Division of Medical Cannabis approves a patient's enrollment in the registry program, the office must provide notice to the patient and to the patient's health care practitioner. (b) A patient's enrollment in the registry program must only be denied if the patient: (1) does not submit a certification from a health care practitioner or, if the patient is a veteran, the documentation required under subdivision 3 that the patient has been diagnosed with a qualifying medical condition; (2) has not signed the disclosure required in subdivision 2;
 89.21 89.22 89.23 89.24 89.25 89.26 89.27 89.28 89.28 89.29 	 patient's enrollment in the registry program. If the Division of Medical Cannabis approves a patient's enrollment in the registry program, the office must provide notice to the patient and to the patient's health care practitioner. (b) A patient's enrollment in the registry program must only be denied if the patient: (1) does not submit a certification from a health care practitioner or, if the patient is a veteran, the documentation required under subdivision 3 that the patient has been diagnosed with a qualifying medical condition; (2) has not signed the disclosure required in subdivision 2; (3) does not provide the information required by the Division of Medical Cannabis;
 89.21 89.22 89.23 89.24 89.25 89.26 89.27 89.28 89.28 89.29 89.30 	 patient's enrollment in the registry program. If the Division of Medical Cannabis approves a patient's enrollment in the registry program, the office must provide notice to the patient and to the patient's health care practitioner. (b) A patient's enrollment in the registry program must only be denied if the patient: (1) does not submit a certification from a health care practitioner or, if the patient is a veteran, the documentation required under subdivision 3 that the patient has been diagnosed with a qualifying medical condition; (2) has not signed the disclosure required in subdivision 2; (3) does not provide the information required by the Division of Medical Cannabis; (4) provided false information on the application; or

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90.1	(c) If the second s	ne Division of Medical	Cannabis denie	es a patient's enrollmer	nt in the registry
90.2	program, t	he Division of Medical	Cannabis mus	t provide written notic	e to a patient of all
90.3	reasons for	r denying enrollment. D	enial of enroll	ment in the registry pro	ogram is considered
90.4	a final dec	ision of the office and i	s subject to jud	licial review under cha	pter 14.
90.5	<u>(d) A p</u>	patient's enrollment in th	ne registry prog	gram may be revoked o	only:
90.6	<u>(1) pur</u>	suant to subdivision 2,	paragraph (c);		
90.7	<u>(2) upc</u>	on the death of the patie	<u>nt;</u>		
90.8	(3) if th	ne patient's certifying he	ealth care pract	titioner has filed a decl	laration under
90.9	subdivisio	n 2, paragraph (c), that	the patient's qu	alifying diagnosis no l	onger exists and the
90.10	patient doe	es not submit another ce	ertification with	hin 30 days;	
90.11	<u>(4) if t</u>	ne patient does not com	ply with subdi	vision 6; or	
90.12	<u>(5) if t</u>	ne patient intentionally	sells or diverts	medical cannabis flow	ver or medical
90.13	cannabino	id products in violation	of this chapter	<u>.</u>	
90.14	If a patien	t's enrollment in the reg	istry program	has been revoked due	to a violation of
90.15	subdivisio	n 6, the patient may app	bly for enrollm	ent 12 months after the	e date on which the
90.16	patient's er	nrollment was revoked.	The office mus	t process such an applic	cation in accordance
90.17	with this s	ubdivision.			
90.18	Subd. :	5. Registry verification	. When a patie	ent is enrolled in the re	gistry program, the
90.19	Division o	f Medical Cannabis mu	st assign the p	atient a patient registry	number and must
90.20	issue the p	atient and the patient's i	egistered desig	gnated caregiver, paren	it, legal guardian, or
90.21	spouse, if	applicable, a registry ve	rification. The	Division of Medical (Cannabis must also
90.22	make the r	egistry verification avail	able to medical	cannabis retailers. The	registry verification
90.23	must inclu	de:			
90.24	<u>(1) the</u>	patient's name and date	of birth;		
90.25	<u>(2) the</u>	patient registry number	assigned to th	e patient; and	
90.26	(3) the	name and date of birth	of the patient's	registered designated	caregiver, if any, or
90.27	the name of	of the patient's parent, le	egal guardian,	or spouse if the parent,	, legal guardian, or
90.28	spouse wil	ll act as a caregiver.			
90.29	Subd.	6. Conditions of contin	ued enrollme	nt. As conditions of co	ntinued enrollment,
90.30	a patient n	<u>nust:</u>			
90.31	<u>(1) con</u>	tinue to receive regularl	y scheduled tre	eatment for the patient's	s qualifying medical
90.32	condition	from the patient's health	care practition	ner; and	

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91.1	(2) report ch	anges in the natie	nt's qualifying t	nedical condition to the	nationt's health
91.1	care practitioner		in s quantynig i	neulear condition to the	patient's health
91.2					
91.3				ne registry program is v	
91.4				on required in subdivision	<u> </u>
91.5	who is also a ve	teran must submi	t the informatio	n required in subdivisio	<u>on 3.</u>
91.6	<u>Subd. 8.</u> Me	dical cannabis fl	ower and medi	cal cannabinoid produ	ucts; allowable
91.7	delivery metho	ds. Medical canna	abis flower and	medical cannabinoid pr	roducts may be
91.8	delivered in the	form of:			
91.9	<u>(1) a liquid,</u>	including but not	limited to oil;		
91.10	<u>(2) a pill;</u>				
91.11	(3) a vaporiz	ed delivery method	od with the use	of liquid or oil;	
91.12	(4) a water-s	oluble cannabino	id multiparticul	ate, including granules,	powder, and
91.13	sprinkles;				
91.14	(5) an orally	dissolvable produ	uct, including lo	zenges, gum, mints, bu	ccal tablets, and
91.15	sublingual table	ts;			
91.16	(6) edible pr	oducts in the form	n of gummies a	nd chews;	
91.17	(7) a topical	formulation;			
91.18	(8) combusti	on with the use o	f dried raw can	nabis; or	
91.19	(9) any other	r method approve	d by the office.		
91.20	Subd. 9. Reg	gistered designat	<mark>ed caregiver.</mark> (a) The Division of Medi	cal Cannabis must
91.21	register a design	ated caregiver for	a patient if the p	atient requires assistanc	e in administering
91.22	medical cannabi	is flower or medic	al cannabinoid	products or in obtaining	medical cannabis
91.23	flower, medical	cannabinoid prod	lucts, or medica	l cannabis paraphernali	a from a medical
91.24	cannabis retailer	<u>r.</u>			
91.25	(b) In order t	to serve as a desig	gnated caregiver	, a person must:	
91.26	(1) be at least	st 18 years of age;	<u>.</u>		
91.27	(2) agree to c	only possess the pa	atient's medical	cannabis flower and me	dical cannabinoid
91.28	products for pur	poses of assisting	the patient; and	1	
91.29	· / •			ne person will not serve	
91.30	designated cares	giver for more tha	n six registered	patients at one time. Pa	atients who reside
91.31	in the same resid	dence count as on	e patient.		

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92.1	(c) The office shall conduct a criminal background check on the designated caregiver
92.2	prior to registration to ensure that the person does not have a conviction for a disqualifying
92.3	felony offense. Any cost of the background check shall be paid by the person seeking
92.4	registration as a designated caregiver. A designated caregiver must have the criminal
92.5	background check renewed every two years.
92.6	(d) Nothing in this section shall be construed to prevent a registered designated caregiver
92.7	from being enrolled in the registry program as a patient and possessing and administering
92.8	medical cannabis as a patient.
92.9	Subd. 10. Parents, legal guardians, spouses. A parent, legal guardian, or spouse of a
92.10	patient may act as the caregiver for a patient. The parent, legal guardian, or spouse who is
92.11	acting as a caregiver must follow all requirements for parents, legal guardians, and spouses
92.12	under this chapter. Nothing in this section limits any legal authority that a parent, legal
92.13	guardian, or spouse may have for the patient under any other law.
92.14	Subd. 11. Enrollment fee. (a) The Division of Cannabis Management must collect an
92.15	enrollment fee of \$40 from a patient enrolled under this section.
92.16	(b) Revenue collected under this subdivision shall deposit to a dedicated account in the
92.17	special revenue fund. The balance of the account shall be appropriated annually to the
92.18	administrator of the office for program operations.
92.19	Subd. 12. Notice of change of name or address. Patients and registered designated
92.20	caregivers must notify the Division of Medical Cannabis of any address or name change
92.21	within 30 days of the change having occurred. A patient or registered designated caregiver
92.22	is subject to a \$100 fine for failure to notify the office of the change.
92.23	EFFECTIVE DATE. This section is effective January 1, 2024.
92.24	Sec. 47. [342.48] DUTIES OF OFFICE OF CANNABIS MANAGEMENT;
92.25	REGISTRY PROGRAM.
92.26	The office may add an allowable form of medical cannabinoid product, and may add or
92.27	modify a qualifying medical condition upon its own initiative, upon a petition from a member
92.28	of the public or from the Cannabis Advisory Council or as directed by law. The office must
92.29	evaluate all petitions and must make the addition or modification if the office determines
92.30	that the addition or modification is warranted by the best available evidence and research.

92.31 If the office wishes to add an allowable form or add or modify a qualifying medical condition,

- 92.32 <u>the office must notify the chairs and ranking minority members of the legislative committees</u>
- 92.33 and divisions with jurisdiction over health finance and policy by January 15 of the year in

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93.1	which the cl	hange becomes effectiv	ve. In this notific	ation, the office must	specify the proposed
93.2	addition or	modification, the reaso	ons for the addition	on or modification, an	ny written comments
93.3	received by	the office from the pu	blic about the ac	ldition or modification	on, and any guidance
93.4	received fro	om the Cannabis Advi	sory Council. A	n addition or modific	cation by the office
93.5	under this s	ubdivision becomes e	ffective on Augu	ist 1 of that year unle	ess the legislature by
93.6	law provide	es otherwise.			
93.7	EFFEC	TIVE DATE. This se	ection is effective	e January 1, 2024.	
93.8	Sec. 48. [342.49] DUTIES OF	DIVISION OF	MEDICAL CANN	ABIS; REGISTRY
93.9	PROGRA	<u>M.</u>			
93.10	Subdivi	sion 1. Duties related	to health care	practitioners. The D	Division of Medical
93.11	Cannabis m				
93.12	(1) prov	vide notice of the regis	try program to h	ealth care practition	ers in the state;
02.12	<u> </u>	~		•	
93.13	· · ·	w health care practitio			gram II they request
93.14	to participa	te and meet the progra	am's requirement	LS;	
93.15		vide explanatory inform			
93.16		the nature of the thera	peutic use of me	edical cannabis withi	<u>n program</u>
93.17	requiremen	<u>ts;</u>			
93.18	<u>(4) mak</u>	e available to participa	ting health care	practitioners a certific	cation form in which
93.19	a health car	e practitioner certifies	that a patient ha	as a qualifying medic	cal condition; and
93.20	<u>(5) supe</u>	rvise the participation	of health care pra	actitioners in the regis	stry reporting system
93.21	in which he	ealth care practitioners	report patient tr	reatment and health r	ecords information
93.22	to the office	e in a manner that ens	ures stringent see	curity and record kee	ping requirements
93.23	and that pre	vents the unauthorized	l release of privat	te data on individuals	as defined in section
93.24	13.02.				
93.25	Subd. 2	Duties related to the	e registry progr	am. The Division of	Medical Cannabis
93.26	<u>must:</u>				
93.27	<u>(1)</u> adm	inister the registry pro	gram according	to section 342.47;	
93.28	<u>(2)</u> prov	vide information to pat	tients enrolled in	the registry program	n on the existence of
93.29	federally ap	proved clinical trials fo	or the treatment o	f the patient's qualifyi	ng medical condition
93.30	with medica	al cannabis flower or m	edical cannabing	oid products as an alte	rnative to enrollment
93.31	in the regist	try program;			

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94.1	(3) maintain safety criteria with which patients must comply as a condition of participation
94.2	in the registry program to prevent patients from undertaking any task under the influence
94.3	of medical cannabis flower or medical cannabinoid products that would constitute negligence
94.4	or professional malpractice;
74.4	
94.5	(4) review and publicly report on existing medical and scientific literature regarding the
94.6	range of recommended dosages for each qualifying medical condition, the range of chemical
94.7	compositions of medical cannabis flower and medical cannabinoid products that will likely
94.8	be medically beneficial for each qualifying medical condition, and any risks of noncannabis
94.9	drug interactions. This information must be updated by December 1 of each year. The office
94.10	may consult with an independent laboratory under contract with the office or other experts
94.11	in reporting and updating this information; and
94.12	(5) annually consult with cannabis businesses about medical cannabis that the businesses
94.13	cultivate, manufacture, and offer for sale and post on the Division of Medical Cannabis
94.14	website a list of the medical cannabis flower and medical cannabinoid products offered for
94.15	sale by each medical cannabis retailer.
94.16	Subd. 3. Research. (a) The Division of Medical Cannabis must conduct or contract with
94.17	a third party to conduct research and studies using data from health records submitted to
94.18	the registry program under section 342.50, subdivision 2, and data submitted to the registry
94.19	program under section 342.47, subdivisions 2 and 3. If the division contracts with a third
94.20	party for research and studies, the third party must provide the division with access to all
94.21	research and study results. The division must submit reports on intermediate or final research
94.22	results to the legislature and major scientific journals. All data used by the division or a
94.23	third party under this subdivision must be used or reported in an aggregated nonidentifiable
94.24	form as part of a scientific peer-reviewed publication of research or in the creation of
94.25	summary data, as defined in section 13.02, subdivision 19.
94.26	(b) The Division of Medical Cannabis may submit medical research based on the data
94.27	collected under sections 342.50, subdivision 2, and data collected through the statewide
94.28	monitoring system to any federal agency with regulatory or enforcement authority over
94.29	medical cannabis to demonstrate the effectiveness of medical cannabis flower or medical
94.30	cannabinoid products for treating or alleviating the symptoms of a qualifying medical
94.31	condition.
94.32	EFFECTIVE DATE. This section is effective January 1, 2024.

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95.1	Sec. 49. [34]	2.50] DUTIES OF	HEALTH CA	RE PRACTITIONE	RS; REGISTRY
95.2	PROGRAM.				
95.3	Subdivisio	on 1. <mark>Health care p</mark>	ractitioner dut	ies before patient en	rollment. Before a
95.4	patient's enrol	lment in the registr	y program, a he	alth care practitioner 1	<u>must:</u>
95.5	(1) determ	ine, in the health ca	are practitioner's	medical judgment, w	hether a patient has
95.6	a qualifying m	nedical condition an	d, if so determin	ed, provide the patien	t with a certification
95.7	of that diagno	sis;			
95.8	<u>(</u> 2) advise	patients, registered	designated care	givers, and parents, le	gal guardians, and
95.9	spouses acting	g as caregivers of a	ny nonprofit pat	ient support groups or	organizations;
95.10	(3) provide	e to patients explan	atory informatio	n from the Division of	f Medical Cannabis,
95.11	including info	ormation about the o	experimental nat	ture of the therapeutic	use of medical
95.12	cannabis flow	er and medical can	nabinoid produc	ts; the possible risks,	benefits, and side
95.13	effects of the	proposed treatment	; and the applica	tion and other materia	als from the office;
95.14	(4) provide	e to patients a Tenne	essen warning as	required under section	n 13.04, subdivision
95.15	2; and				
95.16	(5) agree to	o continue treatmen	t of the patient's	qualifying medical co	ndition and to report
95.17	findings to the	e Division of Medio	cal Cannabis.		
95.18	<u>Subd. 2.</u> D	outies upon patien	t's enrollment i	n registry program.	Upon receiving
95.19	notification fro	om the Division of	Medical Cannabi	is of the patient's enrol	lment in the registry
95.20	program, a he	alth care practition	er must:		
95.21	(1) particip	pate in the patient re	gistry reporting s	system under the guida	nce and supervision
95.22	of the Division	n of Medical Canna	abis;		
95.23	<u>(</u> 2) report	to the Division of M	Aedical Cannabi	s patient health record	ls throughout the
95.24	patient's ongo	ing treatment in a r	nanner determin	ed by the office and i	n accordance with
95.25	subdivision 4;	<u>.</u>			
95.26	(3) determ	ine on a yearly bas	is if the patient o	continues to have a qu	alifying medical
95.27	condition and	, if so, issue the pat	ient a new certif	fication of that diagno	sis. The patient
95.28	assessment co	onducted under this	clause may be c	onducted via telemed	icine, as defined in
95.29	section 62A.6	71, subdivision 9; a	and		
95.30	(4) otherw	ise comply with re	quirements estab	blished by the Office of	of Cannabis
95.31	Management	and the Division of	Medical Canna	bis.	

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96.1	<u>Subd. 3.</u>	articipation not rec	quired. Nothing	in this section requi	res a health care
96.2	practitioner to	participate in the re	gistry program.		
96.3	<u>Subd. 4.</u>	Data. Data on patient	s collected by a	health care practition	ner and reported to
96.4	the registry p	rogram, including da	ta on patients w	ho are veterans who	receive care from
96.5	the United Sta	ates Department of V	eterans Affairs,	are health records un	der section 144.291
96.6	and are privat	te data on individual	s under section 1	3.02 but may be use	d or reported in an
96.7	aggregated no	onidentifiable form as	s part of a scienti	fic peer-reviewed pul	blication of research
96.8	conducted un	der section 342.49 o	r in the creation	of summary data, as	defined in section
96.9	<u>13.02, subdiv</u>	<u>ision 19.</u>			
96.10	<u>Subd. 5.</u> E	Exception. The requi	rements of this s	section do not apply	to a patient who is a
96.11	veteran who r	eceives care from the	e United States D	epartment of Veterar	ns Affairs or a health
96.12	care practition	ner employed by the	United States D	epartment of Veterar	ns Affairs. Such a
96.13	patient must n	neet the certification	requirements d	eveloped pursuant to	section 342.47,
96.14	subdivision 3	, before the patient's	enrollment in th	e registry program.	<u>Fhe Division of</u>
96.15	Medical Cann	abis may establish po	olicies and proce	dures to obtain medic	al records and other
96.16				byed by the United S	
96.17	Veterans Affa	irs, provided that tho	se policies and p	rocedures are consiste	ent with this section.
96.18	EFFECT	IVE DATE. This see	ction is effective	January 1, 2024.	
96.19	Sec. 50. [34	2.51] LIMITATION	NS.		
96.20	Subdivisio	on 1. Limitations on	consumption;	locations of consum	ption. Nothing in
96.21	sections 342.4	42 to 342.56 permits	any person to en	ngage in, and does no	ot prevent the
96.22	imposition of	any civil, criminal,	or other penaltie	<u>s for:</u>	
96.23	(1) undert	aking a task under th	e influence of n	nedical cannabis that	would constitute
96.24	negligence or	professional malpra	ctice;		
96.25	<u>(2) posses</u>	sing or consuming n	nedical cannabis	<u>:</u>	
96.26	(i) on a sc	hool bus or van;			
96.27	<u>(ii) in a co</u>	prrectional facility; o	<u>r</u>		
96.28	(iii) on the	e grounds of a child of	care facility or fa	amily or group family	y day care program;
96.29	(3) vapori	zing or smoking mee	dical cannabis:		
96.30	(i) on any	form of public trans	portation;		

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97.1	(ii) where the vapor would be inhaled by a nonpatient minor or where the smoke would
97.1 97.2	be inhaled by a minor; or
97.3	(iii) in any public place, including any indoor or outdoor area used by or open to the
97.4	general public or a place of employment, as defined in section 144.413, subdivision 1b; and
97.5	(4) operating, navigating, or being in actual physical control of a motor vehicle, aircraft,
97.6	train, or motorboat or working on transportation property, equipment, or facilities while
97.7	under the influence of medical cannabis or a medical cannabis product.
97.8	Subd. 2. Health care facilities. (a) Health care facilities licensed under chapter 144A;
97.9	hospice providers licensed under chapter 144A; boarding care homes or supervised living
97.10	facilities licensed under section 144.50; assisted living facilities under chapter 144G; facilities
97.11	owned, controlled, managed, or under common control with hospitals licensed under chapter
97.12	144; and other health care facilities licensed by the commissioner of health may adopt
97.13	reasonable restrictions on the use of medical cannabis flower or medical cannabinoid products
97.14	by a patient enrolled in the registry program who resides at or is actively receiving treatment
97.15	or care at the facility. The restrictions may include a provision that the facility must not
97.16	store or maintain a patient's supply of medical cannabis flower or medical cannabinoid
97.17	products, that the facility is not responsible for providing medical cannabis for patients, and
97.18	that medical cannabis flower or medical cannabinoid products are used only in a location
97.19	specified by the facility or provider.
97.20	(b) An employee or agent of a facility or provider listed in this subdivision or a person
97.21	licensed under chapter 144E is not violating this chapter or chapter 152 for the possession
97.22	of medical cannabis flower or medical cannabinoid products while carrying out employment
97.23	duties, including providing or supervising care to a patient enrolled in the registry program,
97.24	or distribution of medical cannabis flower or medical cannabinoid products to a patient
97.25	enrolled in the registry program who resides at or is actively receiving treatment or care at
97.26	the facility or from the provider with which the employee or agent is affiliated. Nothing in
97.27	this subdivision requires facilities and providers listed in this subdivision to adopt such
97.28	restrictions. No facility or provider listed in this subdivision may unreasonably limit a
97.29	patient's access to or use of medical cannabis flower or medical cannabinoid products to
97.30	the extent that such use is authorized under sections 342.42 to 342.56.
97.31	EFFECTIVE DATE. This section is effective January 1, 2024.

98.1	Sec. 51. [342.52] PROTECTIONS FOR REGISTRY PROGRAM PARTICIPANTS.
98.2	Subdivision 1. Presumption. There is a presumption that a patient enrolled in the registry
98.3	program is engaged in the authorized use of medical cannabis flower and medical cannabinoid
98.4	products. This presumption may be rebutted by evidence that the patient's use of medical
98.5	cannabis flower or medical cannabinoid products was not for the purpose of treating or
98.6	alleviating the patient's qualifying medical condition or symptoms associated with the
98.7	patient's qualifying medical condition.
98.8	Subd. 2. Criminal and civil protections. (a) Subject to section 342.51, the following
98.9	are not violations of this chapter or chapter 152:
98.10	(1) use or possession of medical cannabis flower, medical cannabinoid products, or
98.11	medical cannabis paraphernalia by a patient enrolled in the registry program or by a visiting
98.12	patient to whom medical cannabis is distributed under section 342.46, subdivision 5;
98.13	(2) possession of medical cannabis flower, medical cannabinoid products, or medical
98.14	cannabis paraphernalia by a registered designated caregiver or a parent, legal guardian, or
98.15	spouse of a patient enrolled in the registry program; or
98.16	(3) possession of medical cannabis flower, medical cannabinoid products, or medical
98.17	cannabis paraphernalia by any person while carrying out duties required under sections
98.18	<u>342.42 to 342.56.</u>
98.19	(b) The Office of Cannabis Management, members of the Cannabis Advisory Council,
98.20	Office of Cannabis Management employees, agents or contractors of the Office of Cannabis
98.21	Management, and health care practitioners participating in the registry program are not
98.22	subject to any civil penalties or disciplinary action by the Board of Medical Practice, the
98.23	Board of Nursing, or any business, occupational, or professional licensing board or entity
98.24	solely for participating in the registry program either in a professional capacity or as a
98.25	patient. A pharmacist licensed under chapter 151 is not subject to any civil penalties or
98.26	disciplinary action by the Board of Pharmacy when acting in accordance with sections
98.27	342.42 to 342.56 either in a professional capacity or as a patient. Nothing in this section
98.28	prohibits a professional licensing board from taking action in response to a violation of law.
98.29	(c) Notwithstanding any law to the contrary, a Cannabis Advisory Council member, the
98.30	governor, or an employee of a state agency must not be held civilly or criminally liable for
98.31	any injury, loss of property, personal injury, or death caused by any act or omission while
98.32	acting within the scope of office or employment under sections 342.42 to 342.56.

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99.1	(d) Federal	, state, and local la	w enforcement a	uthorities are prohibi	ted from accessing
99.2	<u> </u>			search warrant. Notv	
99.3	13.09, a violat	ion of this paragrap	oh is a gross misc	lemeanor.	
99.4	(e) Notwith	nstanding any law to	o the contrary, the	e office and employed	es of the office must
99.5	not release dat	a or information ab	out an individual	contained in any re	port or document or
99.6	in the registry	and must not releas	se data or informa	tion obtained about	a patient enrolled in
99.7	the registry pro	ogram, except as pi	rovided in sectior	ns 342.42 to 342.56.	Notwithstanding
99.8	section 13.09,	a violation of this p	paragraph is a gro	oss misdemeanor.	
99.9	<u>(f) No info</u>	rmation contained	in a report or doc	ument, contained in	the registry, or
99.10	obtained from	a patient under sec	tions 342.42 to 3	42.56 may be admitt	ted as evidence in a
99.11	criminal proce	eding, unless:			
99.12	(1) the info	ormation is indepen	dently obtained;	or	
99.13	(2) admissi	on of the information	on is sought in a c	criminal proceeding i	nvolving a criminal
99.14	violation of se	ctions 342.42 to 34	2.56.		
99.15	(g) Possess	ion of a registry ve	erification or an a	pplication for enroll	ment in the registry
99.16	program:				
99.17	<u>(1) does no</u>	ot constitute probab	le cause or reaso	nable suspicion;	
99.18	<u>(2) must no</u>	ot be used to suppor	rt a search of the	person or property o	f the person with a
99.19	registry verific	ation or application	n to enroll in the	registry program; an	d
99.20	(3) must no	ot subject the perso	n or the property	of the person to insp	bection by any
99.21	government ag	gency.			
99.22	<u>Subd. 3.</u>	chool enrollment;	rental property.	(a) No school may r	efuse to enroll a
99.23	patient as a pu	pil or otherwise per	nalize a patient se	olely because the pat	ient is enrolled in
99.24	the registry pro	ogram, unless failir	ng to do so would	violate federal law	or regulations or
99.25	cause the scho	ol to lose a moneta	ry or licensing-re	elated benefit under f	ederal law or
99.26	regulations.				
99.27	(b) No land	llord may refuse to	lease to a patien	t or otherwise penali	ze a patient solely
99.28	because the pa	tient is enrolled in t	the registry progr	am, unless failing to	do so would violate
99.29	federal law or	regulations or caus	e the landlord to	lose a monetary or l	icensing-related
99.30	benefit under	federal law or regul	lations.		
99.31	<u>Subd. 4.</u> M	l edical care. For pi	urposes of medica	al care, including org	gan transplants, a
99.32	patient's use of	f medical cannabis	according to sect	tions 342.42 to 342.5	6 is considered the

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100.1	equivalent of the	e authorized use of	a medication u	sed at the discretion	of a health care
100.2	•			needed medical card	
100.3	Subd 5 Fm	nlovment (2) Unl	ess a failure to	do so would violate	- federal or state law
100.3		<u> </u>		etary or licensing-rel	
100.4		· · ·		liscriminate against a	
100.5				ent, or otherwise pen	
100.7	discrimination is		<u></u>		<u></u>
100.8	(1) the perso	n's status as a patie	ent enrolled in t	he registry program;	or
100.9	(2) a patient's	s positive drug test	for cannabis c	omponents or metabo	olites, unless the
100.10	patient used, pos	ssessed, sold, trans	ported, or was	impaired by medical	cannabis flower or
100.11	a medical cannal	oinoid product on v	vork premises,	during working hours	s, or while operating
100.12	an employer's m	achinery, vehicle,	or equipment.		
100.13	(b) An emplo	oyee who is a patier	nt and whose en	ployer requires the e	mployee to undergo
100.14	drug testing acco	ording to section 1	81.953 may pre	esent the employee's	registry verification
100.15	as part of the em	ployee's explanati	on under sectio	n 181.953, subdivisi	<u>on 6.</u>
100.16	Subd. 6. Cus	tody; visitation; p	parenting time	A person must not b	be denied custody of
100.17	a minor child or	visitation rights or	parenting time	e with a minor child l	based solely on the
100.18	person's status a	s a patient enrolled	l in the registry	program. There mus	t be no presumption
100.19	of neglect or chi	ld endangerment f	or conduct allo	wed under sections 3	42.42 to 342.56,
100.20	unless the person	n's behavior create	s an unreasonal	ble danger to the safe	ty of the minor as
100.21	established by c	lear and convincing	g evidence.		
100.22	Subd. 7. Act	<mark>ion for damages.</mark> I	n addition to an	y other remedy provi	ded by law, a patient
100.23	may bring an act	tion for damages a	gainst any pers	on who violates subc	livision 3, 4, or 5. A
100.24	person who viol	ates subdivision 3,	4, or 5 is liable	e to a patient injured	by the violation for
100.25	the greater of the	e person's actual da	mages or a civi	l penalty of \$100 and	reasonable attorney
100.26	fees.				
100.27	EFFECTIV	E DATE. This sec	tion is effective	e January 1, 2024.	
100.28	Sec. 52. [342.5	4] VIOLATION I	BY HEALTH (CARE PRACTITIO	NER; CRIMINAL
100.29	PENALTY.				

- 100.30 A health care practitioner who knowingly refers patients to a medical cannabis business
- 100.31 or to a designated caregiver, who advertises as a retailer or producer of medical cannabis
- 100.32 flower or medical cannabinoid products, or who issues certifications while holding a financial
- 100.33 interest in a cannabis retailer or medical cannabis business is guilty of a misdemeanor and

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101.1	may be senter	nced to imprisonme	nt for not more	e than 90 days or to pa	ayment of not more
101.2	<u>than \$1,000, c</u>	or both.			
101.3	EFFECT	IVE DATE. This se	ection is effecti	ive January 1, 2024.	
101.4	Sec. 53. [34	2.55] DATA PRAC	CTICES.		
101.5	Subdivisio	on 1. <mark>Data classific</mark> a	tion. Patient h	nealth records maintai	ined by the Office of
101.6	Cannabis Mar	nagement or the Div	ision of Medic	al Cannabis and gove	rnment data in patient
101.7	health records	s maintained by a he	ealth care pract	titioner are classified	as private data on
101.8	individuals, as	s defined in section	13.02, subdivi	sion 12, or nonpublic	data, as defined in
101.9	section 13.02,	, subdivision 9.			
101.10	<u>Subd. 2.</u> <u>A</u>	llowable use; proh	ibited use. Da	ata specified in subdiv	vision 1 may be used
101.11	to comply wit	h chapter 13, to com	ply with a req	uest from the legislati	ve auditor or the state
101.12	auditor in the	performance of offi	cial duties, and	d for purposes specifi	ed in sections 342.42
101.13	to 342.56. Da	ta specified in subd	vision 1 and n	naintained by the Off	ice of Cannabis
101.14	Management	or Division of Medic	al Cannabis m	ust not be used for any	purpose not specified
101.15	in sections 34	2.42 to 342.56 and	must not be co	mbined or linked in a	my manner with any
101.16	other list, data	aset, or database. Da	ta specified in	subdivision 1 must n	ot be shared with any
101.17	federal agency	y, federal departmer	it, or federal er	ntity unless specificall	ly ordered to do so by
101.18	a state or fede	eral court.			
101.19	EFFECT	IVE DATE. This se	ection is effecti	ive January 1, 2024.	
101.20	Sec. 54. [34	2.56] CLINICAL T	FRIALS.		
101 01	The Divisi	an of Madical Com	-1. :		haalth ann muaridana
101.21					health care providers
101.22				als on the safety and	cific health condition.
101.23				receiving a grant und	
101.24					
101.25	-				ded under this section.
101.26		•		ducted or funded und	
101.27			annying medic		ional allowable forms
101.28	of medical car				
101.29	EFFECT	IVE DATE. This se	ection is effecti	ive January 1, 2024.	

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102.1	Sec. 55. [342.60] TESTING.
102.2	Subdivision 1. Testing required. A cannabis business shall not sell or offer for sale
102.3	cannabis flower, cannabinoid products, artificially derived cannabinoids, or hemp-derived
102.4	consumer products to another cannabis business or to a customer or patient, or otherwise
102.5	transfer cannabis flower, cannabinoid products, artificially derived cannabinoids, or
102.6	hemp-derived consumer products to another cannabis business, unless:
102.7	(1) a representative sample of the batch of cannabis flower, cannabinoid product,
102.8	artificially derived cannabinoid, or hemp-derived consumer product has been tested according
102.9	to this section and rules adopted under this chapter;
102.10	(2) the testing was completed by a cannabis testing facility licensed under this chapter;
102.11	and
102.12	(3) the tested sample of cannabis flower, cannabinoid product, artificially derived
102.13	cannabinoid, or hemp-derived consumer product was found to meet testing standards
102.14	established by the office.
102.15	Subd. 2. Procedures and standards established by office. (a) The office shall by rule
102.16	establish procedures governing the sampling, handling, testing, storage, and transportation
102.17	of cannabis flower, cannabinoid products, artificially derived cannabinoids, and hemp-derived
102.18	consumer products tested under this section; the contaminants for which cannabis flower,
102.19	cannabinoid products, artificially derived cannabinoids, and hemp-derived consumer products
102.20	must be tested; standards for potency and homogeneity testing; and procedures applicable
102.21	to cannabis businesses and cannabis testing facilities regarding cannabis flower, cannabinoid
102.22	products, artificially derived cannabinoids, and hemp-derived consumer products that fail
102.23	to meet the standards for allowable levels of contaminants established by the office, that
102.24	fail to meet the potency limits in this chapter or that do not conform with the content of the
102.25	cannabinoid profile listed on the label.
102.26	(b) All testing required under this section must be performed in a manner that is consistent
102.27	with general requirements for testing and calibration activities.
102.28	Subd. 3. Standards established by Office of Cannabis Management. The office shall
102.29	by rule establish standards for allowable levels of contaminants in cannabis flower,
102.30	cannabinoid products, artificially derived cannabinoids, hemp-derived consumer products,
102.31	and growing media. Contaminants for which the office must establish allowable levels must
102.32	include but are not limited to residual solvents, foreign material, microbiological
102.33	contaminants, heavy metals, pesticide residue, and mycotoxins.

Subd. 4. Testing of samples; disclosures. (a) On a schedule determined by the office, 103.1 every cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement 103.2 103.3 to import products, cannabis microbusiness, or medical cannabis business shall make each batch of cannabis flower, cannabinoid products, artificially derived cannabinoids, or 103.4 hemp-derived consumer products grown, manufactured, or imported by the cannabis 103.5 cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement to import 103.6 products, cannabis microbusiness, or medical cannabis business available to a cannabis 103.7 103.8 testing facility. 103.9 (b) A cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement to import products, cannabis microbusiness, or medical cannabis business 103.10 must disclose all known information regarding pesticides, fertilizers, solvents, or other 103.11 foreign materials, including but not limited to catalysts used in creating artificially derived 103.12

103.13 cannabinoids, applied or added to the batch of cannabis flower, cannabinoid products,

103.14 artificially derived cannabinoids, or hemp-derived consumer products subject to testing.

103.15 Disclosure must be made to the cannabis testing facility and must include information about

103.16 all applications by any person, whether intentional or accidental.

103.17 (c) The cannabis testing facility shall select one or more representative samples from

103.18 each batch, test the samples for the presence of contaminants, and test the samples for

103.19 potency and homogeneity and to allow the cannabis flower, cannabinoid product, artificially

103.20 derived cannabinoid, or hemp-derived consumer product to be accurately labeled with its

103.21 cannabinoid profile. Testing for contaminants must include testing for residual solvents,

103.22 foreign material, microbiological contaminants, heavy metals, pesticide residue, mycotoxins,

and any items identified pursuant to paragraph (b), and may include testing for other

103.24 contaminants. A cannabis testing facility must destroy or return to the cannabis cultivator,

103.25 cannabis manufacturer, cannabis wholesaler with an endorsement to import products,

103.26 cannabis microbusiness, or medical cannabis business any part of the sample that remains

103.27 after testing.

Subd. 5. Test results. (a) If a sample meets the applicable testing standards, a cannabis testing facility shall issue a certification to a cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement to import products, cannabis microbusiness, or medical cannabis business, and the cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement to import products, cannabis manufacturer, cannabis

103.33 <u>cannabis business may then sell or transfer the batch of cannabis flower, cannabinoid</u>

103.34 products, artificially derived cannabinoids, or hemp-derived consumer products from which

103.35 the sample was taken to another cannabis business or offer the cannabis flower, cannabinoid

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104.1 products, or hemp-derived consumer products for sale to customers or patients. If a sample

- 104.2 does not meet the applicable testing standards or if the testing facility is unable to test for
- 104.3 <u>a substance identified pursuant to subdivision 4, paragraph (b), the batch from which the</u>
- 104.4 <u>sample was taken shall be subject to procedures established by the office for such batches,</u>
- 104.5 <u>including destruction, remediation, or retesting. A cannabis cultivator, cannabis manufacturer,</u>

cannabis wholesaler with an endorsement to import products, cannabis microbusiness, or

- 104.7 medical cannabis business must maintain the test results for cannabis flower, cannabinoid
- ^{104.8} products, artificially derived cannabinoids, or hemp-derived consumer products grown,
- 104.9 manufactured, or imported by that cannabis cultivator, cannabis manufacturer, cannabis
- 104.10 wholesaler with an endorsement to import products, cannabis microbusiness, or medical
- 104.11 cannabis business for at least five years after the date of testing.
- 104.12 (b) A cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an
- 104.13 endorsement to import products, cannabis microbusiness, or medical cannabis business
- 104.14 shall make test results maintained by that cannabis cultivator, cannabis manufacturer,
- 104.15 cannabis wholesaler with an endorsement to import products, cannabis microbusiness, or
- 104.16 medical cannabis business available for review by any member of the public, upon request.
- 104.17 Test results made available to the public must be in plain language.

104.18 Sec. 56. [342.62] PACKAGING.

- 104.19Subdivision 1. General. All cannabis flower, cannabinoid products, and hemp-derived104.20consumer products sold to customers or patients must be packaged as required by this section
- 104.21 and rules adopted under this chapter.
- 104.22 Subd. 2. Packaging requirements. (a) Except as provided in paragraph (b), all cannabis
- 104.23 flower, cannabinoid products, and hemp-derived consumer products sold to customers or
- 104.24 patients must be:

104.6

- 104.25 (1) prepackaged in packaging or a container that is plain, child-resistant, tamper-evident, 104.26 and opaque; or
- 104.27 (2) placed in packaging or a container that is plain, child-resistant, tamper-evident, and
 104.28 opaque at the final point of sale to a customer.
- 104.29 (b) The requirement that packaging be child-resistant does not apply to:
- 104.30 (1) a hemp-derived topical product; or
- 104.31 (2) a lower potency edible product that:
- 104.32 (i) is intended to be consumed as a beverage;

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(ii) contains	nonintoxicating car	mabinoids;		
(iii) does no	t contain more than	a combined to	otal of 0.25 milligrams	of intoxicating
cannabinoids; a	nd			
(iv) does no	t contain an artificia	lly derived ca	nnabinoid.	
(c) If a canna	abinoid product or a l	nemp-derived	consumer product is pa	ckaged in a manner
that includes mo	ore than a single servi	ng, each servii	ng must be indicated by	^y scoring, wrapping,
or other indicate	ors designating the i	ndividual serv	ving size. If the item is	a lower potency
edible product,	any indicator other	than individua	l wrapping that design	nates the individual
serving size mu	st appear on the edi	ble cannabino	id product.	
(d) An edibl	e cannabinoid produ	act containing	more than a single set	rving must be
prepackaged or	placed at the final po	oint of sale in p	oackaging or a containe	er that is resealable.
Subd. 3. Pa	ckaging prohibition	ns. (a) Cannab	is flower, cannabinoic	l products, or
hemp-derived c	onsumer products so	old to custome	ers or patients must no	t be packaged in a
manner that:				
(1) bears a result of the second s	easonable resemblar	nce to any com	mercially available pr	oduct that does not
contain cannabi	noids, whether the m	nanufacturer o	f the product holds a re	gistered trademark
or has registered	d the trade dress; or			
(2) is design	ed to appeal to perso	ons under 21	years of age.	
(b) Packagir	ng for cannabis flow	er, cannabinoi	d products, and hemp	-derived consumer
products must r	ot contain or be coa	ited with any p	perfluoroalkyl substan	ce.
(c) Edible ca	annabinoid products	must not be pa	ackaged in a material t	hat is not approved
by the United S	tates Food and Drug	g Administrati	on for use in packagin	ig food.
Sec. 57. [342.	64] LABELING.			
Subdivision	1. General. All can	nabis flower,	cannabinoid products,	and hemp-derived
consumer produ	icts sold to customer	rs or patients n	nust be labeled as requ	ired by this section
and rules adopted	ed under this chapte	<u>r.</u>		
<u>Subd. 2.</u> Co	ntent of label; cann	abis. <u>All can</u> t	nabis flower and hemp	-derived consumer
products that co	onsist of hemp plant	parts sold to c	customers or patients r	nust have affixed
on the packagin	ig or container of the	e cannabis flov	wer or hemp-derived c	onsumer product a
label that contain	ins at least the follow	wing informat	ion:	
	(ii) contains (iii) does no cannabinoids; a (iv) does no (c) If a canna that includes mo or other indicate edible product, serving size mu (d) An edibl prepackaged or Subd. 3. Pac hemp-derived c manner that: (1) bears a re contain cannabi or has registered (2) is design (b) Packagir products must r (c) Edible ca by the United S Sec. 57. [342. Subdivision consumer produ and rules adopte Subd. 2. Co products that co on the packagin	 (ii) contains nonintoxicating car (iii) does not contain more than cannabinoids; and (iv) does not contain an artificial (c) If a cannabinoid product or a l that includes more than a single servitories or other indicators designating the i edible product, any indicator other is serving size must appear on the edil (d) An edible cannabinoid product prepackaged or placed at the final possible. 3. Packaging prohibition hemp-derived consumer products set manner that: (1) bears a reasonable resemblar contain cannabinoids, whether the n or has registered the trade dress; or (2) is designed to appeal to perss (b) Packaging for cannabis flow products must not contain or be coar (c) Edible cannabinoid products by the United States Food and Drug Sec. 57. [342.64] LABELING. Subdivision 1. General. All can consumer products sold to customer and rules adopted under this chapted and rules adopted	 (ii) contains nonintoxicating cannabinoids; (iii) does not contain more than a combined to cannabinoids; and (iv) does not contain an artificially derived can (c) If a cannabinoid product or a hemp-derived of that includes more than a single serving, each serving or other indicators designating the individual served edible product, any indicator other than individual serving size must appear on the edible cannabinoid (d) An edible cannabinoid product containing prepackaged or placed at the final point of sale in prepackaged or placed at the final point of sale prepackaged or placed at the final point of sale in prepackaged or placed at the final point of sale prepackaged or placed at the final point of sale pr	 (ii) contains nonintoxicating cannabinoids; (iii) does not contain more than a combined total of 0.25 milligrams cannabinoids; and (iv) does not contain an artificially derived cannabinoid. (c) If a cannabinoid product or a hemp-derived consumer product is pa that includes more than a single serving, each serving must be indicated by or other indicators designating the individual serving size. If the item is edible product, any indicator other than individual wrapping that design serving size must appear on the edible cannabinoid product. (d) An edible cannabinoid product containing more than a single serving size must appear on the edible cannabis flower, cannabinoid hemp-derived consumer products sold to customers or patients must no manner that: (1) bears a reasonable resemblance to any commercially available precontain cannabinoids, whether the manufacturer of the product holds a record rhas registered the trade dress; or (2) is designed to appeal to persons under 21 years of age. (b) Packaging for cannabis flower, cannabinoid products, and hemp products must not contain or be coated with any perfluoroalkyl substance (c) Edible cannabinoid products must not be packaged in a material to by the United States Food and Drug Administration for use in packaging Sec. 57. [342.64] LABELING. Subdivision 1. General. All cannabis flower, cannabinoid products, consumer products sold to customers or patients must be labeled as required serving flower is a material to by the United States Food and Drug Administration for use in packaging for a serving flower, cannabinoid products, consumer products sold to customers or patients must be labeled as required to appear to person sunder 21 years of age.

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106.1	(1) the na	ame and license numb	per of the canna	bis cultivator, cannabis	microbusiness,
106.2	<u> </u>			rower where the cannal	
106.3	plant part wa	as cultivated;			
106.4	(2) the net	et weight or volume c	of cannabis flow	ver or hemp plant parts	in the package or
106.5	container;				
106.6	(3) the ba	atch number;			
106.7	(4) the ca	annabinoid profile;			
106.8	<u>(5)</u> a univ	versal symbol establis	hed by the offic	e indicating that the pa	ckage or container
106.9	contains can	nabis flower, a canna	bis product, or	a hemp-derived consun	ner product;
106.10	<u>(6) verifi</u>	cation that the cannal	ois flower or he	mp plant part was teste	d according to
106.11	section 342.	60 and that the cannab	ois flower or her	np plant part complies	with the applicable
106.12	standards;				
106.13	(7) the m	aximum dose, quanti	ty, or consumpt	on that may be conside	red medically safe
106.14	within a 24-	hour period;			
106.15	(8) the fo	ollowing statement: "I	Keep this produ	ct out of reach of child	ren."; and
106.16	<u>(9)</u> any o	ther statements or inf	formation requir	ed by the office.	
106.17	Subd. 3.	Content of label; ca	nnabinoid prod	ducts. (a) All cannabin	oid products and
106.18	hemp-derive	ed consumer products	other than proc	lucts subject to the requ	irements under
106.19	subdivision	2 and hemp-derived t	opical products	sold to customers or pa	atients must have
106.20	affixed to th	e packaging or contai	ner of the canna	abis product a label tha	t contains at least
106.21	the followin	g information:			
106.22	(1) the na	ame and license numb	per of the canna	bis cultivator, cannabis	microbusiness,
106.23	medical can	nabis cultivator, or ine	dustrial hemp g	rower that cultivated th	e cannabis flower
106.24	or hemp pla	nt parts used in the ca	nnabinoid prod	uct;	
106.25	(2) the na	ame and license numb	er of the cannab	ois manufacturer, canna	bis microbusiness,
106.26	or medical c	annabis business that	manufactured t	he cannabis concentrat	e or artificially
106.27	derived canr	nabinoid and if differe	ent, the name ar	d license number of the	e cannabis
106.28	manufacture	r, cannabis microbusi	ness, or medica	l cannabis business that	t manufactured the
106.29	<u>cannabinoid</u>	product;			
106.30	(3) the no	et weight or volume o	of the cannabing	oid product or hemp-de	rived consumer
106.31	product in th	ne package or contain	er;		
106.32	(4) the ty	pe of cannabinoid pro	oduct or hemp-	derived consumer prod	uct <u>;</u>

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107.1	(5) the bate	h number <u>;</u>						
107.2	(6) the serv	ing size;						
107.3	(7) the cannabinoid profile per serving and in total;							
107.4	<u>(8) a list of</u>	ingredients;						
107.5	(9) a univer	sal symbol establish	ed by the office	indicating that the p	ackage or container			
107.6	contains cannal	bis flower, a cannab	is product, or a	hemp-derived consu	mer product;			
107.7	(10) verifica	ation that the cannab	pinoid product o	r hemp-derived con	sumer product was			
107.8	tested accordin	g to section 342.60 a	and that the can	nabinoid product or	hemp-derived			
107.9	consumer prod	uct complies with th	e applicable sta	ndards;				
107.10	<u>(11) the ma</u>	ximum dose, quantit	ty, or consumpti	on that may be cons	idered medically			
107.11	safe within a 24	4-hour period;						
107.12	(12) the following the foll	lowing statement: "k	Keep this produc	ct out of reach of chi	ldren."; and			
107.13	(13) any oth	ner statements or inf	ormation requir	ed by the office.				
107.14	(b) The offi	ce may by rule estab	lish alternative	abeling requirement	ts for lower potency			
107.15	edible products	that are imported in	nto the state prov	vided that those requ	uirements provide			
107.16	consumers with	n information that is	substantially sin	milar to the information	tion described in			
107.17	paragraph (a).							
107.18	<u>Subd. 4.</u> Ad	lditional content of	label; medical	cannabis flower ar	nd medical			
107.19	<u>cannabinoid p</u>	roducts. In addition	to the applicab	le requirements for	labeling under			
107.20	subdivision 2 o	or 3, all medical canr	nabis flower and	l medical cannabino	id products must			
107.21	include at least	the following inform	nation on the lat	bel affixed to the pac	kaging or container			
107.22	of the medical	cannabis flower or n	nedical cannabi	noid product:				
107.23	(1) the patie	ent's name and date of	of birth;					
107.24	(2) the name	e and date of birth of	f the patient's reg	gistered designated c	aregiver or, if listed			
107.25	on the registry	verification, the nan	ne of the patient	's parent, legal guard	lian, or spouse, if			
107.26	applicable; and	:						
107.27	(3) the patie	ent's registry identifi	cation number.					
107.28	<u>Subd. 5.</u> Co	ntent of label; hemp	o-derived topica	<mark>l products.</mark> (a) All h	emp-derived topical			
107.29	products sold to	o customers must ha	we affixed to the	e packaging or conta	ainer of the product			
107.30	a label that con	tains at least the foll	lowing informat	ion:				
107.31	<u>(1) the man</u>	ufacturer name, loca	ation, phone nur	nber, and website;				

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108.1	(2) the	name and address of the	independent	, accredited laboratory	used by the
108.2	manufactu	rer to test the product;			
108.3	(3) the	net weight or volume of	the product	in the package or conta	ainer;
108.4	(4) the	type of topical product;			
108.5	(5) the	amount or percentage of	cannabidiol	, cannabigerol, or any	other cannabinoid,
108.6	derivative,	or extract of hemp, per s	serving and i	<u>n total;</u>	
108.7	<u>(6) a lis</u>	st of ingredients;			
108.8	<u>(7)</u> a sta	atement that the product	does not clai	m to diagnose, treat, c	ure, or prevent any
108.9	disease and	l that the product has not	t been evalua	ted or approved by the	e United States Food
108.10	and Drug A	Administration, unless th	e product ha	s been so approved; ar	<u>nd</u>
108.11	<u>(8) any</u>	other statements or info	rmation requ	ired by the office.	
108.12	<u>(b)</u> The	information required in	paragraph (a), clauses (1), (2), and ((5), may be provided
108.13	through the	e use of a scannable barc	ode or matri	x barcode that links to	a page on a website
108.14	maintained	by the manufacturer or	distributor if	that page contains all	of the information
108.15	required by	this subdivision.			
108.16	Subd. 6	. Additional informatio	on. A cannab	is retailer, cannabis m	icrobusiness, or
108.17	medical car	nnabis retailer may provid	de customers	and patients with the fo	ollowing information
108.18	by includin	ng the information on the	e label affixed	l to the packaging or c	ontainer of cannabis
108.19	flower, a ca	annabinoid product, or a	hemp-derive	ed consumer product; l	by posting the
108.20	information	n in the premises of the o	cannabis reta	iler, cannabis microbu	siness, or medical
108.21	cannabis re	tailer; by providing the ir	nformation or	n a separate document o	or pamphlet provided
108.22	to custome	rs or patients when the c	sustomer pure	chases cannabis flower	r, a cannabinoid
108.23	product, or	a hemp-derived consum	ner product:		
108.24	<u>(1)</u> fact	ual information about im	pairment eff	ects and the expected t	iming of impairment
108.25	effects, sid	e effects, adverse effects	, and health	risks of cannabis flow	er, cannabinoid
108.26	products, a	nd hemp-derived consur	ner products	• <u>•</u>	
108.27	<u>(</u> 2) a sta	atement that customers a	and patients r	nust not operate a mot	or vehicle or heavy
108.28	machinery	while under the influence	ce of cannabi	s flower or a cannabin	oid product;
108.29	<u>(3) reso</u>	ources customers and pat	tients may co	nsult to answer question	ons about cannabis
108.30	flower, can	nabinoid products, hemp	p-derived con	nsumer products, and a	any side effects and
108.31	adverse eff	ects;			

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109.1 (4) contact information for the poison control center and a safety hotline or website for

109.2 customers to report and obtain advice about side effects and adverse effects of cannabis

109.3 flower and cannabinoid products; and

- 109.4 (5) any other information specified by the office.
- 109.5 Sec. 58. [342.66] ADVERTISEMENT.
- 109.6 Subdivision 1. Limitations applicable to all advertisements. No cannabis business or

109.7 other person shall publish or cause to be published an advertisement for cannabis flower, a

109.8 cannabis business, a cannabinoid product, or a hemp-derived consumer product in a manner
 109.9 that:

- 109.10 (1) contains false or misleading statements;
- 109.11 (2) contains unverified claims about the health or therapeutic benefits or effects of
- 109.12 consuming cannabis or a cannabis product;

109.13 (3) promotes the overconsumption of cannabis flower, cannabinoid products, or

- 109.14 hemp-derived consumer products;
- (4) depicts a person under 21 years of age consuming cannabis flower, cannabinoid
 products, or hemp-derived consumer products; or
- 109.17 (5) includes an image designed or likely to appeal to individuals under 21 years of age,
- 109.18 including cartoons, toys, animals, or children, or any other likeness to images, characters,

109.19 or phrases that is designed to be appealing to individuals under 21 years of age or encourage

- 109.20 consumption by individuals under 21 years of age.
- 109.21 Subd. 2. Outdoor advertisements; cannabis business signs. (a) An outdoor
- 109.22 advertisement of cannabis flower, a cannabis business, a cannabinoid product, or a
- 109.23 hemp-derived consumer product is prohibited.
- 109.24 (b) A cannabis business may erect up to two fixed outdoor signs on the exterior of the
- 109.25 building or property of the cannabis business. A fixed outdoor sign:
- 109.26 (1) may contain the name of the cannabis business and the address and nature of the 109.27 cannabis business; and
- 109.28 (2) shall not include a logo or an image of any kind.
- 109.29 Subd. 3. Audience under 21 years of age. A cannabis business or other person shall
- 109.30 not publish or cause to be published an advertisement for cannabis flower, a cannabis
- 109.31 business, a cannabinoid product, or a hemp-derived consumer product in any print publication

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110.1 or on radio, television, or any other medium if 30 percent or more of the audience of that

110.2 medium is reasonably expected to be individuals who are under 21 years of age, as

110.3 determined by reliable, current audience composition data.

110.4 Subd. 4. Certain unsolicited advertising. A cannabis business or another person shall

110.5 not utilize unsolicited pop-up advertisements on the internet to advertise cannabis flower,

110.6 <u>a cannabis business</u>, a cannabinoid product, or a hemp-derived consumer product.

110.7 Subd. 5. Advertising using direct, individualized communication or dialogue. Before

110.8 a cannabis business or another person may advertise cannabis flower, a cannabis business,

110.9 a cannabinoid product, or a hemp-derived consumer product through direct, individualized

110.10 communication or dialogue controlled by the cannabis business or other person, the cannabis

110.11 business or other person must use a method of age affirmation to verify that the recipient

110.12 of the direct, individualized communication or dialogue is 21 years of age or older. For

110.13 purposes of this subdivision, the method of age affirmation may include user confirmation,

110.14 <u>birth date disclosure, or another similar registration method.</u>

110.15 Subd. 6. Advertising using location-based devices. A cannabis business or another

110.16 person shall not advertise cannabis flower, a cannabis business, a cannabinoid product, or

110.17 <u>a hemp-derived consumer product with advertising directed toward location-based devices</u>,

110.18 <u>including but not limited to cellular telephones, unless:</u>

110.19 (1) the advertising occurs via a mobile device application that is installed on the device

110.20 by the device's owner and includes a permanent and easy to implement opt-out feature; and

110.21 (2) the owner of the device is 21 years of age or older.

110.22 Subd. 7. Advertising restrictions for health care practitioners under the medical

110.23 **cannabis program.** (a) A health care practitioner shall not publish or cause to be published

110.24 <u>an advertisement that:</u>

110.25 (1) contains false or misleading statements about the registry program;

110.26 (2) uses colloquial terms to refer to medical cannabis flower or medical cannabinoid

110.27 products, such as pot, weed, or grass;

(3) states or implies that the health care practitioner is endorsed by the office, the Division

110.29 of Medical Cannabis, or the registry program;

110.30 (4) includes images of cannabis flower, hemp plant parts, or images of paraphernalia

110.31 commonly used to smoke cannabis flower; or

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(5) contains medical symbols that could reasonably be confused with symbols of

111.2 established medical associations or groups.

(b) A health care practitioner found by the office to have violated this subdivision is

111.4 prohibited from certifying that patients have a qualifying medical condition for purposes

of patient participation in the registry program. A decision by the office that a health care

111.6 practitioner has violated this subdivision is a final decision and is not subject to the contested

111.7 <u>case procedures in chapter 14.</u>

111.8 Sec. 59. [342.68] INDUSTRIAL HEMP.

111.9 Nothing in this chapter shall limit the ability of a person licensed under chapter 18K to

111.10 grow industrial hemp for commercial or research purposes, process industrial hemp for

111.11 commercial purposes, sell hemp fiber products and hemp grain, manufacture hemp-derived

111.12 topical products, or perform any other actions authorized by the commissioner of agriculture.

111.13 For purposes of this section, "processing" has the meaning given in section 18K.02,

111.14 subdivision 5, and does not include the process of creating artificially derived cannabinoids.

111.15 Sec. 60. [342.69] HEMP-DERIVED TOPICAL PRODUCTS.

Subdivision 1. Scope. This section applies to the manufacture, marketing, distribution, and sale of hemp-derived topical products.

111.18 Subd. 2. Approved cannabinoids. (a) Products manufactured, marketed, distributed,

111.19 and sold under this section may contain cannabidiol or cannabigerol. Except as provided

in paragraph (c), products may not contain any other cannabinoid unless approved by the

111.21 office.

(b) The office may approve any cannabinoid, other than any tetrahydrocannabinol, and

111.23 authorize its use in manufacturing, marketing, distribution, and sales under this section if

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111.24 the office determines that the cannabinoid is a nonintoxicating cannabinoid.
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111.25 (c) A product manufactured, marketed, distributed, and sold under this section may

111.26 contain cannabinoids other than cannabidiol, cannabigerol, or any other cannabinoid approved

- 111.27 by the office provided that the cannabinoids are naturally occurring in hemp plants or hemp
- 111.28 plant parts and the total of all other cannabinoids present in a product does not exceed one
- 111.29 milligram per package.
- 111.30 Subd. 3. Approved products. Products sold to consumers under this section may only
- 111.31 be manufactured, marketed, distributed, intended, or generally expected to be used by
- 111.32 applying the product externally to a part of the body of a human or animal.

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12.1	Subd 4 Pro	hibitions (a) A p	oduct sold to c	consumers under this s	ection must not be
112.1	5464. 1. 110			onsumers under this s	cetion must not be
112.2	manufactured, n	narketed, distribute	ed, or intended	•	
				-	
112.3	(1) for extern	al or internal use in	n the diagnosis,	cure, mitigation, treat	ment, or prevention
112.4	of disease in hu	mans or other anim	nals;		
112.5	(2) to affect	the structure or any	y function of th	ne bodies of humans of	r other animals;

- 112.6 (3) to be consumed by combustion or vaporization of the product and inhalation of
- 112.7 smoke, aerosol, or vapor from the product;
- 112.8 (4) to be consumed through chewing; or
- 112.9 (5) to be consumed through injection or application to a mucous membrane or nonintact
 112.10 skin.
- 112.11 (b) A product manufactured, marketed, distributed, or sold to consumers under this
- 112.12 section must not:
- 112.13 (1) consist, in whole or in part, of any filthy, putrid, or decomposed substance;
- 112.14 (2) have been produced, prepared, packed, or held under unsanitary conditions where
- 112.15 the product may have been rendered injurious to health, or where the product may have
- 112.16 been contaminated with filth;
- (3) be packaged in a container that is composed, in whole or in part, of any poisonous
- 112.18 or deleterious substance that may render the contents injurious to health;
- 112.19 (4) contain any additives or excipients that have been found by the United States Food
- 112.20 and Drug Administration to be unsafe for human or animal consumption;
- 112.21 (5) contain a cannabinoid or an amount or percentage of cannabinoids that is different
- 112.22 than the information stated on the label;
- 112.23 (6) contain a cannabinoid, other than cannabidiol, cannabigerol, or a cannabinoid
- 112.24 approved by the office, in an amount that exceeds the standard established in subdivision
- 112.25 <u>2, paragraph (c); or</u>
- (7) contain any contaminants for which testing is required by the office in amounts that
- 112.27 exceed the acceptable minimum standards established by the office.
- 112.28 (c) No product containing any cannabinoid may be sold to any individual who is under
- 112.29 <u>21 years of age.</u>
- Subd. 5. Enforcement. The office may enforce this section under the relevant provisions
 of section 342.18.

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113.1	Sec. 61. [342.70] LEGAL A	SSISTANCE TO	CANNABIS BUSINI	ESSES.
113.2	An attorney must not be sul	bject to disciplinary	action by the Minnes	sota Supreme Court
113.3	or professional responsibility b	ooard for providing l	egal assistance to pros	spective or licensed
113.4	cannabis businesses or others t	for activities that do	not violate this chap	ter or chapter 152.
113.5	Sec. 62. [342.71] CANNAB	IS INDUSTRY CO	OMMUNITY RENE	WAL GRANTS.
113.6	Subdivision 1. Establishm	ent. The Office of	Cannabis Managemer	ıt shall establish
113.7	CanRenew, a program to awar	d grants to eligible	organizations for inve	estments in
113.8	communities where long-term	residents are eligib	le to be social equity	applicants.
113.9	Subd. 2. Definitions. (a) Fo	or the purposes of t	his section, the follow	ving terms have the
113.10	meanings given.			
113.11	(b) "Community investmen	nt" means a project	or program designed	to improve
113.12	community-wide outcomes or	experiences and ma	ay include efforts targ	eting economic
113.13	development, violence prevent	tion, youth develop	ment, or civil legal aid	d, among others.
113.14	(c) "Eligible community" n	neans a community	where long-term resid	lents are eligible to
113.15	be social equity applicants.			
113.16	(d) "Eligible organization"	means any organization	ation able to make an	investment in a
113.17	community where long-term re	esidents are eligible	to be social equity ap	oplicants and may
113.18	include educational institution	s, nonprofit organiz	ations, private busine	sses, community
113.19	groups, units of local governme	ent, or partnerships	between different type	es of organizations.
113.20	(e) "Program" means the C	anRenew grant pro	gram.	
113.21	(f) "Social equity applicant	" means a person w	ho meets the qualific	ation requirements
113.22	in section 342.16.			
113.23	Subd. 3. Grants to organiz	zations. (a) The off	ice must award grants	s to eligible
113.24	organizations through a compe	etitive grant process	<u>.</u>	
113.25	(b) To receive grant money	, an eligible organiz	zation must submit a v	written application
113.26	to the office, using a form deve	eloped by the office	e, explaining the com	nunity investment
113.27	the organization wants to make	e in an eligible com	<u>munity.</u>	
113.28	(c) An eligible organization	n's grant application	must also include:	
113.29	(1) an analysis of the comm	nunity's need for the	e proposed investmen	<u>t;</u>
113.30	(2) a description of the pos	itive impact that the	e proposed investmen	t is expected to
113.31	generate for that community;			

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114.1	(3) any evide	ence of the organiz	cation's ability to s	successfully achieve	that positive impact;
114.2	(4) any evid	ence of the organi	zation's past succ	ess in making simil	lar community
114.3	investments;				
114.4	(5) an estima	ate of the cost of t	he proposed inve	stment;	
114.5	(6) the source	es and amounts o	f any nonstate fu	nds or in-kind contr	ibutions that will
114.6	supplement gran	nt money; and			
114.7	<u>(7) any addi</u>	tional information	n requested by the	e office.	
114.8	(d) In award	ing grants under th	nis subdivision, th	e office shall give w	reight to applications
114.9	from organization	ons that demonstr	ate a history of su	accessful communit	y investments,
114.10	particularly in g	eographic areas t	hat are now eligit	ole communities. Th	e office shall also
114.11	give weight to a	oplications where	there is demonstra	ated community sup	port for the proposed
114.12	investment. The	office shall fund	investments in el	igible communities	throughout the state.
114.13	<u>Subd. 4.</u> Pro	ogram outreach.	The office shall r	nake extensive effor	rts to publicize these
114.14	grants, includin	g through partners	ships with comm	unity organizations,	particularly those
114.15	located in eligib	ole communities.			
114.16	Subd. 5. Rep	ports to the legisla	iture. By January	15, 2024, and each J	January 15 thereafter,
114.17	the office must s	ubmit a report to t	he chairs and rank	ting minority membe	ers of the committees
114.18	of the house of	representatives an	d the senate havi	ng jurisdiction over	community
114.19	development the	at details awards g	given through the	CanRenew program	and the use of grant
114.20	money, includin	g any measures o	f successful com	munity impact from	the grants.
	G (2.1242 -				
114.21 114.22	GRANTS.	<u>2] SUBSTANCE</u>	<u>USE DISORDEI</u>	K I KEAI WENT A	ND PREVENTION
117.22					
114.23					se disorder treatment
114.24					loney in the account,
114.25	including intere	st earned, is appro	opriated to the off	fice for the purposes	s specified in this
114.26	section.				
114.27	<u>Subd. 2.</u> Acc	eptance of gifts a	nd grants. Notwi	ithstanding sections	16A.013 to 16A.016,
114.28	the office may a	accept money con	tributed by indivi	duals and may appl	y for grants from
114.29	charitable found	lations to be used	for the purposes	identified in this see	ction. The money
114.30	accepted under	this section must	be deposited in th	ne substance use dis	order treatment and
114.31	prevention gran	t account created	under subdivision	<u>n 1.</u>	

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115.1	Subd. 3.	Disposition of money;	; grants. (a) Mo	ney in the substance u	se disorder treatment
115.2		tion grant account must		-	
115.3	(1) 75 pc	ercent of the money is f	for grants for sul	ostance use disorder t	reatment as defined
115.5		45G.01, subdivision 24			
115.5		te increases and progra	-		
115.6	-	se disorder treatment o			
115.7	treatments f	for substance use disor	der. The office	shall consult with the	commissioner of
115.8	human serv	ices to determine appro	priate provider	rate increases or mod	ifications to existing
115.9	payment me	ethodologies;			
115.10	<u>(2) 20 p</u>	ercent of the money is	for grants for s	ubstance use disorder	r prevention; and
115.11	(3) five	percent of the money i	s for grants to e	ducate pregnant won	nen, breastfeeding
115.12	women, and	d women who may bec	come pregnant c	on the adverse health	effects of substance
115.13	use.				
115.14	(b) The	office shall consult with	h the commissio	oner of human service	es, the commissioner
115.15	of health, an	nd the Substance Use I	Disorder Adviso	ory Council to develo	p an appropriate
115.16	application	process, establish grant	t requirements,	determine what orgar	nizations are eligible
115.17	to receive g	rants, and establish rep	oorting requiren	nents for grant recipion	ents.
115.18	Subd. 4.	Reports to the legislat	ture. By Januar	y 15, 2024, and each J	anuary 15 thereafter,
115.19	the office m	ust submit a report to th	ne chairs and ran	king minority membe	ers of the committees
115.20	of the house	e of representatives and	d the senate hav	ring jurisdiction over	health and human
115.21	services pol	licy and finance that de	etails grants awa	arded from the substa	nce use disorder
115.22	treatment an	nd prevention grant acc	count, including	g the total amount aw	arded, total number
115.23	of recipient	s, and geographic distr	ibution of those	e recipients.	
115.24	Sec. 64. [342.73] CANNABIS (GROWER GR	ANTS.	
115.25	Subdivis	sion 1. <mark>Establishment</mark> .	. The office, in	consultation with the	commissioner of
115.26	agriculture,	shall establish CanGro	w, a program to	award grants to (1) e	ligible organizations
115.27	to help farm	ners navigate the regula	atory structure	of the legal cannabis	industry, and (2)
115.28	nonprofit cc	orporations to fund loan	s to farmers for	expansion into the leg	al cannabis industry.
115.29		Definitions. (a) For th	he purposes of t	his section, the follow	wing terms have the
115.30	meanings g	iven.			
115.31	<u>(b) "Elig</u>	gible organization" mea	ans any organiza	ation capable of helpi	ng farmers navigate
115.32	the regulato	ry structure of the legal	cannabis indus	try, particularly indivi	duals facing barriers
115.33	to education	n or employment, and 1	may include edu	acational institutions,	<u>, nonprofit</u>

116.1	organizations, private businesses, community groups, units of local government, or
116.2	partnerships between different types of organizations.
116.3	(c) "Industry" means the legal cannabis industry in the state of Minnesota.
116.4	(d) "Program" means the CanGrow grant program.
116.5	(e) "Social equity applicant" means a person who meets the qualification requirements
116.6	in section 342.16.
116.7	Subd. 3. Technical assistance grants. (a) Grant money awarded to eligible organizations
116.8	may be used for both developing technical assistance resources relevant to the regulatory
116.9	structure of the legal cannabis industry and for providing such technical assistance or
116.10	navigation services to farmers.
116.11	(b) The office must award grants to eligible organizations through a competitive grant
116.12	process.
116.13	(c) To receive grant money, an eligible organization must submit a written application
116.14	to the office, using a form developed by the office, explaining the organization's ability to
116.15	assist farmers in navigating the regulatory structure of the legal cannabis industry, particularly
116.16	farmers facing barriers to education or employment.
116.17	(d) An eligible organization's grant application must also include:
116.18	(1) a description of the proposed technical assistance or navigation services, including
116.19	the types of farmers targeted for assistance;
116.20	(2) any evidence of the organization's past success in providing technical assistance or
116.21	navigation services to farmers, particularly farmers who live in areas where long-term
116.22	residents are eligible to be social equity applicants;
116.23	(3) an estimate of the cost of providing the technical assistance;
116.24	(4) the sources and amounts of any nonstate funds or in-kind contributions that will
116.25	supplement grant money, including any amounts that farmers will be charged to receive
116.26	assistance; and
116.27	(5) any additional information requested by the office.
116.28	(e) In awarding grants under this subdivision, the office shall give weight to applications
116.29	from organizations that demonstrate a history of successful technical assistance or navigation
116.30	services, particularly for farmers facing barriers to education or employment. The office
116.31	shall also give weight to applications where the proposed technical assistance will serve

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117.1	areas where	e long-term residents a	re eligible to be	social equity applicat	nts. The office shall
117.2	fund techni	ical assistance to farme	ers throughout tl	ne state.	
117.3	Subd. 4	<u>.</u> Loan financing gram	nts. (a) The offic	e shall establish a rev	olving loan account
117.4	to make loa	an financing grants und	der the CanGrov	v program.	
117.5	<u>(b) The</u>	office must award gra	nts to nonprofit	corporations through	a competitive grant
117.6	process.				
117.7	<u>(c) To r</u>	eceive grant money, a	nonprofit corpo	ration must submit a v	written application
117.8	to the office	e using a form develop	bed by the office	<u>.</u>	
117.9	<u>(d) In av</u>	warding grants under t	his subdivision,	the office shall give v	weight to whether
117.10	the nonprot	fit corporation:			
117.11	<u>(1) has a</u>	a board of directors tha	t includes indivi	duals experienced in a	gricultural business
117.12	developmen	<u>nt;</u>			
117.13	<u>(2) has </u>	the technical skills to a	analyze projects	2	
117.14	<u>(3) is fa</u>	miliar with other avail	able public and	private funding sourc	es and economic
117.15	developmen	nt programs;			
117.16	<u>(4) can</u>	initiate and implement	t economic deve	lopment projects;	
117.17	(5) can	establish and administ	er a revolving lo	ban account; and	
117.18	<u>(6) has e</u>	established relationship	os with communi	ties where long-term r	esidents are eligible
117.19	to be social	l equity applicants.			
117.20	The office	shall make grants that	will help farmer	rs enter the legal cann	abis industry
117.21	throughout	the state.			
117.22	<u>(e)</u> A no	onprofit corporation th	at receives gran	ts under the program	<u>must:</u>
117.23	<u>(1) estat</u>	blish an office-certified	l revolving loan	account for the purpos	e of making eligible
117.24	loans; and				
117.25	<u>(2) ente</u>	r into an agreement w	ith the office that	t the office shall fund	loans that the
117.26	nonprofit co	orporation makes to fai	rmers entering th	ne legal cannabis indus	stry. The office shall
117.27	review exis	sting agreements with 1	nonprofit corpor	ations every five year	s and may renew or
117.28	terminate a	n agreement based on t	hat review. In ma	aking this review, the c	office shall consider,
117.29	among othe	er criteria, the criteria i	in paragraph (d)	<u>.</u>	
117.30	<u>Sub</u> d. 5	<u>.</u> Loans to farmers. (a	a) The criteria ir	<u>this subdivision</u> appl	y to loans made by
117.31	nonprofit c	orporations under the	program.		

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118.1	(b) A loan	must be used to sup	port a farmer in	n entering the legal ca	nnabis industry.
118.2	Priority must	be given to loans to b	ousinesses owne	ed by farmers who are	eligible to be social
118.3	equity application	ants and businesses 1	ocated in comm	nunities where long-te	erm residents are
118.4	eligible to be	social equity applica	ants.		
118.5	(c) Loans	must be made to bus	sinesses that are	not likely to undertal	ke the project for
118.6	which loans a	are sought without as	sistance from t	ne program.	
118.7	<u>(d) The m</u>	inimum state contrib	oution to a loan	is \$2,500 and the max	ximum is either:
118.8	<u>(1) \$50,00</u>	<u>)0; or</u>			
118.9	(2) \$150,0	000, if state contribut	tions are matche	ed by an equal or grea	ater amount of new
118.10	private invest	ment.			
118.11	(e) Loan a	pplications given pr	eliminary appro	val by the nonprofit of	corporation must be
118.12	forwarded to	the office for approva	al. The office m	ust give final approva	l for each loan made
118.13	by the nonpro	ofit corporation unde	r the program.		
118.14	<u>(f) If the b</u>	orrower has met lend	der criteria, incl	uding being current w	ith all payments for
118.15	<u>a minimum of</u>	three years, the offic	e may approve	either full or partial fo	rgiveness of interest
118.16	or principal a	mounts.			
118.17	<u>Subd. 6.</u>	Revolving loan acco	unt administra	tion. (a) The office s	hall establish a
118.18	minimum inte	erest rate for loans or	r guarantees to	ensure that necessary	loan administration
118.19	costs are cove	ered. The interest rate	e charged by a r	onprofit corporation	for a loan under this
118.20	section must	not exceed the Wall	Street Journal p	rime rate. For a loan	under this section,
118.21	the nonprofit	corporation may char	rge a loan origir	nation fee equal to or l	ess than one percent
118.22	of the loan va	lue. The nonprofit co	orporation may	retain the amount of	the origination fee.
118.23	<u>(b) Loan r</u>	epayment of princip	al must be paid	to the office for depo	osit in the revolving
118.24	loan account.	Loan interest payme	nts must be dep	osited in a revolving l	oan account created
118.25	by the nonpro	fit corporation origin	nating the loan b	eing repaid for furthe	r distribution or use,
118.26	consistent wit	th the criteria of this	section.		
118.27	(c) Admin	iistrative expenses of	f the nonprofit of	corporations with who	om the office enters
118.28	into agreemen	nts, including expens	ses incurred by	a nonprofit corporation	on in providing
118.29	financial, tech	nical, managerial, a	nd marketing as	ssistance to a business	s receiving a loan
118.30	under this sec	tion, are eligible pro	gram expenses	that the office may ag	ree to pay under the
118.31	grant agreeme	ent.			

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119.1 Subd. 7. **Program outreach.** The office shall make extensive efforts to publicize these

119.2 grants, including through partnerships with community organizations, particularly those

119.3 located in areas where long-term residents are eligible to be social equity applicants.

119.4 Subd. 8. Reporting requirements. (a) A nonprofit corporation that receives a grant
119.5 under subdivision 4 shall:

(1) submit an annual report to the office by January 15 of each year that the nonprofit

119.7 corporation participates in the program that includes a description of agricultural businesses

^{119.8} supported by the grant program, an account of loans made during the calendar year, the

119.9 program's impact on farmers' ability to expand into the legal cannabis industry, the source

and amount of money collected and distributed by the program, the program's assets and

119.11 liabilities, and an explanation of administrative expenses; and

119.12 (2) provide for an independent annual audit to be performed in accordance with generally

119.13 accepted accounting practices and auditing standards and submit a copy of each annual

audit report to the office.

(b) By February 15, 2024, and each February 15 thereafter, the office must submit a

119.16 report to the chairs and ranking minority members of the committees of the house of

119.17 representatives and the senate having jurisdiction over agriculture that details awards given

119.18 through the CanGrow program and the use of grant money, including any measures of

119.19 success toward helping farmers enter the legal cannabis industry.

119.20 Sec. 65. [342.79] SUBSTANCE USE DISORDER ADVISORY COUNCIL.

119.21 Subdivision 1. Establishment. The Substance Use Disorder Advisory Council is

119.22 established to develop and implement a comprehensive and effective statewide approach

119.23 to substance use disorder prevention and treatment. The council shall:

(1) establish priorities to address public education and substance use disorder prevention
 and treatment needs;

- 119.26 (2) make recommendations to the legislature on the amount of money to be allocated
- 119.27 for substance use disorder prevention and treatment initiatives;

119.28 (3) make recommendations to the commissioner of human services on grant and funding

119.29 options for money appropriated from the general fund to the commissioner of human services

119.30 for substance use disorder prevention and treatment;

- (4) recommend to the commissioner of human services specific programs, projects, and
- 119.32 initiatives to be funded; and

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120.1	(5) consult with the commissioners of human services, health, and management and
120.2	budget to develop measurable outcomes to determine the effectiveness of programs, projects,
120.3	and initiatives funded.
120.4	Subd. 2. Membership. (a) The council shall consist of the following members, appointed
120.5	by the commissioner of human services, except as otherwise specified:
120.6	(1) two members of the house of representatives, one from the majority party appointed
120.7	by the speaker and one from the minority party appointed by the minority leader of the
120.8	house of representatives;
120.9	(2) two members of the senate, one from the majority party appointed by the senate
120.10	majority leader and one from the minority party appointed by the senate minority leader;
120.11	(3) the commissioner of human services or a designee;
120.12	(4) the director of the Office of Cannabis Management or a designee;
120.13	(5) two members representing substance use disorder treatment programs licensed under
120.14	chapter 245G;
120.15	(6) one public member who is a Minnesota resident and in recovery from a substance
120.16	use disorder;
120.17	(7) one public member who is a family member of a person with a substance use disorder;
120.18	(8) one member who is a physician with experience in substance use disorders;
120.19	(9) one member who is a licensed psychologist, licensed professional clinical counselor,
120.20	licensed marriage and family therapist, or licensed social worker;
120.21	(10) one member of each federally recognized Tribal Nation within the geographical
120.22	boundaries of the state of Minnesota;
120.23	(11) one mental health advocate representing persons with mental illness;
120.24	(12) one member representing county social services agencies;
120.25	(13) one patient advocate;
120.26	(14) a representative from a community that experienced a disproportionate, negative
120.27	impact from cannabis prohibition;
120.28	(15) one veteran; and
120.29	(16) one parent of a medical cannabis patient who is under age 21.

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- 121.1 (b) The commissioner of human services shall coordinate appointments to ensure the
- 121.2 geographic diversity of council members and shall ensure that at least one-third of council
- 121.3 members reside outside of the seven-county metropolitan area.
- 121.4 (c) The council is governed by section 15.059, except that members of the council shall
- 121.5 receive no compensation other than reimbursement for expenses. Notwithstanding section
- 121.6 <u>15.059</u>, subdivision 6, the council shall not expire.
- 121.7 (d) The chair shall convene the council on a quarterly basis and may convene other
- 121.8 meetings as necessary. The chair shall convene meetings at different locations in the state
- 121.9 to provide geographic access to members of the public.
- 121.10 (e) The commissioner of human services shall provide staff and administrative services
- 121.11 for the advisory council.
- 121.12 (f) The council is subject to chapter 13D.
- 121.13 Subd. 3. Report and grants. (a) The commissioner of human services shall submit a
- 121.14 report of the grants and funding recommended by the advisory council to be awarded for
- 121.15 the upcoming fiscal year to the chairs and ranking minority members of the legislative
- 121.16 committees with jurisdiction over health and human services policy and finance by March
- 121.17 <u>1 of each year, beginning March 1, 2024.</u>
- 121.18 (b) When awarding grants, the commissioner of human services shall consider the
- 121.19 programs, projects, and initiatives recommended by the council that address the priorities
- 121.20 established by the council, unless otherwise appropriated by the legislature.

121.21 Sec. 66. [342.80] LAWFUL ACTIVITIES.

- 121.22 (a) Notwithstanding any law to the contrary, the cultivation, manufacturing, possessing,
- 121.23 and selling of cannabis flower, cannabinoid products, artificially derived cannabinoids, and
- 121.24 hemp-derived consumer products by a licensed cannabis business in conformity with the
- 121.25 rights granted by a cannabis business license is lawful and may not be the grounds for the
- 121.26 seizure or forfeiture of property, arrest or prosecution, or search or inspections except as
- 121.27 provided by this chapter.
- 121.28 (b) A person acting as an agent of a licensed cannabis retailer or licensed cannabis
- 121.29 microbusiness who sells or otherwise transfers cannabis flower, cannabinoid products, or
- 121.30 hemp-derived consumer products to a person under 21 years of age is not subject to arrest,
- 121.31 prosecution, or forfeiture of property if the person complied with section 342.27, subdivision
- 121.32 3, and any rules promulgated pursuant to this chapter.

Sec. 67. [342.81] CIVIL ACTIONS. 122.1 Subdivision 1. Right of action. A spouse, child, parent, guardian, employer, or other 122.2 person injured in person, property, or means of support or who incurs other pecuniary loss 122.3 by an intoxicated person or by the intoxication of another person, has a right of action in 122.4 122.5 the person's own name for all damages sustained against a person who caused the intoxication of that person by illegally selling cannabis flower or cannabinoid products. All damages 122.6 recovered by a minor under this section must be paid either to the minor or to the minor's 122.7 parent, guardian, or next friend as the court directs. 122.8 Subd. 2. Actions. All suits for damages under this section must be by civil action in a 122.9 court of this state having jurisdiction. 122.10 Subd. 3. Comparative negligence. Actions under this section are governed by section 122.11 604.01. 122.12 Subd. 4. Defense. It is a defense for the defendant to prove by a preponderance of the 122.13 evidence that the defendant reasonably and in good faith relied upon representations of 122.14 proof of age in selling, bartering, furnishing, or giving the cannabis or cannabis product. 122.15 122.16 Subd. 5. Subrogation claims denied. There shall be no recovery by any insurance company against any cannabis retailer or cannabis microbusiness under subrogation clauses 122.17 of the uninsured, underinsured, collision, or other first-party coverages of a motor vehicle 122.18 insurance policy as a result of payments made by the company to persons who have claims 122.19 that arise in whole or in part under this section. Section 65B.53, subdivision 3, does not 122.20 apply to actions under this section. 122.21 Subd. 6. Common law claims. Nothing in this chapter precludes common law tort claims 122.22 against any person 21 years old or older who knowingly provides or furnishes cannabis 122.23 flower or cannabinoid products to a person under the age of 21 years. 122.24 Sec. 68. SUBSTANCE USE DISORDER ADVISORY COUNCIL FIRST MEETING. 122.25 The commissioner of human services shall convene the first meeting of the Substance 122.26 Use Disorder Advisory Council established under Minnesota Statutes, section 342.79, no 122.27 later than October 1, 2023. The members shall elect a chair at the first meeting. 122.28

- 122.29 Sec. 69. **EFFECTIVE DATE.**
- 122.30 Except as otherwise provided, each section of this article is effective July 1, 2023.

123.2

123.1

ARTICLE 2 TAXES

Section 1. Minnesota Statutes 2022, section 273.13, subdivision 24, is amended to read:
Subd. 24. Class 3. Commercial and industrial property and utility real and personal
property is class 3a.

123.6 (1) Except as otherwise provided, each parcel of commercial, industrial, or utility real property has a classification rate of 1.5 percent of the first tier of market value, and 2.0 123.7 percent of the remaining market value. In the case of contiguous parcels of property owned 123.8 by the same person or entity, only the value equal to the first-tier value of the contiguous 123.9 parcels qualifies for the reduced classification rate, except that contiguous parcels owned 123.10 by the same person or entity shall be eligible for the first-tier value classification rate on 123.11 each separate business operated by the owner of the property, provided the business is 123.12 housed in a separate structure. For the purposes of this subdivision, the first tier means the 123.13 first \$150,000 of market value. Real property owned in fee by a utility for transmission line 123.14 right-of-way shall be classified at the classification rate for the higher tier. 123.15

For purposes of this subdivision, parcels are considered to be contiguous even if they are separated from each other by a road, street, waterway, or other similar intervening type of property. Connections between parcels that consist of power lines or pipelines do not cause the parcels to be contiguous. Property owners who have contiguous parcels of property that constitute separate businesses that may qualify for the first-tier classification rate shall notify the assessor by July 1, for treatment beginning in the following taxes payable year.

(2) All personal property that is: (i) part of an electric generation, transmission, or
distribution system; or (ii) part of a pipeline system transporting or distributing water, gas,
crude oil, or petroleum products; and (iii) not described in clause (3), and all railroad
operating property has a classification rate as provided under clause (1) for the first tier of
market value and the remaining market value. In the case of multiple parcels in one county
that are owned by one person or entity, only one first tier amount is eligible for the reduced
rate.

(3) The entire market value of personal property that is: (i) tools, implements, and
machinery of an electric generation, transmission, or distribution system; (ii) tools,
implements, and machinery of a pipeline system transporting or distributing water, gas,
crude oil, or petroleum products; or (iii) the mains and pipes used in the distribution of
steam or hot or chilled water for heating or cooling buildings, has a classification rate as
provided under clause (1) for the remaining market value in excess of the first tier.

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124.1 (4) Property used for raising, cultivating, processing, or storing cannabis plants, cannabis

124.2 <u>flower, or cannabinoid products for sale has a classification rate as provided under clause</u>

124.3 (1) for the first tier of market value and the remaining market value. As used in this

124.4 paragraph, "cannabis plant" has the meaning given in section 342.01, subdivision 19;

124.5 <u>"cannabis flower" has the meaning given in section 342.01, subdivision 16; "cannabinoid</u>

124.6 product" has the meaning given in section 342.01, subdivision 12; and "lower potency edible

124.7 product" has the meaning given in section 342.01, subdivision 45.

124.8 EFFECTIVE DATE. This section is effective beginning with property taxes payable 124.9 in 2024 and thereafter.

124.10 Sec. 2. Minnesota Statutes 2022, section 275.025, subdivision 2, is amended to read:

124.11 Subd. 2. Commercial-industrial tax capacity. For the purposes of this section,

124.12 "commercial-industrial tax capacity" means the tax capacity of all taxable property classified124.13 as class 3 or class 5(1) under section 273.13, excluding:

(1) the tax capacity attributable to the first \$150,000 of market value of each parcel of
commercial-industrial property as defined under section 273.13, subdivision 24, clauses (1)
and, (2), and (4);

124.17 (2) electric generation attached machinery under class 3; and

124.18 (3) property described in section 473.625.

County commercial-industrial tax capacity amounts are not adjusted for the captured 124.19 net tax capacity of a tax increment financing district under section 469.177, subdivision 2, 124.20 the net tax capacity of transmission lines deducted from a local government's total net tax 124.21 capacity under section 273.425, or fiscal disparities contribution and distribution net tax 124.22 capacities under chapter 276A or 473F. For purposes of this subdivision, the procedures 124.23 for determining eligibility for tier 1 under section 273.13, subdivision 24, clauses (1) and 124.24 (2), shall apply in determining the portion of a property eligible to be considered within the 124.25 first \$150,000 of market value. 124.26

124.27 EFFECTIVE DATE. This section is effective beginning with property taxes payable 124.28 in 2024 and thereafter.

124.29 Sec. 3. [289A.33] FILING REQUIREMENTS AND DUE DATES; SPECIAL RULES.

124.30 A cannabis business as defined by section 342.01, subdivision 14, required to collect

124.31 and remit the taxes imposed under section 295.81 or chapters 290 and 297A is not subject

124.32 to the electronic remittance requirements imposed by this chapter. A cannabis business must

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125.1	file returns a	nd remit taxes lawfu	lly due in the fo	orm and manner presc	ribed by the
125.2	commissione	er of revenue.			
125.3	EFFECT	IVE DATE. This se	ection is effective	ve the day following f	inal enactment.
125.4	Sec. 4. Mir	nnesota Statutes 2022	2, section 290.0	132, subdivision 29, i	s amended to read:
125.5	Subd. 29.	Disallowed section	280E expense	s; medical cannabis	manufacturers
125.6	licensees. Th	ne amount of expense	es of a medical c	annabis manufacturer	business, as defined
125.7	under section	152.22, subdivision	7 <u>342.01, subdi</u>	vision 48, related to the	business of medical
125.8	cannabis und	er sections 152.21 to	<u>152.37</u> 342.42	to 342.56, or a license	holder under chapter
125.9	342, related t	to the business of nor	nmedical canna	bis under that chapter,	and not allowed for
125.10	federal incom	ne tax purposes under	section 280E of	the Internal Revenue (Code is a subtraction.
125.11	EFFECT	IVE DATE. This see	ction is effective	for taxable years begin	ning after December
125.12	31, 2022.				
125.13	Sec. 5. Min	nnesota Statutes 2022	2, section 290.0	134, subdivision 19, i	s amended to read:
125.14	Subd. 19.	Disallowed section	280E expense	s; medical cannabis	manufacturers
125.15	licensees. Th	ne amount of expense	es of a medical c	annabis manufacturer	business, as defined
125.16	under section	152.22, subdivision	7 <u>342.01, subdi</u>	vision 48, related to the	business of medical
125.17	cannabis und	er sections 152.21 to	<u>152.37</u> 342.42	to 342.56, or a license	holder under chapter
125.18	342, related t	to the business of nor	nmedical canna	bis under that chapter,	and not allowed for
125.19	federal incom	ne tax purposes under	section 280E of	the Internal Revenue (Code is a subtraction.
125.20	EFFECT	TIVE DATE. This see	ction is effective	for taxable years begin	ning after December
125.21	<u>31, 2022.</u>				
125.22	<u> </u>			LOWER AND ADU	<u>LT-USE</u>
125.23	CANNABIN	NOID PRODUCTS	GROSS RECI	EIPTS TAX.	
125.24	Subdivisi	on 1. Definitions. (a	a) For purposes	of this section, the fol	lowing terms have
125.25	the meanings	s given.			
125.26	<u>(b)</u> "Adul	t-use cannabis flowe	er" has the mean	ning given in section 3	342.01, subdivision
125.27	<u>4.</u>				
125.28	<u>(c) "Adult</u>	t-use cannabinoid pro	oduct" has the m	eaning given in sectior	1 342.01, subdivision
125.29	2, and includ	es adult-use cannabi	s concentrate as	s defined in section 34	2.01, subdivision 3.
125.30	(d) "Adul	t-use cannabis soluti	on product" me	ans any cartridge, bot	tle, or other package
	<u> </u>		•	Ilt-use cannabinoid pr	
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that is consumed or meant to be consumed through the use of a heating element, power 126.1 source, electronic circuit, or other electronic, chemical, or mechanical means that produces 126.2 126.3 vapor or aerosol. An adult-use cannabis solution product includes any electronic adult-use cannabis concentrate delivery system, electronic vaping device, electronic vape pen, 126.4 electronic oral device, electronic delivery device, or similar product or device, and any 126.5 batteries, heating elements, or other components, parts, or accessories sold with and meant 126.6 to be used in the consumption of a solution containing adult-use cannabis or an adult-use 126.7 126.8 cannabis product. (e) "Cannabis microbusiness" means a cannabis business licensed under section 342.34. 126.9 126.10 (f) "Cannabis retailer" means a retailer that sells adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis solution products, or lower potency edible products. 126.11 Cannabis retailer includes a: 126.12 (1) retailer maintaining a place of business in this state; 126.13 (2) marketplace provider maintaining a place of business in this state, as defined in 126.14 section 297A.66, subdivision 1, paragraph (a); 126.15 (3) retailer not maintaining a place of business in this state; and 126.16 (4) marketplace provider not maintaining a place of business in this state, as defined in 126.17 section 297A.66, subdivision 1, paragraph (b). 126.18 (g) "Commissioner" means the commissioner of revenue. 126.19 (h) "Gross receipts" means the total amount received, in money or by barter or exchange, 126.20

for all adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis solution
 products, or lower potency edible product sales at retail as measured by the sales price.

126.23 Gross receipts include but are not limited to delivery charges and packaging costs. Gross

126.24 receipts do not include:

(1) any taxes imposed directly on the customer that are separately stated on the invoice,
bill of sale, or similar document given to the purchaser; and

(2) discounts, including cash, terms, or coupons, that are not reimbursed by a third party
and that are allowed by the seller and taken by a purchaser on a sale.

(i) "lower potency edible product" has the meaning given in section 342.01, subdivision
45.

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127.1 (j) "On-site sale" means the sale of adult-use cannabis or adult-use cannabinoid products for consumption on the premises of a cannabis microbusiness or the sale of lower potency 127.2 127.3 edible products for consumption on the premises of a lower potency edible product retailer. (k) "Retail sale" has the meaning given in section 297A.61, subdivision 4. 127.4 127.5 Subd. 2. Gross receipts tax imposed. (a) A tax equal to eight percent of gross receipts from retail and on-site sales in Minnesota of adult-use cannabis flower, adult-use cannabinoid 127.6 products, adult-use cannabis solution products, and lower potency edible products is imposed 127.7 on any cannabis retailer, cannabis microbusiness, or lower potency edible product retailer 127.8 that sells these products to customers. A cannabis retailer, cannabis microbusiness, or lower 127.9 potency edible product retailer may but is not required to collect the tax imposed by this 127.10 section from the purchaser as long as the tax is separately stated on the receipt, invoice, bill 127.11 of sale, or similar document given to the purchaser. 127.12 (b) If a product subject to the tax imposed by this section is bundled in a single transaction 127.13 with a product or service that is not subject to the tax imposed by this section, the entire 127.14 sales price of the transaction is subject to the tax imposed by this section. 127.15 (c) The tax imposed under this section is in addition to any other tax imposed on the 127.16 sale or use of adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis 127.17 solution products, and lower potency edible products. 127.18 127.19 Subd. 3. Use tax imposed; credit for taxes paid. (a) A person that receives adult-use

127.20 cannabis flower, adult-use cannabinoid products, adult-use cannabis solution products, or 127.21 lower potency edible products for use or storage in Minnesota, other than from a cannabis 127.22 retailer, cannabis microbusiness, or lower potency edible product retailer that paid the tax 127.23 under subdivision 2, is subject to tax at the rate imposed under subdivision 2. Liability for 127.24 the tax is incurred when the person has possession of the adult-use cannabis flower, adult-use 127.25 cannabinoid product, or lower potency edible product in Minnesota. The tax must be remitted 127.26 to the commissioner in the same manner prescribed for taxes imposed under chapter 297A.

127.27 (b) A person that has paid taxes to another state or any subdivision thereof on the same 127.28 transaction and is subject to tax under this section is entitled to a credit for the tax legally

127.29 due and paid to another state or subdivision thereof to the extent of the lesser of (1) the tax

127.30 actually paid to the other state or subdivision thereof, or (2) the amount of tax imposed by

127.31 Minnesota on the transaction subject to tax in the other state or subdivision thereof.

127.32 Subd. 4. Exemptions. (a) The use tax imposed under subdivision 2, paragraph (b), does

127.33 not apply to the possession, use, or storage of adult-use cannabis flower, adult-use

127.34 cannabinoid products, adult-use cannabis solution products, or lower potency edible products

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	if (1) the adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis
128.2	solution products, or lower potency edible products have an aggregate cost in any calendar
128.3	month to the customer of \$100 or less, and (2) the adult-use cannabis flower, adult-use
128.4	cannabinoid products, adult-use cannabis solution products, or lower potency edible products
128.5	were carried into this state by the customer.
128.6	(b) The tax imposed under this section does not apply to sales of medical cannabis flower
128.7	and medical cannabinoid products purchased by or for the patients enrolled in the registry
128.8	program.
128.9	(c) Unless otherwise specified in this section, the exemptions applicable to taxes imposed
128.10	under chapter 297A are not applicable to the taxes imposed under this section.
128.11	Subd. 5. Tax collection required. A cannabis retailer, cannabis microbusiness, or lower
128.12	potency edible retailer with nexus in Minnesota, who is not subject to tax under subdivision
128.13	2, is required to collect the tax imposed under subdivision 3 from the purchaser of the
128.14	adult-use cannabis flower, adult-use cannabinoid product, adult-use cannabis solution
128.15	product, or lower potency edible product and give the purchaser a receipt for the tax paid.
128.16	The tax collected must be remitted to the commissioner in the same manner prescribed for
128.17	the taxes imposed under chapter 207A.
128.18	Subd. 6. Taxes paid to another state or any subdivision thereof; credit. A cannabis
128.19	retailer, cannabis microbusiness, or lower potency edible retailer that has paid taxes to
128.20	another state or any subdivision thereof measured by gross receipts and is subject to tax
128.21	under this section on the same gross receipts is entitled to a credit for the tax legally due
100.00	
128.22	and paid to another state or any subdivision thereof to the extent of the lesser of (1) the tax
128.22	and paid to another state or any subdivision thereof to the extent of the lesser of (1) the tax actually paid to the other state or any subdivision thereof, or (2) the amount of tax imposed
128.23	actually paid to the other state or any subdivision thereof, or (2) the amount of tax imposed
128.23 128.24	actually paid to the other state or any subdivision thereof, or (2) the amount of tax imposed by Minnesota on the gross receipts subject to tax in the other taxing state or any subdivision
128.23 128.24 128.25	actually paid to the other state or any subdivision thereof, or (2) the amount of tax imposed by Minnesota on the gross receipts subject to tax in the other taxing state or any subdivision thereof.
128.23 128.24 128.25 128.26	actually paid to the other state or any subdivision thereof, or (2) the amount of tax imposed by Minnesota on the gross receipts subject to tax in the other taxing state or any subdivision thereof. Subd. 7. Sourcing of sales. Section 297A.668 applies to the taxes imposed by this
128.23 128.24 128.25 128.26 128.27	actually paid to the other state or any subdivision thereof, or (2) the amount of tax imposed by Minnesota on the gross receipts subject to tax in the other taxing state or any subdivision thereof. Subd. 7. Sourcing of sales. Section 297A.668 applies to the taxes imposed by this section.
128.23 128.24 128.25 128.26 128.27 128.28	actually paid to the other state or any subdivision thereof, or (2) the amount of tax imposed by Minnesota on the gross receipts subject to tax in the other taxing state or any subdivision thereof. Subd. 7. Sourcing of sales. Section 297A.668 applies to the taxes imposed by this section. Subd. 8. Administration. Unless specifically provided otherwise, the audit, assessment,
128.23 128.24 128.25 128.26 128.27 128.28 128.29	actually paid to the other state or any subdivision thereof, or (2) the amount of tax imposed by Minnesota on the gross receipts subject to tax in the other taxing state or any subdivision thereof. Subd. 7. Sourcing of sales. Section 297A.668 applies to the taxes imposed by this section. Subd. 8. Administration. Unless specifically provided otherwise, the audit, assessment, refund, penalty, interest, enforcement, collection remedies, appeal, and administrative
128.23 128.24 128.25 128.26 128.27 128.28 128.29 128.30	actually paid to the other state or any subdivision thereof, or (2) the amount of tax imposedby Minnesota on the gross receipts subject to tax in the other taxing state or any subdivisionthereof.Subd. 7. Sourcing of sales. Section 297A.668 applies to the taxes imposed by thissection.Subd. 8. Administration. Unless specifically provided otherwise, the audit, assessment,refund, penalty, interest, enforcement, collection remedies, appeal, and administrativeprovisions of chapters 270C and 289A that are applicable to taxes imposed under chapter
128.23 128.24 128.25 128.26 128.27 128.28 128.29 128.30 128.31	actually paid to the other state or any subdivision thereof, or (2) the amount of tax imposed by Minnesota on the gross receipts subject to tax in the other taxing state or any subdivision thereof. Subd. 7. Sourcing of sales. Section 297A.668 applies to the taxes imposed by this section. Subd. 8. Administration. Unless specifically provided otherwise, the audit, assessment, refund, penalty, interest, enforcement, collection remedies, appeal, and administrative provisions of chapters 270C and 289A that are applicable to taxes imposed under chapter 297A, except the requirement to file returns and remit taxes due electronically, apply to the

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commissioner and must remit the tax in a form and manner prescribed by the commissioner.
 The return and the tax must be filed and paid using the filing cycle and due dates provided
 for taxes imposed under section 289A.20, subdivision 4, and chapter 297A.

(b) Interest must be paid on an overpayment refunded or credited to the taxpayer from
 the date of payment of the tax until the date the refund is paid or credited. For purposes of
 this subdivision, the date of payment is the due date of the return or the date of actual

- 129.7 payment of the tax, whichever is later.
- Subd. 10. Deposit of revenues. The commissioner must deposit all revenues, including
 penalties and interest, derived from the tax imposed by this section in the general fund.
- 129.10 Subd. 11. Personal debt. The tax imposed by this section, and interest and penalties
- 129.11 imposed with respect to it, are a personal debt of the person required to file a return from
- 129.12 the time that the liability for it arises, irrespective of when the time for payment of the
- 129.13 liability occurs. The debt must, in the case of the executor or administrator of the estate of

a decedent and in the case of a fiduciary, be that of the person in the person's official or

129.15 fiduciary capacity only, unless the person has voluntarily distributed the assets held in that

129.16 capacity without reserving sufficient assets to pay the tax, interest, and penalties, in which
129.17 event the person is personally liable for any deficiency.

129.18 EFFECTIVE DATE. This section is effective for gross receipts received after December
 129.19 31, 2023.

129.20 Sec. 7. Minnesota Statutes 2022, section 297A.61, subdivision 3, is amended to read:

Subd. 3. Sale and purchase. (a) "Sale" and "purchase" include, but are not limited to, 129.21 each of the transactions listed in this subdivision. In applying the provisions of this chapter, 129.22 the terms "tangible personal property" and "retail sale" include the taxable services listed 129.23 in paragraph (g), clause (6), items (i) to (vi) and (viii), and the provision of these taxable 129.24 services, unless specifically provided otherwise. Services performed by an employee for 129.25 an employer are not taxable. Services performed by a partnership or association for another 129.26 partnership or association are not taxable if one of the entities owns or controls more than 129.27 80 percent of the voting power of the equity interest in the other entity. Services performed 129.28 between members of an affiliated group of corporations are not taxable. For purposes of 129.29 129.30 the preceding sentence, "affiliated group of corporations" means those entities that would be classified as members of an affiliated group as defined under United States Code, title 129.31 26, section 1504, disregarding the exclusions in section 1504(b). 129.32

129.33 (b) Sale and purchase include:

(1) any transfer of title or possession, or both, of tangible personal property, whetherabsolutely or conditionally, for a consideration in money or by exchange or barter; and

(2) the leasing of or the granting of a license to use or consume, for a consideration in
money or by exchange or barter, tangible personal property, other than a manufactured
home used for residential purposes for a continuous period of 30 days or more.

(c) Sale and purchase include the production, fabrication, printing, or processing of
 tangible personal property for a consideration for consumers who furnish either directly or
 indirectly the materials used in the production, fabrication, printing, or processing.

(d) Sale and purchase include the preparing for a consideration of food. Notwithstanding
section 297A.67, subdivision 2, taxable food includes, but is not limited to, the following:

130.11 (1) prepared food sold by the retailer;

130.12 (2) soft drinks;

130.13 (3) candy; and

130.14 (4) dietary supplements.

(e) A sale and a purchase includes the furnishing for a consideration of electricity, gas,
water, or steam for use or consumption within this state.

(f) A sale and a purchase includes the transfer for a consideration of prewritten computer
software whether delivered electronically, by load and leave, or otherwise.

(g) A sale and a purchase includes the furnishing for a consideration of the followingservices:

(1) the privilege of admission to places of amusement, recreational areas, or athletic
events, and the making available of amusement devices, tanning facilities, reducing salons,
steam baths, health clubs, and spas or athletic facilities;

(2) lodging and related services by a hotel, rooming house, resort, campground, motel,
or trailer camp, including furnishing the guest of the facility with access to telecommunication
services, and the granting of any similar license to use real property in a specific facility,
other than the renting or leasing of it for a continuous period of 30 days or more under an
enforceable written agreement that may not be terminated without prior notice and including
accommodations intermediary services provided in connection with other services provided
under this clause;

(3) nonresidential parking services, whether on a contractual, hourly, or other periodic
basis, except for parking at a meter;

131.1 (4) the granting of membership in a club, association, or other organization if:

(i) the club, association, or other organization makes available for the use of its members
sports and athletic facilities, without regard to whether a separate charge is assessed for use
of the facilities; and

(ii) use of the sports and athletic facility is not made available to the general public onthe same basis as it is made available to members.

Granting of membership means both onetime initiation fees and periodic membership dues.
Sports and athletic facilities include golf courses; tennis, racquetball, handball, and squash
courts; basketball and volleyball facilities; running tracks; exercise equipment; swimming
pools; and other similar athletic or sports facilities;

(5) delivery of aggregate materials by a third party, excluding delivery of aggregate
material used in road construction; and delivery of concrete block by a third party if the
delivery would be subject to the sales tax if provided by the seller of the concrete block.
For purposes of this clause, "road construction" means construction of:

131.15 (i) public roads;

131.16 (ii) cartways; and

(iii) private roads in townships located outside of the seven-county metropolitan areaup to the point of the emergency response location sign; and

131.19 (6) services as provided in this clause:

(i) laundry and dry cleaning services including cleaning, pressing, repairing, altering,
and storing clothes, linen services and supply, cleaning and blocking hats, and carpet,
drapery, upholstery, and industrial cleaning. Laundry and dry cleaning services do not
include services provided by coin operated facilities operated by the customer;

(ii) motor vehicle washing, waxing, and cleaning services, including services provided
by coin operated facilities operated by the customer, and rustproofing, undercoating, and
towing of motor vehicles;

(iii) building and residential cleaning, maintenance, and disinfecting services and pest
control and exterminating services;

(iv) detective, security, burglar, fire alarm, and armored car services; but not including
services performed within the jurisdiction they serve by off-duty licensed peace officers as
defined in section 626.84, subdivision 1, or services provided by a nonprofit organization
or any organization at the direction of a county for monitoring and electronic surveillance

of persons placed on in-home detention pursuant to court order or under the direction of the
Minnesota Department of Corrections;

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132.3 (v) pet grooming services;

(vi) lawn care, fertilizing, mowing, spraying and sprigging services; garden planting
and maintenance; tree, bush, and shrub pruning, bracing, spraying, and surgery; indoor plant
care; tree, bush, shrub, and stump removal, except when performed as part of a land clearing
contract as defined in section 297A.68, subdivision 40; and tree trimming for public utility
lines. Services performed under a construction contract for the installation of shrubbery,
plants, sod, trees, bushes, and similar items are not taxable;

(vii) massages, except when provided by a licensed health care facility or professional
or upon written referral from a licensed health care facility or professional for treatment of
illness, injury, or disease; and

(viii) the furnishing of lodging, board, and care services for animals in kennels and other
similar arrangements, but excluding veterinary and horse boarding services.

(h) A sale and a purchase includes the furnishing for a consideration of tangible personal
property or taxable services by the United States or any of its agencies or instrumentalities,
or the state of Minnesota, its agencies, instrumentalities, or political subdivisions.

(i) A sale and a purchase includes the furnishing for a consideration of

telecommunications services, ancillary services associated with telecommunication services,
and pay television services. Telecommunication services include, but are not limited to, the
following services, as defined in section 297A.669: air-to-ground radiotelephone service,
mobile telecommunication service, postpaid calling service, prepaid calling service, prepaid
wireless calling service, and private communication services. The services in this paragraph

132.23 wireless calling service, and private communication services. The servic132.24 are taxed to the extent allowed under federal law.

(j) A sale and a purchase includes the furnishing for a consideration of installation if the
installation charges would be subject to the sales tax if the installation were provided by
the seller of the item being installed.

(k) A sale and a purchase includes the rental of a vehicle by a motor vehicle dealer to a
customer when (1) the vehicle is rented by the customer for a consideration, or (2) the motor
vehicle dealer is reimbursed pursuant to a service contract as defined in section 59B.02,
subdivision 11.

(1) A sale and a purchase includes furnishing for a consideration of specified digitalproducts or other digital products or granting the right for a consideration to use specified

digital products or other digital products on a temporary or permanent basis and regardless of whether the purchaser is required to make continued payments for such right. Wherever the term "tangible personal property" is used in this chapter, other than in subdivisions 10 and 38, the provisions also apply to specified digital products, or other digital products, unless specifically provided otherwise or the context indicates otherwise.

(m) The sale of the privilege of admission under section 297A.61, subdivision 3,
paragraph (g), clause (1), to a place of amusement, recreational area, or athletic event
includes all charges included in the privilege of admission's sales price, without deduction
for amenities that may be provided, unless the amenities are separately stated and the
purchaser of the privilege of admission is entitled to add or decline the amenities, and the
amenities are not otherwise taxable.

133.12 (n) A sale and purchase includes the sale and purchase of adult-use cannabis flower,

133.13 adult-use cannabinoid products, adult-use cannabis solution products, and any lower dosage

133.14 edible cannabinoid products. For purposes of this paragraph, "adult-use cannabis" has the

133.15 meaning given in section 342.01, subdivision 3; "adult-use cannabis product" has the meaning

133.16 given in section 342.01, subdivision 5; "adult-use cannabis solution product" has the meaning

133.17 given in section 295.81, subdivision 1, paragraph (d); and "lower potency edible product"

has the meaning given in section 342.01, subdivision 45.

133.19 EFFECTIVE DATE. This section is effective for sales and purchases made after
 133.20 December 31, 2023.

133.21 Sec. 8. Minnesota Statutes 2022, section 297A.67, subdivision 2, is amended to read:

Subd. 2. Food and food ingredients. Except as otherwise provided in this subdivision, 133.22 food and food ingredients are exempt. For purposes of this subdivision, "food" and "food 133.23 ingredients" mean substances, whether in liquid, concentrated, solid, frozen, dried, or 133.24 133.25 dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. Food and food ingredients exempt under this subdivision do 133.26 not include candy, soft drinks, dietary supplements, and prepared foods. Food and food 133.27 ingredients do not include alcoholic beverages and tobacco. Food and food ingredients do 133.28 not include adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis 133.29 133.30 solution products, lower potency edible products, medical cannabis flower, and medical cannabinoid products. As used in this paragraph, "adult-use cannabis flower" has the meaning 133.31 given in section 342.01, subdivision 4; "adult-use cannabinoid product" has the meaning 133.32 given in section 342.01, subdivision 2; "adult-use cannabis solution product" has the meaning 133.33 given in section 295.81, subdivision 1, paragraph (d); "lower potency edible product" has 133.34

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134.1 the meaning given in section 342.01, subdivision 45; "medical cannabis flower" has the

134.2 meaning given in section 342.01, subdivision 49; and "medical cannabinoid product" has

134.3 the meaning given in section 342.01, subdivision 47. For purposes of this subdivision,

134.4 "alcoholic beverages" means beverages that are suitable for human consumption and contain

134.5 one-half of one percent or more of alcohol by volume. For purposes of this subdivision,

134.6 "tobacco" means cigarettes, cigars, chewing or pipe tobacco, or any other item that contains

134.7 tobacco. For purposes of this subdivision, "dietary supplements" means any product, other

134.8 than tobacco, intended to supplement the diet that:

- 134.9 (1) contains one or more of the following dietary ingredients:
- 134.10 (i) a vitamin;

134.11 (ii) a mineral;

134.12 (iii) an herb or other botanical;

134.13 (iv) an amino acid;

(v) a dietary substance for use by humans to supplement the diet by increasing the totaldietary intake; and

(vi) a concentrate, metabolite, constituent, extract, or combination of any ingredient
described in items (i) to (v);

(2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap, or liquid form,
or if not intended for ingestion in such form, is not represented as conventional food and is
not represented for use as a sole item of a meal or of the diet; and

(3) is required to be labeled as a dietary supplement, identifiable by the supplement facts
box found on the label and as required pursuant to Code of Federal Regulations, title 21,
section 101.36.

134.24 EFFECTIVE DATE. This section is effective for sales and purchases made after 134.25 December 31, 2023.

134.26 Sec. 9. Minnesota Statutes 2022, section 297A.67, subdivision 7, is amended to read:

134.27 Subd. 7. Drugs; medical devices. (a) Sales of the following drugs and medical devices134.28 for human use are exempt:

134.29 (1) drugs, including over-the-counter drugs;

134.30 (2) single-use finger-pricking devices for the extraction of blood and other single-use

134.31 devices and single-use diagnostic agents used in diagnosing, monitoring, or treating diabetes;

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(3) insulin and medical oxygen for human use, regardless of whether prescribed or soldover the counter;

135.3 (4) prosthetic devices;

135.4 (5) durable medical equipment for home use only;

135.5 (6) mobility enhancing equipment;

135.6 (7) prescription corrective eyeglasses; and

135.7 (8) kidney dialysis equipment, including repair and replacement parts.

135.8 (b) Items purchased in transactions covered by:

135.9 (1) Medicare as defined under title XVIII of the Social Security Act, United States Code,

135.10 title 42, section 1395, et seq.; or

135.11 (2) Medicaid as defined under title XIX of the Social Security Act, United States Code,

135.12 title 42, section 1396, et seq.

- 135.13 (c) For purposes of this subdivision:
- 135.14 (1) "Drug" means a compound, substance, or preparation, and any component of a

135.15 compound, substance, or preparation, other than food and food ingredients, dietary

135.16 supplements, adult-use cannabis, adult-use cannabinoid products, adult-use cannabis solution

135.17 products, lower potency edible products, or alcoholic beverages that is:

(i) recognized in the official United States Pharmacopoeia, official Homeopathic

Pharmacopoeia of the United States, or official National Formulary, and supplement to anyof them;

(ii) intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease;or

135.23 (iii) intended to affect the structure or any function of the body.

(2) "Durable medical equipment" means equipment, including repair and replacement
parts, including single-patient use items, but not including mobility enhancing equipment,
that:

135.27 (i) can withstand repeated use;

135.28 (ii) is primarily and customarily used to serve a medical purpose;

(iii) generally is not useful to a person in the absence of illness or injury; and

135.30 (iv) is not worn in or on the body.

For purposes of this clause, "repair and replacement parts" includes all components or attachments used in conjunction with the durable medical equipment, including repair and replacement parts which are for single patient use only.

(3) "Mobility enhancing equipment" means equipment, including repair and replacementparts, but not including durable medical equipment, that:

(i) is primarily and customarily used to provide or increase the ability to move from one
place to another and that is appropriate for use either in a home or a motor vehicle;

136.8 (ii) is not generally used by persons with normal mobility; and

(iii) does not include any motor vehicle or equipment on a motor vehicle normallyprovided by a motor vehicle manufacturer.

(4) "Over-the-counter drug" means a drug that contains a label that identifies the product
as a drug as required by Code of Federal Regulations, title 21, section 201.66. The label
must include a "drug facts" panel or a statement of the active ingredients with a list of those
ingredients contained in the compound, substance, or preparation. Over-the-counter drugs
do not include grooming and hygiene products, regardless of whether they otherwise meet
the definition. "Grooming and hygiene products" are soaps, cleaning solutions, shampoo,
toothpaste, mouthwash, antiperspirants, and suntan lotions and sunscreens.

(5) "Prescribed" and "prescription" means a direction in the form of an order, formula,
or recipe issued in any form of oral, written, electronic, or other means of transmission by
a duly licensed health care professional.

(6) "Prosthetic device" means a replacement, corrective, or supportive device, includingrepair and replacement parts, worn on or in the body to:

136.23 (i) artificially replace a missing portion of the body;

136.24 (ii) prevent or correct physical deformity or malfunction; or

136.25 (iii) support a weak or deformed portion of the body.

136.26 Prosthetic device does not include corrective eyeglasses.

136.27 (7) "Kidney dialysis equipment" means equipment that:

(i) is used to remove waste products that build up in the blood when the kidneys are notable to do so on their own; and

(ii) can withstand repeated use, including multiple use by a single patient, notwithstandingthe provisions of clause (2).

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(8) A transaction is covered by Medicare or Medicaid if any portion of the cost of the 137.1 item purchased in the transaction is paid for or reimbursed by the federal government or 137.2 the state of Minnesota pursuant to the Medicare or Medicaid program, by a private insurance 137.3 company administering the Medicare or Medicaid program on behalf of the federal 137.4 government or the state of Minnesota, or by a managed care organization for the benefit of 137.5 a patient enrolled in a prepaid program that furnishes medical services in lieu of conventional 137.6 Medicare or Medicaid coverage pursuant to agreement with the federal government or the 137.7 137.8 state of Minnesota.

(9) For the purposes of this subdivision, "adult-use cannabis flower" has the meaning 137.9 given in section 342.01, subdivision 4; "adult-use cannabinoid product" has the meaning 137.10 given in section 342.01, subdivision 2; "adult-use cannabis solution product" has the meaning 137.11 given in section 295.81, subdivision 1, paragraph (d); and "lower potency edible product" 137.12 has the meaning given in section 342.01, subdivision 45. 137.13

EFFECTIVE DATE. This section is effective for sales and purchases made after 137.14 December 31, 2023. 137.15

137.16 Sec. 10. Minnesota Statutes 2022, section 297A.70, subdivision 2, is amended to read:

Subd. 2. Sales to government. (a) All sales, except those listed in paragraph (b), to the 137.17 following governments and political subdivisions, or to the listed agencies or instrumentalities 137.18 of governments and political subdivisions, are exempt: 137.19

(1) the United States and its agencies and instrumentalities; 137.20

(2) school districts, local governments, the University of Minnesota, state universities, 137.21 community colleges, technical colleges, state academies, the Perpich Minnesota Center for 137.22 Arts Education, and an instrumentality of a political subdivision that is accredited as an 137.23 optional/special function school by the North Central Association of Colleges and Schools; 137.24

(3) hospitals and nursing homes owned and operated by political subdivisions of the 137.25 state of tangible personal property and taxable services used at or by hospitals and nursing 137.26 137.27 homes;

(4) notwithstanding paragraph (d), the sales and purchases by the Metropolitan Council 137.28 of vehicles and repair parts to equip operations provided for in section 473.4051 are exempt 137.29 through December 31, 2016; 137.30

(5) other states or political subdivisions of other states, if the sale would be exempt from 137.31 taxation if it occurred in that state; and 137.32

(6) public libraries, public library systems, multicounty, multitype library systems as
defined in section 134.001, county law libraries under chapter 134A, state agency libraries,
the state library under section 480.09, and the Legislative Reference Library.

(b) This exemption does not apply to the sales of the following products and services:

(1) building, construction, or reconstruction materials purchased by a contractor or a
subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed
maximum price covering both labor and materials for use in the construction, alteration, or
repair of a building or facility;

(2) construction materials purchased by tax exempt entities or their contractors to be
used in constructing buildings or facilities which will not be used principally by the tax
exempt entities;

(3) the leasing of a motor vehicle as defined in section 297B.01, subdivision 11, except
for leases entered into by the United States or its agencies or instrumentalities;

(4) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2), and prepared food, candy, soft drinks, and alcoholic beverages as defined in section 297A.67, subdivision 2_7 ; adult-use cannabis flower as defined in section 342.01, subdivision 4;

138.17 adult-use cannabinoid products as defined in section 342.01, subdivision 2; adult-use cannabis

138.18 solution products as defined in section 295.81, subdivision 1; and lower potency edible

138.19 products as defined in section 342.01, subdivision 45, except for lodging, prepared food,

candy, soft drinks, and alcoholic beverages, adult-use cannabis flower, adult-use cannabinoid
products, adult-use cannabis solution products, and lower potency edible products purchased

138.22 directly by the United States or its agencies or instrumentalities; or

(5) goods or services purchased by a local government as inputs to a liquor store, gas
or electric utility, solid waste hauling service, solid waste recycling service, landfill, golf
course, marina, campground, cafe, or laundromat.

(c) As used in this subdivision, "school districts" means public school entities and districts
of every kind and nature organized under the laws of the state of Minnesota, and any
instrumentality of a school district, as defined in section 471.59.

(d) For purposes of the exemption granted under this subdivision, "local governments"has the following meaning:

(1) for the period prior to January 1, 2017, local governments means statutory or home
rule charter cities, counties, and townships; and

(2) beginning January 1, 2017, local governments means statutory or home rule charter
cities, counties, and townships; special districts as defined under section 6.465; any
instrumentality of a statutory or home rule charter city, county, or township as defined in
section 471.59; and any joint powers board or organization created under section 471.59.

139.5 EFFECTIVE DATE. This section is effective for sales and purchases made after June
 139.6 <u>30, 2023.</u>

139.7 Sec. 11. Minnesota Statutes 2022, section 297A.70, subdivision 18, is amended to read:

Subd. 18. Nursing homes and boarding care homes. (a) All sales, except those listed in paragraph (b), to a nursing home licensed under section 144A.02 or a boarding care home certified as a nursing facility under title 19 of the Social Security Act are exempt if the facility:

(1) is exempt from federal income taxation pursuant to section 501(c)(3) of the InternalRevenue Code; and

(2) is certified to participate in the medical assistance program under title 19 of the Social
Security Act, or certifies to the commissioner that it does not discharge residents due to the
inability to pay.

(b) This exemption does not apply to the following sales:

(1) building, construction, or reconstruction materials purchased by a contractor or a
subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed
maximum price covering both labor and materials for use in the construction, alteration, or
repair of a building or facility;

(2) construction materials purchased by tax-exempt entities or their contractors to be
used in constructing buildings or facilities that will not be used principally by the tax-exempt
entities;

(3) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2),
and prepared food, candy, soft drinks, and alcoholic beverages as defined in section 297A.67,
subdivision 2; adult-use cannabis as defined in section 342.01, subdivision 3; adult-use

139.28 cannabinoid products as defined in section 342.01, subdivision 2; adult-use cannabis solution

139.29 products as defined in section 295.81, subdivision 1; and lower potency edible products as

139.30 defined in section 342.01, subdivision 45; and

(4) leasing of a motor vehicle as defined in section 297B.01, subdivision 11, except asprovided in paragraph (c).

(c) This exemption applies to the leasing of a motor vehicle as defined in section 297B.01,
subdivision 11, only if the vehicle is:

(1) a truck, as defined in section 168.002; a bus, as defined in section 168.002; or a
passenger automobile, as defined in section 168.002, if the automobile is designed and used
for carrying more than nine persons including the driver; and

(2) intended to be used primarily to transport tangible personal property or residents ofthe nursing home or boarding care home.

140.8 EFFECTIVE DATE. This section is effective for sales and purchases made after June
140.9 <u>30, 2023.</u>

140.10 Sec. 12. Minnesota Statutes 2022, section 297A.99, is amended by adding a subdivision140.11 to read:

140.12 Subd. 4a. Adult-use cannabis local tax prohibited. A political subdivision of this state

140.13 is prohibited from imposing a tax under this section solely on the sale of adult-use cannabis

140.14 <u>flower, adult-use cannabinoid products, adult-use cannabis solution products, or lower</u>

140.15 potency edible products.

140.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

140.17 Sec. 13. Minnesota Statutes 2022, section 297D.01, is amended to read:

140.18 **297D.01 DEFINITIONS.**

Subdivision 1. Marijuana Illegal cannabis. "Marijuana" "Illegal cannabis" means any
marijuana cannabinoid product as defined in section 342.01, subdivision 12; cannabis plant
as defined in section 342.01, subdivision 19; cannabis flower as defined in section 342.01,
subdivision 16; or artificially derived cannabinoid as defined in section 342.01, subdivision
6, whether real or counterfeit, as defined in section 152.01, subdivision 9, that is held,
possessed, transported, transferred, sold, or offered to be sold in violation of chapter 342

140.25 <u>or Minnesota criminal laws</u>.

Subd. 2. Controlled substance. "Controlled substance" means any drug or substance,
whether real or counterfeit, as defined in section 152.01, subdivision 4, that is held, possessed,
transported, transferred, sold, or offered to be sold in violation of Minnesota laws. "Controlled
substance" does not include marijuana illegal cannabis.

Subd. 3. Tax obligor or obligor. "Tax obligor" or "obligor" means a person who in
violation of Minnesota law manufactures, produces, ships, transports, or imports into

141.1 Minnesota or in any manner acquires or possesses more than 42-1/2 grams of marijuana

141.2 <u>illegal cannabis</u>, or seven or more grams of any controlled substance, or ten or more dosage

141.3 units of any controlled substance which is not sold by weight. A quantity of marijuana illegal

141.4 cannabis or other controlled substance is measured by the weight of the substance whether

141.5 pure or impure or dilute, or by dosage units when the substance is not sold by weight, in

141.6 the tax obligor's possession. A quantity of a controlled substance is dilute if it consists of a

141.7 detectable quantity of pure controlled substance and any excipients or fillers.

141.8 Subd. 4. Commissioner. "Commissioner" means the commissioner of revenue.

141.9 **EFFECTIVE DATE.** This section is effective January 1, 2025.

141.10 Sec. 14. Minnesota Statutes 2022, section 297D.04, is amended to read:

141.11 **297D.04 TAX PAYMENT REQUIRED FOR POSSESSION.**

141.12 No tax obligor may possess any marijuana illegal cannabis or controlled substance upon

141.13 which a tax is imposed by section 297D.08 unless the tax has been paid on the marijuana

illegal cannabis or other a controlled substance as evidenced by a stamp or other official
indicia.

141.16 **EFFECTIVE DATE.** This section is effective January 1, 2025.

141.17 Sec. 15. Minnesota Statutes 2022, section 297D.06, is amended to read:

141.18 **297D.06 PHARMACEUTICALS.**

141.19 Nothing in this chapter requires persons registered under chapter 151 or otherwise

141.20 lawfully in possession of marijuana illegal cannabis or a controlled substance to pay the tax

141.21 required under this chapter.

141.22 **EFFECTIVE DATE.** This section is effective January 1, 2025.

141.23 Sec. 16. Minnesota Statutes 2022, section 297D.07, is amended to read:

141.24 **297D.07 MEASUREMENT.**

141.25 For the purpose of calculating the tax under section 297D.08, a quantity of marijuana

141.26 illegal cannabis or other a controlled substance is measured by the weight of the substance

141.27 whether pure or impure or dilute, or by dosage units when the substance is not sold by

141.28 weight, in the tax obligor's possession. A quantity of a controlled substance is dilute if it

141.29 consists of a detectable quantity of pure controlled substance and any excipients or fillers.

141.30 **EFFECTIVE DATE.** This section is effective January 1, 2025.

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142.1	Sec. 17. Minn	esota Statutes 202	2, section 297D	0.08, is amended to re	ad:
142.2	297D.08 TA	X RATE.			
142.3	A tax is imp	osed on marijuana	i illegal cannabi	s and controlled subs	tances as defined in
142.4	section 297D.0	l at the following	rates:		
142.5	(1) on each	gram of marijuana	illegal cannabi	<u>s</u> , or each portion of a	gram, \$3.50; and
142.6	(2) on each	gram of controlled	l substance, or p	oortion of a gram, \$20	0; or

(3) on each ten dosage units of a controlled substance that is not sold by weight, orportion thereof, \$400.

142.9 **EFFECTIVE DATE.** This section is effective January 1, 2025.

142.10 Sec. 18. Minnesota Statutes 2022, section 297D.085, is amended to read:

142.11 **297D.085 CREDIT FOR PREVIOUSLY PAID TAXES.**

If another state or local unit of government has previously assessed an excise tax on the marijuana illegal cannabis or controlled substances, the taxpayer must pay the difference between the tax due under section 297D.08 and the tax previously paid. If the tax previously paid to the other state or local unit of government was equal to or greater than the tax due under section 297D.08, no tax is due. The burden is on the taxpayer to show that an excise tax on the marijuana illegal cannabis or controlled substances has been paid to another state or local unit of government.

142.19 **EFFECTIVE DATE.** This section is effective January 1, 2025.

142.20 Sec. 19. Minnesota Statutes 2022, section 297D.09, subdivision 1a, is amended to read:

Subd. 1a. **Criminal penalty; sale without affixed stamps.** In addition to the tax penalty imposed, a tax obligor distributing or possessing marijuana <u>illegal cannabis</u> or controlled substances without affixing the appropriate stamps, labels, or other indicia is guilty of a crime and, upon conviction, may be sentenced to imprisonment for not more than seven years or to payment of a fine of not more than \$14,000, or both.

142.26 **EFFECTIVE DATE.** This section is effective January 1, 2025.

143.1	Sec. 20. Minnesota Statutes 2022, section 297D.10, is amended to read:
143.2	297D.10 STAMP PRICE.
143.3	Official stamps, labels, or other indicia to be affixed to all marijuana illegal cannabis or
143.4	controlled substances shall be purchased from the commissioner. The purchaser shall pay
143.5	100 percent of face value for each stamp, label, or other indicia at the time of the purchase.
143.6	EFFECTIVE DATE. This section is effective January 1, 2025.
143.7	Sec. 21. Minnesota Statutes 2022, section 297D.11, is amended to read:
143.8	297D.11 PAYMENT DUE.
143.9	Subdivision 1. Stamps affixed. When a tax obligor purchases, acquires, transports, or
143.10	imports into this state marijuana illegal cannabis or controlled substances on which a tax is
143.11	imposed by section 297D.08, and if the indicia evidencing the payment of the tax have not
143.12	already been affixed, the tax obligor shall have them permanently affixed on the marijuana
143.13	illegal cannabis or controlled substance immediately after receiving the substance. Each
143.14	stamp or other official indicia may be used only once.
143.15	Subd. 2. Payable on possession. Taxes imposed upon marijuana illegal cannabis or
143.16	controlled substances by this chapter are due and payable immediately upon acquisition or
143.17	possession in this state by a tax obligor.
143.18	EFFECTIVE DATE. This section is effective January 1, 2025.
143.19	ARTICLE 3
143.20	BUSINESS DEVELOPMENT
143.21	Section 1. [116J.659] CANNABIS INDUSTRY STARTUP FINANCING GRANTS.
143.22	Subdivision 1. Establishment. The commissioner of employment and economic
143.23	development shall establish CanStartup, a program to award grants to nonprofit corporations
143.24	to fund loans to new businesses in the legal cannabis industry and to support job creation
143.25	in communities where long-term residents are eligible to be social equity applicants.
143.26	Subd. 2. Definitions. (a) For the purposes of this section, the following terms have the
143.27	meanings given.
143.28	(b) "Commissioner" means the commissioner of employment and economic development.
143.29	(c) "Industry" means the legal cannabis industry in the state of Minnesota.

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144.1	<u>(</u> d) "New bi	isiness" means a leg	gal cannabis b	usiness that has been in	existence for three
144.2	years or less.				
144.3	(e) "Program" means the CanStartup grant program.				
144.4	(f) "Social equity applicant" means a person who meets the qualification requirements				
144.5	<u>in section 342.16.</u>				
144.6	Subd. 3. Gr	cants. (a) The comm	nissioner shall	establish a revolving lo	oan account to make
144.7	grants under th	e CanStartup progr	am.		
144.8	(b) The com	missioner must awa	ard grants to ne	onprofit corporations th	rough a competitive
144.9	grant process.				
144.10	(c) To recei	ve grant money, a r	nonprofit corp	oration must submit a v	vritten application
144.11	to the commiss	ioner using a form	developed by	the commissioner.	
144.12	(d) In award	ling grants under th	nis subdivision	n, the commissioner sha	all give weight to
144.13	whether the not	nprofit corporation	• <u>•</u>		
144.14	<u>(1) has a boa</u>	ard of directors that	includes citize	ens experienced in busin	less and community
144.15	development, n	ew business enterp	orises, and crea	ating jobs for people fac	cing barriers to
144.16	education or en	nployment;			
144.17	(2) has the t	echnical skills to a	nalyze project	<u>s;</u>	
144.18	(3) is famili	ar with other availa	able public and	d private funding sourc	es and economic
144.19	development p	rograms;			
144.20	(4) can initi	ate and implement	economic dev	velopment projects;	
144.21	(5) can esta	blish and administe	er a revolving	loan account;	
144.22	<u>(6)</u> can wor	k with job referral	networks that	assist people facing bar	rriers to education
144.23	or employment	; and			
144.24	(7) has estab	olished relationships	s with commu	nities where long-term r	esidents are eligible
144.25	to be social equ	ity applicants.			
144.26	The commissio	ner shall make grar	nts that will as	sist a broad range of bus	sinesses in the legal
144.27	cannabis indus	try, including the p	rocessing and	retail sectors.	
144.28	(e) A nonpr	ofit corporation that	at receives a g	rant under the program	must:
144.29	(1) establish	a commissioner-co	ertified revolv	ing loan account for the	purpose of making
144.30	eligible loans;	and			

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145.1	(2) enter into an agreement with the commissioner that the commissioner shall fund
145.2	loans that the nonprofit corporation makes to new businesses in the legal cannabis industry.
145.3	The commissioner shall review existing agreements with nonprofit corporations every five
145.4	years and may renew or terminate an agreement based on that review. In making this review,
145.5	the commissioner shall consider, among other criteria, the criteria in paragraph (d).
145.6	Subd. 4. Loans to businesses. (a) The criteria in this subdivision apply to loans made
145.7	by nonprofit corporations under the program.
145.8	(b) Loans must be used to support a new business in the legal cannabis industry. Priority
145.9	must be given to loans to businesses owned by individuals who are eligible to be social
145.10	equity applicants and businesses located in communities where long-term residents are
145.11	eligible to be social equity applicants.
145.12	(c) Loans must be made to businesses that are not likely to undertake the project for
145.13	which loans are sought without assistance from the program.
145.14	(d) The minimum state contribution to a loan is \$2,500 and the maximum is either:
145.15	<u>(1) \$50,000; or</u>
145.16	(2) \$150,000, if state contributions are matched by an equal or greater amount of new
145.17	private investment.
145.18	(e) Loan applications given preliminary approval by the nonprofit corporation must be
145.19	forwarded to the commissioner for approval. The commissioner must give final approval
145.20	for each loan made by the nonprofit corporation under the program.
145.21	(f) A business that receives a loan may apply to renew the loan. Renewal applications
145.22	must be made on an annual basis and a business may receive loans for up to six consecutive
145.23	years. A nonprofit corporation may renew a loan to a business that is no longer a new
145.24	business provided the business would otherwise qualify for an initial loan and is in good
145.25	standing with the nonprofit corporation and the commissioner. A nonprofit corporation may
145.26	adjust the amount of a renewed loan, or not renew a loan, if the nonprofit corporation
145.27	determines that the business is financially stable and is substantially likely to continue the
145.28	project for which the loan renewal is sought.
145.29	(g) If a borrower has met lender criteria, including being current with all payments for
145.30	a minimum of three years, the commissioner may approve either full or partial forgiveness
145.31	of interest or principal amounts.
145.32	Subd. 5. Revolving loan account administration. (a) The commissioner shall establish

145.33 <u>a minimum interest rate for loans or guarantees to ensure that necessary loan administration</u>

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146.1	costs are covered. The interest rate charged by a nonprofit corporation for a loan under this
146.2	section must not exceed the Wall Street Journal prime rate. For a loan under this section,
146.3	the nonprofit corporation may charge a loan origination fee equal to or less than one percent
146.4	of the loan value. The nonprofit corporation may retain the amount of the origination fee.
146.5	(b) Loan repayment of principal must be paid to the commissioner for deposit in the
146.6	revolving loan account. Loan interest payments must be deposited in a revolving loan
146.7	account created by the nonprofit corporation originating the loan being repaid for further
146.8	distribution or use, consistent with the criteria of this section.
146.9	(c) Administrative expenses of the nonprofit corporations with whom the commissioner
146.10	enters into agreements, including expenses incurred by a nonprofit corporation in providing
146.11	financial, technical, managerial, and marketing assistance to a business receiving a loan
146.12	under this section, are eligible program expenses the commissioner may agree to pay under
146.13	the grant agreement.
146.14	Subd. 6. Program outreach. The commissioner shall make extensive efforts to publicize
146.15	this program, including through partnerships with community organizations, particularly
146.16	those organizations located in areas where long-term residents are eligible to be social equity
146.17	applicants.
146.18	Subd. 7. Reporting requirements. (a) A nonprofit corporation that receives a grant
146.19	shall:
146.20	(1) submit an annual report to the commissioner by February 1 of each year that the
146.21	nonprofit corporation participates in the program that includes a description of businesses
146.22	supported by the grant program, an account of loans made during the calendar year, the
146.23	program's impact on business creation and job creation, particularly in communities where
146.24	long-term residents are eligible to be social equity applicants, the source and amount of
146.25	money collected and distributed by the program, the program's assets and liabilities, and an
146.26	explanation of administrative expenses; and
146.27	(2) provide for an independent annual audit to be performed in accordance with generally
146.28	accepted accounting practices and auditing standards and submit a copy of each annual
146.29	audit report to the commissioner.
146.30	(b) By March 1, 2024, and each March 1 thereafter, the commissioner must submit a
146.31	report to the chairs and ranking minority members of the committees of the house of
146.32	representatives and the senate having jurisdiction over economic development that details
146.33	awards given through the CanStartup program and the use of grant money, including any

146.34 measures of success toward financing new businesses in the legal cannabis industry and

	SF73	REVISOR	BD	S0073-1	1st Engrossment
147.1	creating jobs in	communities where lo	ong-term residents	s are eligible to be s	ocial equity
147.2	applicants.				
147.3	Sec. 2. [116J.	6595] CANNABIS IN	DUSTRY NAVI	GATION GRANT	<u>'S.</u>
147.4	Subdivision	1. Establishment. Th	e commissioner c	of employment and	economic
147.5	development sha	all establish CanNaviga	ate, a program to a	ward grants to eligib	le organizations
147.6	to help individu	als navigate the regula	atory structure of	the legal cannabis in	ndustry.
147.7	Subd. 2. Def	initions. (a) For the p	urposes of this se	ction, the following	terms have the
147.8	meanings given	<u>.</u>			
147.9	(b) "Commis	sioner" means the com	missioner of empl	oyment and econom	ic development.
147.10	(c) "Eligible	organization" means ar	ny organization cap	bable of helping indi	viduals navigate
147.11	the regulatory st	ructure of the legal can	nabis industry, pa	rticularly individual	s facing barriers
147.12	to education or	employment, and may	include educatio	nal institutions, non	profit
147.13	organizations, p	rivate businesses, com	nmunity groups, u	nits of local govern	ment, or
147.14	partnerships bet	ween different types o	of organizations.		
147.15	(d) "Industry	" means the legal can	nabis industry in	the state of Minneso	ota.
147.16	(e) "Program	" means the CanNavi	gate grant program	<u>m.</u>	
147.17	(f) "Social e	quity applicant" means	s a person who m	eets the qualificatio	n requirements
147.18	in section 342.1	<u>6.</u>			
147.19	Subd. 3. Gra	ants to organizations.	. (a) Grant money	awarded to eligible	e organizations
147.20	may be used for	both developing tech	nical assistance re	esources relevant to	the regulatory
147.21	structure of the	legal cannabis industry	and for providin	g technical assistance	ce or navigation
147.22	services to indiv	riduals.			
147.23	(b) The com	missioner must award	grants to eligible of	organizations throug	h a competitive
147.24	grant process.				
147.25	(c) To receiv	ve grant money, an elig	gible organization	must submit a writ	ten application
147.26	to the commissi	oner, using a form dev	veloped by the con	mmissioner, explain	uing the
147.27	organization's a	bility to assist individu	als in navigating	the regulatory struc	ture of the legal
147.28	cannabis industr	ry, particularly individ	uals facing barrie	rs to education or en	mployment.
147.29	(d) An eligit	ble organization's gran	t application mus	t also include:	
147.30	(1) a descrip	tion of the proposed te	echnical assistanc	e or navigation serv	vices, including
147.31	the types of ind	viduals targeted for as	ssistance;		

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148.1	(2) any evide	ence of the organi	zation's past suc	ccess in providing tec	chnical assistance or
148.2	<u> </u>			ividuals who live in a	
148.3		gible to be social			
148.4	(3) an estimation	ite of the cost of p	providing the tec	chnical assistance;	
148.5	(4) the source	es and amounts o	f any nonstate n	noney or in-kind con	tributions that will
148.6	supplement gran	<u>it money, includir</u>	ng any amounts t	that individuals will b	be charged to receive
148.7	assistance; and				
148.8	(5) any addit	ional information	n requested by th	ne commissioner.	
148.9	(e) In awardi	ng grants under t	his subdivision,	the commissioner sh	all give weight to
148.10	applications from	n organizations th	at demonstrate a	a history of successfu	l technical assistance
148.11	or navigation ser	vices, particularly	for individuals f	acing barriers to educ	ation or employment.
148.12	The commission	er shall also give	weight to appli	cations where the pro-	oposed technical
148.13	assistance will s	erve areas where	long-term resid	ents are eligible to be	e social equity
148.14	applicants. To the	ne extent practical	ble, the commis	sioner shall fund tech	nnical assistance for
148.15	a variety of sect	ors in the legal ca	nnabis industry	, including both proc	essing and retail
148.16	sectors.				
148.17	Subd. 4. Pro	gram outreach. 🛛	The commission	er shall make extensiv	ve efforts to publicize
148.18	these grants, inc	luding through pa	artnerships with	community organiza	tions, particularly
148.19	those organization	ons located in area	s where long-ter	rm residents are eligit	ble to be social equity
148.20	applicants.				
148.21	Subd. 5. Rep	orts to the legisla	iture. By Januar	y 15, 2024, and each.	January 15 thereafter,
148.22	the commission	er must submit a	report to the cha	irs and ranking minc	ority members of the
148.23	committees of th	e house of represe	entatives and the	e senate having jurisd	iction over economic
148.24	development that	t details awards §	given through th	e CanNavigate prog	ram and the use of
148.25	grant money, inc	cluding any meas	ures of success	toward helping indiv	iduals navigate the
148.26	regulatory struct	ture of the legal c	annabis industry	<u>/.</u>	
148.27	Sec. 3. [116L.	90] CANNABIS	INDUSTRY T	RAINING GRANT	<u>S.</u>
148.28	Subdivision	1. Establishmen	t. <u>The commissi</u>	oner of employment	and economic

148.29 development shall establish CanTrain, a program to award grants to (1) eligible organizations
148.30 to train people for work in the legal cannabis industry, and (2) eligible individuals to acquire
148.31 such training.

148.32 <u>Subd. 2.</u> Definitions. (a) For the purposes of this section, the following terms have the
148.33 <u>meanings given.</u>

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149.1	<u>(b) "Comn</u>	nissioner" means the	commissioner of	employment and econ	omic development.
149.2	(c) "Eligih	le organization" me	ans any organizat	ion capable of providi	ng training relevant
149.3				viduals facing barrier	
149.4		-		ions, nonprofit organi	
149.5	- • ·	-		rnment, or partnership	
149.6	types of organ		8		
149.7	<u>(</u> d) "Eligit	ole individual" mea	ns a Minnesota re	esident who is 21 year	rs old or older.
149.8	<u>(e) "Indus</u>	try" means the lega	l cannabis indust	ry in Minnesota.	
149.9	(f) "Progra	am" means the Can	Train grant progr	am.	
149.10	<u>(g)</u> "Socia	l equity applicant"	means a person w	who meets the qualific	ation requirements
149.11	in section 342	2.16.			
149.12	<u>Subd. 3.</u>	Grants to organizat	t ions. (a) Grant n	noney awarded to elig	ible organizations
149.13	may be used t	for both developing	a training progra	m relevant to the lega	l cannabis industry
149.14	and for provid	ding such training to	o individuals.		
149.15	<u>(b)</u> The co	mmissioner must av	ward grants to elig	gible organizations thr	ough a competitive
149.16	grant process	<u>.</u>			
149.17	<u>(c)</u> To rece	eive grant money, a	n eligible organiz	ation must submit a v	vritten application
149.18	to the commis	ssioner, using a forr	n developed by tl	ne commissioner, exp	laining the
149.19	organization's	ability to train indiv	viduals for succes	sful careers in the lega	l cannabis industry,
149.20	particularly in	ndividuals facing ba	rriers to education	n or employment.	
149.21	(d) An eli	gible organization's	grant application	must also include:	
149.22	<u>(1) a descr</u>	ription of the propo	sed training;		
149.23	<u>(2)</u> an anal	lysis of the degree of	f demand in the le	gal cannabis industry	for the skills gained
149.24	through the p	roposed training;			
149.25	<u>(3)</u> any ev	idence of the organi	zation's past succ	ess in training individ	luals for successful
149.26	careers, partic	cularly in new or en	nerging industries	<u>;</u>	
149.27	<u>(4) an esti</u>	mate of the cost of	providing the pro	posed training;	
149.28	(5) the sou	arces and amounts of	of any nonstate fu	unds or in-kind contrib	outions that will
149.29	supplement g	rant money, includi	ng any amounts t	hat individuals will b	e charged to
149.30	participate in	the training; and			
149.31	<u>(6) any ad</u>	ditional information	n requested by the	e commissioner.	

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- 150.1 (e) In awarding grants under this subdivision, the commissioner shall give weight to
- 150.2 applications from organizations that demonstrate a history of successful career training,
- 150.3 particularly for individuals facing barriers to education or employment. The commissioner
- 150.4 shall also give weight to applications where the proposed training will:
- 150.5 (1) result in an industry-relevant credential; or
- 150.6 (2) include opportunities for hands-on or on-site experience in the industry.
- 150.7 The commissioner shall fund training for a broad range of careers in the legal cannabis
- 150.8 industry, including both potential business owners and employees and for work in the
- 150.9 growing, processing, and retail sectors of the legal cannabis industry.
- 150.10 Subd. 4. Grants to individuals. (a) The commissioner shall award grants of \$...... to
- eligible individuals to pursue a training program relevant to a career in the legal cannabisindustry.
- 150.13 (b) To receive grant money, an eligible individual must submit a written application to
- 150.14 the commissioner, using a form developed by the commissioner, identifying a training
- 150.15 program relevant to the legal cannabis industry and the estimated cost of completing that
- 150.16 training. The application must also indicate whether:
- 150.17 (1) the applicant is eligible to be a social equity applicant;
- 150.18 (2) the proposed training program results in an industry-relevant credential; and
- 150.19 (3) the proposed training program includes opportunities for hands-on or on-site
- 150.20 experience in the industry.
- 150.21 The commissioner shall attempt to make the application process simple for individuals to
- 150.22 complete, such as by publishing lists of industry-relevant training programs along with the
- 150.23 training program's estimated cost of completing the training programs and whether the
- 150.24 training programs will result in an industry-relevant credential or include opportunities for
- 150.25 hands-on or on-site experience in the legal cannabis industry.
- 150.26 (c) The commissioner must award grants to eligible individuals through a lottery process.
- 150.27 Applicants who have filed complete applications by the deadline set by the commissioner
- 150.28 shall receive one entry in the lottery, plus one additional entry for each of the following:
- 150.29 (1) being eligible to be a social equity applicant;
- 150.30 (2) seeking to enroll in a training program that results in an industry-relevant credential;
- 150.31 and

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151.1	(3) seeking	to enroll in a traini	ing program tha	t includes opportuniti	es for hands-on or
151.2	on-site experie	nce in the industry.	<u>.</u>		
151.3	(d) Grant m	oney awarded to eli	igible individual	s shall be used to pay t	he costs of enrolling
151.4	in a training pr	ogram relevant to t	the legal cannab	is industry, including	tuition, fees, and
151.5	materials costs	. Grant money may	also be used to	remove external barrie	ers to attending such
151.6	a training prog	ram, such as the cos	st of child care, t	ransportation, or other	• expenses approved
151.7	by the commis	sioner.			
151.8	<u>Subd. 5.</u> Pr	ogram outreach. T	The commission	er shall make extensive	e efforts to publicize
151.9	these grants, in	cluding through pa	artnerships with	community organizat	ions, particularly
151.10	those organizat	tions located in area	s where long-ter	rm residents are eligibl	e to be social equity
151.11	applicants.				
151.12	<u>Subd. 6.</u> Re	eports to the legisla	t ure. By Januar	y 15, 2024, and each Ja	anuary 15 thereafter,
151.13	the commission	ner must submit a 1	eport to the cha	irs and ranking minor	ity members of the
151.14	committees of	the house of represe	entatives and the	senate having jurisdic	tion over workforce
151.15	development th	hat describes award	ls given through	the CanTrain program	m and the use of
151.16	grant money, in	ncluding any measu	ures of success	toward training people	e for successful
151.17	careers in the l	egal cannabis indu	stry.		
151 10			ARTICLI	F 4	
151.18 151.19		C	RIMINAL PEN		
131.19		C			
151.20	Section 1. M	innesota Statutes 2	022, section 152	2.01, is amended by a	dding a subdivision
151.21	to read:				
151.22	<u>Subd. 25.</u>	Cannabinoid prod	uct. "Cannabino	oid product" has the m	eaning given in
151.23	section 342.01	, subdivision 12.			
151.24	Sec. 2. Minne	esota Statutes 2022	e, section 152.01	l, is amended by addin	ng a subdivision to
151.25	read:				
151.26	<u>Subd. 26.</u>	Cannabis concentr	ate. "Cannabis	concentrate" has the r	neaning given in
151.27	section 342.01	, subdivision 15.			
151.28	Sec. 3. Minne	esota Statutes 2022	e, section 152.01	l, is amended by addin	ng a subdivision to
151.29	read:				
151.30	<u>Subd. 27.</u>	Cannabis flower. "(Cannabis flower	" has the meaning give	en in section 342.01,
151.31	subdivision 16	<u>.</u>			

Article 4 Sec. 3.

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152.1 Sec. 4. Minnesota Statutes 2022, section 152.01, is amended by adding a subdivision to152.2 read:

152.3 <u>Subd. 28.</u> Edible cannabinoid product. "Edible cannabinoid product" has the meaning
152.4 given in section 342.01, subdivision 29.

152.5 Sec. 5. Minnesota Statutes 2022, section 152.01, is amended by adding a subdivision to152.6 read:

152.7 <u>Subd. 29.</u> <u>Cannabis plant.</u> "Cannabis plant" has the meaning given in section 342.01,
 152.8 <u>subdivision 19.</u>

152.9 Sec. 6. Minnesota Statutes 2022, section 152.01, is amended by adding a subdivision to152.10 read:

152.11 Subd. 30. Artificially derived cannabinoid. "Artificially derived cannabinoid" has the 152.12 meaning given in section 342.01, subdivision 6.

152.13 Sec. 7. Minnesota Statutes 2022, section 152.021, subdivision 2, is amended to read:

Subd. 2. Possession crimes. (a) A person is guilty of a controlled substance crime inthe first degree if:

(1) the person unlawfully possesses one or more mixtures of a total weight of 50 gramsor more containing cocaine or methamphetamine;

(2) the person unlawfully possesses one or more mixtures of a total weight of 25 gramsor more containing cocaine or methamphetamine and:

(i) the person or an accomplice possesses on their person or within immediate reach, or
uses, whether by brandishing, displaying, threatening with, or otherwise employing, a
firearm; or

152.23 (ii) the offense involves two aggravating factors;

(3) the person unlawfully possesses one or more mixtures of a total weight of 25 gramsor more containing heroin;

(4) the person unlawfully possesses one or more mixtures of a total weight of 500 grams
or more containing a narcotic drug other than cocaine, heroin, or methamphetamine;

152.28 (5) the person unlawfully possesses one or more mixtures of a total weight of 500 grams

152.29 or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled

152.30 substance is packaged in dosage units, equaling 500 or more dosage units; or

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(6) the person unlawfully possesses one or more mixtures of a total weight of 50
kilograms or more containing marijuana or Tetrahydrocannabinols, or possesses 500 or
more marijuana plants.

(b) For the purposes of this subdivision, the weight of fluid used in a water pipe may
not be considered in measuring the weight of a mixture except in cases where the mixture
contains four or more fluid ounces of fluid.

153.7 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes
 153.8 committed on or after that date.

153.9 Sec. 8. Minnesota Statutes 2022, section 152.022, subdivision 1, is amended to read:

Subdivision 1. Sale crimes. A person is guilty of controlled substance crime in thesecond degree if:

(1) on one or more occasions within a 90-day period the person unlawfully sells one or
more mixtures of a total weight of ten grams or more containing a narcotic drug other than
heroin;

(2) on one or more occasions within a 90-day period the person unlawfully sells one or
more mixtures of a total weight of three grams or more containing cocaine or
methamphetamine and:

(i) the person or an accomplice possesses on their person or within immediate reach, or
uses, whether by brandishing, displaying, threatening with, or otherwise employing, a
firearm; or

153.21 (ii) the offense involves three aggravating factors;

(3) on one or more occasions within a 90-day period the person unlawfully sells one ormore mixtures of a total weight of three grams or more containing heroin;

(4) on one or more occasions within a 90-day period the person unlawfully sells one or
more mixtures of a total weight of ten grams or more containing amphetamine, phencyclidine,
or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 50 or
more dosage units;

(5) on one or more occasions within a 90-day period the person unlawfully sells one or
 more mixtures of a total weight of ten kilograms or more containing marijuana or
 Tetrahydrocannabinols;

154.1 (6)(5) the person unlawfully sells any amount of a Schedule I or II narcotic drug to a 154.2 person under the age of 18, or conspires with or employs a person under the age of 18 to 154.3 unlawfully sell the substance; or

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- 154.4 (7) (6) the person unlawfully sells any of the following in a school zone, a park zone, a 154.5 public housing zone, or a drug treatment facility:
- (i) any amount of a Schedule I or II narcotic drug, lysergic acid diethylamide (LSD),
- 154.7 3,4-methylenedioxy amphetamine, or 3,4-methylenedioxymethamphetamine; or
- 154.8 (ii) one or more mixtures containing methamphetamine or amphetamine; or.

154.9 (iii) one or more mixtures of a total weight of five kilograms or more containing marijuana
154.10 or Tetrahydrocannabinols.

154.11 EFFECTIVE DATE. This section is effective January 1, 2024, and applies to crimes 154.12 committed on or after that date.

154.13 Sec. 9. Minnesota Statutes 2022, section 152.022, subdivision 2, is amended to read:

154.14 Subd. 2. **Possession crimes.** (a) A person is guilty of controlled substance crime in the 154.15 second degree if:

(1) the person unlawfully possesses one or more mixtures of a total weight of 25 gramsor more containing cocaine or methamphetamine;

(2) the person unlawfully possesses one or more mixtures of a total weight of ten gramsor more containing cocaine or methamphetamine and:

(i) the person or an accomplice possesses on their person or within immediate reach, or
uses, whether by brandishing, displaying, threatening with, or otherwise employing, a
firearm; or

154.23 (ii) the offense involves three aggravating factors;

(3) the person unlawfully possesses one or more mixtures of a total weight of six gramsor more containing heroin;

(4) the person unlawfully possesses one or more mixtures of a total weight of 50 grams
or more containing a narcotic drug other than cocaine, heroin, or methamphetamine;

(5) the person unlawfully possesses one or more mixtures of a total weight of 50 grams
or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled
substance is packaged in dosage units, equaling 100 or more dosage units; or

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(6) the person unlawfully possesses one or more mixtures of a total weight of 25
kilograms or more containing marijuana or Tetrahydrocannabinols, or possesses 100 or
more marijuana plants.

(b) For the purposes of this subdivision, the weight of fluid used in a water pipe may
not be considered in measuring the weight of a mixture except in cases where the mixture
contains four or more fluid ounces of fluid.

155.7 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes
 155.8 committed on or after that date.

155.9 Sec. 10. Minnesota Statutes 2022, section 152.023, subdivision 1, is amended to read:

Subdivision 1. Sale crimes. A person is guilty of controlled substance crime in the thirddegree if:

155.12 (1) the person unlawfully sells one or more mixtures containing a narcotic drug;

(2) on one or more occasions within a 90-day period the person unlawfully sells one or
more mixtures containing phencyclidine or hallucinogen, it is packaged in dosage units,
and equals ten or more dosage units;

(3) the person unlawfully sells one or more mixtures containing a controlled substance
classified in Schedule I, II, or III, except a Schedule I or II narcotic drug, <u>cannabis flower</u>,
<u>or cannabinoid products to a person under the age of 18; or</u>

(4) the person conspires with or employs a person under the age of 18 to unlawfully sell
one or more mixtures containing a controlled substance listed in Schedule I, II, or III, except
a Schedule I or II narcotic drug; or, cannabis flower, or cannabinoid products.

(5) on one or more occasions within a 90-day period the person unlawfully sells one or
 more mixtures of a total weight of five kilograms or more containing marijuana or

155.24 Tetrahydrocannabinols.

155.25 EFFECTIVE DATE. This section is effective January 1, 2024, and applies to crimes
 155.26 committed on or after that date.

155.27 Sec. 11. Minnesota Statutes 2022, section 152.023, subdivision 2, is amended to read:

Subd. 2. Possession crimes. (a) A person is guilty of controlled substance crime in thethird degree if:

(1) on one or more occasions within a 90-day period the person unlawfully possesses
one or more mixtures of a total weight of ten grams or more containing a narcotic drug other
than heroin;

(2) on one or more occasions within a 90-day period the person unlawfully possessesone or more mixtures of a total weight of three grams or more containing heroin;

(3) on one or more occasions within a 90-day period the person unlawfully possesses
one or more mixtures containing a narcotic drug, it is packaged in dosage units, and equals
50 or more dosage units;

(4) on one or more occasions within a 90-day period the person unlawfully possesses
any amount of a schedule I or II narcotic drug or five or more dosage units of lysergic acid
diethylamide (LSD), 3,4-methylenedioxy amphetamine, or

3,4-methylenedioxymethamphetamine in a school zone, a park zone, a public housing zone,or a drug treatment facility;

(5) on one or more occasions within a 90-day period the person unlawfully possesses
 one or more mixtures of a total weight of ten kilograms or more containing marijuana or
 Tetrahydrocannabinols:

(i) more than ten kilograms of cannabis flower;

156.18 (ii) more than two kilograms of cannabis concentrate; or

156.19 (iii) edible cannabinoid products infused with more than 200 grams of

156.20 tetrahydrocannabinol; or

(6) the person unlawfully possesses one or more mixtures containing methamphetamine
or amphetamine in a school zone, a park zone, a public housing zone, or a drug treatment
facility.

(b) For the purposes of this subdivision, the weight of fluid used in a water pipe may not be considered in measuring the weight of a mixture except in cases where the mixture contains four or more fluid ounces of fluid.

156.27 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes 156.28 committed on or after that date.

156.29 Sec. 12. Minnesota Statutes 2022, section 152.024, subdivision 1, is amended to read:

Subdivision 1. Sale crimes. A person is guilty of controlled substance crime in the fourthdegree if:

- (2) the person unlawfully sells one or more mixtures containing a controlled substance
 classified in Schedule IV or V to a person under the age of 18; or
- (3) the person conspires with or employs a person under the age of 18 to unlawfully sell
 a controlled substance classified in Schedule IV or V; or.

157.7 (4) the person unlawfully sells any amount of marijuana or Tetrahydrocannabinols in a
 157.8 school zone, a park zone, a public housing zone, or a drug treatment facility, except a small
 157.9 amount for no remuneration.

157.10 EFFECTIVE DATE. This section is effective January 1, 2024, and applies to crimes
 157.11 committed on or after that date.

157.12 Sec. 13. Minnesota Statutes 2022, section 152.025, subdivision 1, is amended to read:

Subdivision 1. Sale crimes. A person is guilty of a controlled substance crime in the
fifth degree and upon conviction may be sentenced as provided in subdivision 4 if:

157.15 (1) the person unlawfully sells one or more mixtures containing marijuana or

157.16 tetrahydrocannabinols, except a small amount of marijuana for no remuneration; or

157.17 (2) the person unlawfully sells one or more mixtures containing a controlled substance157.18 classified in Schedule IV.

157.19 EFFECTIVE DATE. This section is effective January 1, 2024, and applies to crimes 157.20 committed on or after that date.

157.21 Sec. 14. Minnesota Statutes 2022, section 152.025, subdivision 2, is amended to read:

157.22 Subd. 2. **Possession and other crimes.** A person is guilty of controlled substance crime 157.23 in the fifth degree and upon conviction may be sentenced as provided in subdivision 4 if:

(1) the person unlawfully possesses one or more mixtures containing a controlled
substance classified in Schedule I, II, III, or IV, except a small amount of marijuana cannabis
flower or cannabinoid products; or

- (2) the person procures, attempts to procure, possesses, or has control over a controlledsubstance by any of the following means:
- 157.29 (i) fraud, deceit, misrepresentation, or subterfuge;
- 157.30 (ii) using a false name or giving false credit; or

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158.1	(iii) falsely assuming the title of, or falsely representing any person to be, a manufacturer,
158.2	wholesaler, pharmacist, physician, doctor of osteopathic medicine licensed to practice
158.3	medicine, dentist, podiatrist, veterinarian, or other authorized person for the purpose of
158.4	obtaining a controlled substance.
158.5	EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes
158.6	committed on or after that date.
158.7	Sec. 15. [152.0263] CANNABIS POSSESSION CRIMES.
158.8	Subdivision 1. Possession of cannabis in the first degree. A person is guilty of cannabis
158.9	possession in the first degree and may be sentenced to imprisonment of not more than five
158.10	years or to payment of a fine of not more than \$10,000, or both, if the person unlawfully
158.11	possesses any of the following:
158.12	(1) more than two pounds but not more than ten kilograms of cannabis flower in any
158.13	place other than the person's residence;
158.14	(2) more than five pounds but not more than ten kilograms of cannabis flower in the
158.15	person's residence;
158.16	(3) more than 160 grams but not more than two kilograms of cannabis concentrate; or
158.17	(4) edible cannabinoid products infused with more than 16 grams but not more than 200
158.18	grams of tetrahydrocannabinol.
158.19	Subd. 2. Possession of cannabis in the second degree. A person is guilty of cannabis
158.20	possession in the second degree and may be sentenced to imprisonment of not more than
158.21	one year or to payment of a fine of not more than \$3,000, or both, if the person unlawfully
158.22	possesses any of the following:
158.23	(1) more than one pound but not more than two pounds of cannabis flower in any place
158.24	other than the person's residence;
158.25	(2) more than 80 grams but not more than 160 grams of cannabis concentrate; or
158.26	(3) edible cannabinoid products infused with more than eight grams but not more than
158.27	16 grams of tetrahydrocannabinol.
158.28	Subd. 3. Possession of cannabis in the third degree. A person is guilty of cannabis
158.29	possession in the third degree and may be sentenced to imprisonment of not more than 90
158.30	days or to payment of a fine of not more than \$1,000, or both, if the person unlawfully
158.31	possesses any of the following:

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159.1	(1) more that	n four ounces but	not more than c	one pound of cannabis	flower in any place	
159.2	other than the pe	erson's residence;		•		
159.3	(2) more that	n 16 grams but nc	ot more than 80	grams of cannabis co	ncentrate; or	
159.4	(3) edible ca	nnabinoid produc	ts infused with	more than 1,600 mill	igrams but not more	
159.5	than eight grams	s of tetrahydrocan	nabinol.			
159.6	Subd. 4. Pos	session of cannal	bis in the fourt	h degree. A person is	s guilty of a petty	
159.7	misdemeanor if	the person unlaw	fully possesses	any of the following:		
159.8	(1) more that	n two ounces but r	not more than fo	our ounces of cannabis	s flower in any place	
159.9	other than the pe	erson's residence;				
159.10	(2) more that	n eight grams but	not more than	16 grams of cannabis	concentrate; or	
159.11	(3) edible ca	nnabinoid produc	ts infused with	more than 800 millig	rams but not more	
159.12	than 1,600 milli	grams of tetrahyd	rocannabinol.			
159.13	Subd. 5. Use	of cannabis in a	motor vehicle.	A person is guilty of	a crime and may be	
159.14	sentenced to imp	prisonment of not	more than 90 d	ays or to payment of	a fine of not more	
159.15	than \$1,000, or both, if the person unlawfully uses cannabis flower or cannabinoid products					
159.16	while driving, o	perating, or being	in physical cor	ntrol of any motor veh	nicle, as defined in	
159.17	section 169A.03	s, subdivision 15.				
159.18	Subd. 6. Use	of cannabis in p	ublic. A local u	nit of government may	y adopt an ordinance	
159.19	establishing a pe	tty misdemeanor	offense for a pe	rson who unlawfully u	uses cannabis flower	
159.20	or cannabinoid p	products in a publ	ic place provide	ed that the definition	of public place does	
159.21	not include the f	Collowing:				
159.22	(1) a private	residence, includi	ing the person's	curtilage or yard;		
159.23	(2) private pr	operty not genera	lly accessible by	y the public, unless the	e person is explicitly	
159.24	prohibited from	consuming canna	bis flower or ca	nnabinoid products or	n the property by the	
159.25	owner of the pro	operty; or				
159.26	(3) the prem	ises of an establis	hment or event	licensed to permit on	-site consumption.	
159.27	EFFECTIV	E DATE. This se	ction is effectiv	e August 1, 2023, and	d applies to crimes	
159.28	committed on or	after that date.				
159.29	Sec. 16. [152.	0264] CANNABI	S SALE CRIN	<u>1ES.</u>		
159.30	Subdivision	1. Sale of cannat	ois in the first o	legree. A person is g	uilty of the sale of	

159.31 cannabis in the first degree and may be sentenced to imprisonment of not more than five

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160.1	years or to pa	ayment of a fine of nc	ot more than \$1	0,000, or both, if the	person unlawfully
160.2	sells more th	an two ounces of can	nabis flower, n	ore than eight grams	of cannabis
160.3	concentrate,	or edible cannabinoid	products infu	sed with more than 80	0 milligrams of
160.4	tetrahydroca		•		
160.5	<u>(1) to a m</u>	ninor and the defendar	nt is an adult w	ho is more than 36 me	onths older than the
160.6	minor;				
160.7	(2) within	n ten years of two or n	nore convictio	ns for the unlawful sal	e of more than two
160.8	ounces of ca	nnabis flower, more th	han eight gram	s of cannabis concent	rate, or edible
160.9	cannabinoid	products infused with	more than 80) milligrams of tetrahy	drocannabinol; or
160.10	<u>(3) within</u>	n ten years of a convic	ction under this	subdivision.	
160.11	Subd. 2.	Sale of cannabis in tl	he second deg	ree. A person is guilty	of sale of cannabis
160.12	in the second	l degree and may be s	entenced to im	prisonment of not mo	re than one year or
160.13	to payment c	of a fine of not more th	nan \$3,000, or	both, if the person unl	awfully sells more
160.14	than two our	ces of cannabis flowe	er, more than e	ight grams of cannabis	s concentrate, or
160.15	edible cannal	pinoid products infused	d with more tha	n 800 milligrams of te	trahydrocannabinol:
160.16	<u>(1)</u> to a m	ninor and the defendar	nt is an adult w	ho is not more than 30	6 months older than
160.17	the minor;				
160.18	<u>(2) in a so</u>	chool zone, a park zon	ne, a public hou	using zone, or a drug t	reatment facility; or
160.19	(3) within	ten years of a convic	ction for the un	lawful sale of more th	an two ounces of
160.20	cannabis flov	wer, more than eight g	grams of canna	bis concentrate, or edi	ble cannabinoid
160.21	products infu	used with more than 8	00 milligrams	of tetrahydrocannabin	<u>ol.</u>
160.22	Subd. 3.	Sale of cannabis in th	ne third degre	e. A person is guilty of	f sale of cannabis in
160.23	the third deg	ree and may be senter	nced to imprise	onment of not more the	an 90 days or to
160.24	payment of a	fine of not more than	n \$1,000, or bo	th, if the person unlaw	fully sells:
160.25	<u>(1) more</u>	than two ounces of ca	nnabis flower;		
160.26	(2) more	than eight grams of ca	annabis concer	trate; or	
160.27	(3) edible	cannabinoid product	s infused with	more than 800 milligr	rams of
160.28	tetrahydroca	nnabinol.			
160.29	Subd. 4.	Sale of cannabis in tl	he fourth degi	·ee. (a) A person is gu	ilty of a petty
160.30	misdemeano	r if the person unlawf	ully sells:		
160.31	<u>(1) not m</u>	ore than two ounces o	of cannabis flor	wer;	

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161.1	<u>(2) not mo</u>	re than eight grams	of cannabis con	centrate; or	
161.2	(3) edible	cannabinoid produc	ets infused with n	ot more than 800 mi	lligrams of
161.3	tetrahydrocan	nabinol.			
161.4	(b) A sale	for no remuneratior	n by an individua	l over the age of 21 to	o another individual
161.5	over the age o	f 21 is not an unlaw	vful sale under th	is subdivision.	
161.6	<u>Subd. 5.</u>	ale of cannabis by	<u>a minor. (a)</u> A m	ninor is guilty of a pe	tty misdemeanor if:
161.7	(1) the mir	or unlawfully sells	cannabis flower,	, cannabis concentrat	e, or cannabinoid
161.8	products; and				
161.9	(2) the mir	or has not previous	sly received a pet	ty misdemeanor disp	position or been
161.10	adjudicated de	elinquent for comm	itting an act in vi	olation of this section	<u>n.</u>
161.11	<u>(b)</u> A mino	r sentenced under th	nis subdivision is	required to participate	e in a drug education
161.12	program unles	ss the court enters a	written finding t	hat a drug education	program is
161.13	inappropriate.	The program must	be approved by	an area mental health	n board with a
161.14	curriculum ap	proved by the state	alcohol and drug	abuse authority.	
161.15	(c) A mino	r who receives a dis	position pursuant	to this subdivision is	required to perform
161.16	community se	rvice.			
161.17	EFFECTI	VE DATE. This se	ection is effective	January 1, 2024, and	d applies to crimes
161.18	committed on	or after that date.			
161.19	Sec. 17. [15]	2.0265] CANNAB	IS CULTIVATIO	ON CRIMES.	
161.20	Subdivisio	n 1. Cultivation of	f cannabis in the	first degree. A pers	on is guilty of
161.21	cultivation of	cannabis in the firs	t degree and may	be sentenced to imp	risonment of not
161.22	more than five	e years or to paymer	nt of a fine of not	more than \$10,000, o	or both, if the person
161.23	unlawfully cu	ltivates more than 2	23 cannabis plant	<u>s.</u>	
161.24	<u>Subd. 2.</u> C	ultivation of canna	bis in the second	l degree. A person is	guilty of cultivation
161.25	of cannabis in	the second degree	and may be sente	enced to imprisonme	nt of not more than
161.26	one year or to	payment of a fine of	of not more than	\$3,000, or both, if the	e person unlawfully
161.27	cultivates mor	e than 16 cannabis	plants but not me	ore than 23 cannabis	plants.
161.28	EFFECTI	VE DATE. This se	ection is effective	August 1, 2023, and	l applies to crimes
161.29	committed on	or after that date.			

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Sec. 18. Minnesota Statutes 2022, section 244.05, subdivision 2, is amended to read:
Subd. 2. Rules. (a) The commissioner of corrections shall adopt by rule standards and
procedures for the establishment of conditions of release and the revocation of supervised
or conditional release, and shall specify the period of revocation for each violation of release.
Procedures for the revocation of release shall provide due process of law for the inmate.
(b) The commissioner may prohibit an inmate placed on parole, supervised release, or
conditional release from using adult-use cannabis flower as defined in section 342.01,

162.8 <u>subdivision 4, or adult-use cannabinoid products as defined in section 342.01, subdivision</u>

2, if the inmate undergoes a chemical use assessment and abstinence is consistent with a

162.10 recommended level of care for the defendant in accordance with the criteria in rules adopted

162.11 by the commissioner of human services under section 254A.03, subdivision 3.

162.12 (c) The commissioner of corrections shall not prohibit an inmate placed on parole,

162.13 supervised release, or conditional release from participating in the registry program as

162.14 defined in section 342.01, subdivision 58, as a condition of release or revoke a patient's

162.15 parole, supervised release, or conditional release or otherwise sanction a patient on parole,

162.16 supervised release, or conditional release solely for participating in the registry program or

162.17 for a positive drug test for cannabis components or metabolites.

162.18 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to supervised
 162.19 release granted on or after that date.

162.20 Sec. 19. Minnesota Statutes 2022, section 609.135, subdivision 1, is amended to read:

Subdivision 1. **Terms and conditions.** (a) Except when a sentence of life imprisonment is required by law, or when a mandatory minimum sentence is required by section 609.11, any court may stay imposition or execution of sentence and:

162.24 (1) may order intermediate sanctions without placing the defendant on probation; or

(2) may place the defendant on probation with or without supervision and on the terms 162.25 the court prescribes, including intermediate sanctions when practicable. The court may order 162.26 the supervision to be under the probation officer of the court, or, if there is none and the 162.27 conviction is for a felony or gross misdemeanor, by the commissioner of corrections, or in 162.28 any case by some other suitable and consenting person. Unless the court directs otherwise, 162.29 state parole and probation agents and probation officers may impose community work 162.30 service or probation violation sanctions, consistent with section 243.05, subdivision 1; 162.31 sections 244.196 to 244.199; or 401.02, subdivision 5. 162.32

162.9

No intermediate sanction may be ordered performed at a location that fails to observe
applicable requirements or standards of chapter 181A or 182, or any rule promulgated under
them.

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(b) For purposes of this subdivision, subdivision 6, and section 609.14, the term
"intermediate sanctions" includes but is not limited to incarceration in a local jail or
workhouse, home detention, electronic monitoring, intensive probation, sentencing to service,
reporting to a day reporting center, chemical dependency or mental health treatment or
counseling, restitution, fines, day-fines, community work service, work service in a restorative
justice program, work in lieu of or to work off fines and, with the victim's consent, work in
lieu of or to work off restitution.

163.11 (c) A court may not stay the revocation of the driver's license of a person convicted of163.12 violating the provisions of section 169A.20.

(d) If the court orders a fine, day-fine, or restitution as an intermediate sanction, payment
is due on the date imposed unless the court otherwise establishes a due date or a payment
plan.

(e) The court may prohibit a defendant from using adult-use cannabis flower as defined 163.16 in section 342.01, subdivision 4, or adult-use cannabinoid products as defined in section 163.17 342.01, subdivision 2, if the defendant undergoes a chemical use assessment and abstinence 163.18 is consistent with a recommended level of care for the defendant in accordance with the 163.19 criteria in rules adopted by the commissioner of human services under section 254A.03, 163.20 subdivision 3. The assessment must be conducted by an assessor qualified under rules 163.21 adopted by the commissioner of human services under section 254A.03, subdivision 3. An 163.22 assessor providing a chemical use assessment may not have any direct or shared financial 163.23 interest or referral relationship resulting in shared financial gain with a treatment provider, 163.24 except as authorized under section 254A.19, subdivision 3. If an independent assessor is 163.25 163.26 not available, the probation officer may use the services of an assessor authorized to perform assessments for the county social services agency under a variance granted under rules 163.27 adopted by the commissioner of human services under section 254A.03, subdivision 3. 163.28 163.29 (f) A court shall not impose an intermediate sanction that has the effect of prohibiting a person from participating in the registry program as defined in section 342.01, subdivision 163.30 58. 163.31

163.32 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to sentences
 163.33 ordered on or after that date.

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164.1 Sec. 20. Minnesota Statutes 2022, section 609.5311, subdivision 1, is amended to read:

Subdivision 1. **Controlled substances.** All controlled substances that were manufactured, distributed, dispensed, or acquired in violation of chapter 152 or 342 are subject to forfeiture under this section, except as provided in subdivision 3 and section 609.5316.

164.5 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to violations 164.6 committed on or after that date.

164.7 Sec. 21. Minnesota Statutes 2022, section 609.5314, subdivision 1, is amended to read:

Subdivision 1. Property subject to administrative forfeiture. (a) The following are
subject to administrative forfeiture under this section:

(1) all money totaling \$1,500 or more, precious metals, and precious stones that there
is probable cause to believe represent the proceeds of a controlled substance offense;

(2) all money found in proximity to controlled substances when there is probable causeto believe that the money was exchanged for the purchase of a controlled substance;

(3) all conveyance devices containing controlled substances with a retail value of \$100
 or more if there is probable cause to believe that the conveyance device was used in the
 transportation or exchange of a controlled substance intended for distribution or sale; and

164.17 (4) all firearms, ammunition, and firearm accessories found:

(i) in a conveyance device used or intended for use to commit or facilitate the commissionof a felony offense involving a controlled substance;

(ii) on or in proximity to a person from whom a felony amount of controlled substanceis seized; or

(iii) on the premises where a controlled substance is seized and in proximity to the
controlled substance, if possession or sale of the controlled substance would be a felony
under chapter 152.

(b) The Department of Corrections Fugitive Apprehension Unit shall not seize items
listed in paragraph (a), clauses (3) and (4), for the purposes of forfeiture.

164.27 (c) Money is the property of an appropriate agency and may be seized and recovered by164.28 the appropriate agency if:

(1) the money is used by an appropriate agency, or furnished to a person operating on
behalf of an appropriate agency, to purchase or attempt to purchase a controlled substance;
and

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(2) the appropriate agency records the serial number or otherwise marks the money foridentification.

(d) As used in this section, "money" means United States currency and coin; the currency
and coin of a foreign country; a bank check, cashier's check, or traveler's check; a prepaid
credit card; cryptocurrency; or a money order.

(e) As used in this section, "controlled substance" does not include cannabis flower as
 defined in section 342.01, subdivision 16, or cannabinoid product as defined in section
 342.01, subdivision 12.

165.9 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes 165.10 committed on or after that date.

165.11 Sec. 22. Minnesota Statutes 2022, section 609.5316, subdivision 2, is amended to read:

Subd. 2. **Controlled substances.** (a) Controlled substances listed in Schedule I that are possessed, transferred, sold, or offered for sale in violation of chapter 152 or 342, are contraband and must be seized and summarily forfeited. Controlled substances listed in Schedule I that are seized or come into the possession of peace officers, the owners of which are unknown, are contraband and must be summarily forfeited.

(b) Species of plants from which controlled substances in Schedules I and II may be derived that have been planted or cultivated in violation of chapter 152 or of which the owners or cultivators are unknown, or that are wild growths, may be seized and summarily forfeited to the state. The appropriate agency or its authorized agent may seize the plants if the person in occupancy or in control of land or premises where the plants are growing or being stored fails to produce an appropriate registration or proof that the person is the holder of appropriate registration.

165.24 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes 165.25 committed on or after that date.

165.26 Sec. 23. ORAL FLUID PRELIMINARY TESTING; PILOT PROJECT 165.27 AUTHORIZED.

(a) The commissioner of public safety is authorized to design, plan, and implement a
 pilot project intended to determine the efficacy of oral fluid roadside testing to determine
 the presence of a controlled substance or intoxicating substance by trained law enforcement
 personnel. The project is further intended to gain a better assessment of the prevalence of

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166.1	drug-impaired of	drivers on Minneso	ota roads and to	evaluate and validate	the appropriate
166.2		ld be authorized fo			
166.3	(b) The resu	lts of this prelimir	nary oral fluid t	est must not be used in	any court action.
166.4	(c) Followin	ng the screening ter	st, additional te	ests may be required of	the driver pursuant
166.5	to Minnesota St	tatutes, section 169	PA.51 (chemica	al tests for intoxication	<u>).</u>
166.6	EFFECTIV	E DATE. This se	ction is effectiv	ve August 1, 2023, and	expires July 31,
166.7	<u>2025.</u>				
166.8			ARTICL	E 5	
166.9			EXPUNGEN	MENT	
166.10	Section 1. Mi	nnesota Statutes 20	022, section 60	9A.01, is amended to r	read:
166.11	609A.01 EX	XPUNGEMENT (OF CRIMINA	L RECORDS.	
166.12	This chapter	r provides the grou	nds and procee	lures for expungement	of criminal records
166.13	under section 1	3.82; 152.18, subd	livision 1; 2990	C.11, where a petition is	s authorized under
166.14	section 609A.02	2, subdivision 3; <u>e</u>	xpungement is	automatic under sectio	n 609A.05;
166.15	expungement is	considered by a p	anel under sect	tion 609A.06; or other a	applicable law. The
166.16	remedy availabl	le is limited to a cou	urt order sealing	g the records and prohib	iting the disclosure
166.17	of their existence	e or their opening	except under o	court order or statutory	authority. Nothing
166.18	in this chapter a	uthorizes the destr	ruction of recor	rds or their return to the	e subject of the
166.19	records.				
166.20	EFFECTIV	E DATE. This se	ction is effectiv	ve August 1, 2023.	
166.21	Sec. 2. Minne	sota Statutes 2022	, section 609A	.03, subdivision 5, is a	mended to read:
166.22	Subd. 5. Na	ture of remedy; s	tandard. (a) E	xcept as otherwise prov	vided by paragraph
166.23	(b), expungeme	ent of a criminal re	cord <u>under this</u>	section is an extraordi	nary remedy to be
166.24	granted only up	on clear and convir	ncing evidence	hat it would yield a ben	efit to the petitioner
166.25	commensurate	with the disadvant	ages to the pub	lic and public safety of	2.
166.26	(1) sealing t	he record; and			
166.27	(2) burdenin	ig the court and pu	blic authorities	s to issue, enforce, and	monitor an
166.28	expungement of	rder.			
166.29	(b) Except a	s otherwise provid	led by this para	graph, if the petitioner	is petitioning for
166.30	the sealing of a	criminal record un	der section 609	A.02, subdivision 3, pa	aragraph (a), clause
166.31	(1) or (2) , the co	ourt shall grant the p	petition to seal	the record unless the ag	ency or jurisdiction

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167.1 whose records would be affected establishes by clear and convincing evidence that the

interests of the public and public safety outweigh the disadvantages to the petitioner of notsealing the record.

167.4 (c) In making a determination under this subdivision, the court shall consider:

167.5 (1) the nature and severity of the underlying crime, the record of which would be sealed;

167.6 (2) the risk, if any, the petitioner poses to individuals or society;

167.7 (3) the length of time since the crime occurred;

167.8 (4) the steps taken by the petitioner toward rehabilitation following the crime;

167.9 (5) aggravating or mitigating factors relating to the underlying crime, including the

167.10 petitioner's level of participation and context and circumstances of the underlying crime;

167.11 (6) the reasons for the expungement, including the petitioner's attempts to obtain

167.12 employment, housing, or other necessities;

167.13 (7) the petitioner's criminal record;

167.14 (8) the petitioner's record of employment and community involvement;

(9) the recommendations of interested law enforcement, prosecutorial, and correctionsofficials;

167.17 (10) the recommendations of victims or whether victims of the underlying crime were167.18 minors;

(11) the amount, if any, of restitution outstanding, past efforts made by the petitioner
toward payment, and the measures in place to help ensure completion of restitution payment
after expungement of the record if granted; and

167.22 (12) other factors deemed relevant by the court.

(d) Notwithstanding section 13.82, 13.87, or any other law to the contrary, if the court
issues an expungement order it may require that the criminal record be sealed, the existence
of the record not be revealed, and the record not be opened except as required under
subdivision 7. Records must not be destroyed or returned to the subject of the record.

(e) Information relating to a criminal history record of an employee, former employee,
or tenant that has been expunged before the occurrence of the act giving rise to the civil
action may not be introduced as evidence in a civil action against a private employer or
landlord or its employees or agents that is based on the conduct of the employee, former
employee, or tenant.

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168.1	EFFEC	TIVE DATE. This se	ction is effectiv	ve August 1, 2023, and	d applies to crimes
168.2		on or after that date.		C	
168.3	Sec. 3. Mi	innesota Statutes 2022	, section 609A	.03, subdivision 9, is a	amended to read:
168.4	Subd. 9.	Stay of order; appea	al. An expunge	ment order <u>issued und</u>	ler this section shall
168.5	be stayed at	utomatically for 60 day	ys after the ord	er is filed and, if the c	order is appealed,
168.6	during the a	ppeal period. A person	n or an agency	or jurisdiction whose	records would be
168.7	affected by	the order may appeal	the order within	n 60 days of service o	f notice of filing of
168.8	the order. A	n agency or jurisdiction	on or its officia	ls or employees need	not file a cost bond
168.9	or supersed	eas bond in order to fu	urther stay the p	proceedings or file an	appeal.
168.10	EFFEC	TIVE DATE. This se	ction is effectiv	ve August 1, 2023.	
168.11	Sec. 4. [60	09A.05] AUTOMATI	C EXPUNGE	MENT OF CERTAI	N CANNABIS
168.12	OFFENSE	<u>S.</u>			
168.13	Subdivis	sion 1. Eligibility; disn	nissal, exonera	tion, or conviction of	nonfelony cannabis
168.14	<u>offenses.</u> (a) A person is eligible	for an order of	expungement:	
168.15	(1) upon	the dismissal and dis	charge of proce	edings against a perso	on under section
168.16	<u> </u>	division 1, for violatio			
168.17	of marijuan	a or tetrahydrocannab	inols;		
168.18	(2) if the	person was convicted	of or received	a staved sentence for a	a violation of section
168.19	<u> </u>	bdivision 3 or 4;			
168.20	(3) if the	e person was arrested f	for possession a	of marijuana or tetrahy	vdrocannabinols and
168.21	<u> </u>	were dismissed prior t			
168.22	<u> </u>	pending actions or pr			of marijuana or
168.23	tetrahydroca	annabinols were resolv	ved in favor of	the person.	
168.24	<u>(b) For p</u>	purposes of this section	<u>n:</u>		
168.25	<u>(1)</u> a ver	dict of not guilty by re	eason of menta	l illness is not a resolu	ution in favor of the
168.26	person; and				
168.27	<u>(</u> 2) an ac	ction or proceeding is	resolved in fav	or of the person if the	person received an
168.28	order under	section 590.11 determ	nining that the	person is eligible for c	compensation based
168.29	on exonerat	ion.			
	Article 5 Sec.	4.	168		

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169.1	Subd. 2. Bureau of Criminal Apprehension to identify eligible individuals. (a) The
169.2	Bureau of Criminal Apprehension shall identify records that qualify for an order of
169.3	expungement pursuant to subdivision 1.
169.4	(b) The Bureau of Criminal Apprehension shall notify the judicial branch of:
169.5	(1) the name and date of birth of an individual whose record is eligible for an order of
169.6	expungement; and
169.7	(2) the case number of the eligible record.
169.8	(c) The Bureau of Criminal Apprehension shall grant an expungement to each qualifying
169.9	person whose records the bureau possesses and shall seal the bureau's records without
169.10	requiring an application, petition, or motion. The bureau shall seal records related to an
169.11	expungement within 60 days after the bureau sent notice of the expungement to the judicial
169.12	branch pursuant to paragraph (b) unless an order of the judicial branch prohibits sealing the
169.13	records or additional information establishes that the records are not eligible for expungement.
169.14	(d) Nonpublic criminal records maintained by the bureau and subject to a grant of
169.15	expungement relief must display a notation stating "expungement relief granted pursuant
169.16	to section 609A.05."
169.17	(e) The bureau shall inform each arresting or citing law enforcement agency with records
169.18	affected by the grant of expungement relief issued pursuant to paragraph (c) that expungement
169.19	has been granted. The bureau shall notify each arresting or citing law enforcement agency
169.20	of an expungement within 60 days after the bureau sent notice of the expungement to the
169.21	judicial branch. The bureau may notify each law enforcement agency using electronic means.
169.22	Upon receiving notification of an expungement, a law enforcement agency shall seal all
169.23	records related to the expungement, including the records of the person's arrest, indictment,
169.24	trial, verdict, and dismissal or discharge of the case.
169.25	(f) The Bureau of Criminal Apprehension shall make a reasonable and good faith effort
169.26	to notify any person whose record qualifies for an order of expungement or a grant of
169.27	expungement that the offense qualifies and notice is being sent to the judicial branch. Notice
169.28	sent pursuant to this paragraph shall inform the person that, following the order of
169.29	expungement, any records of an arrest, conviction, or incarceration should not appear on
169.30	any background check or study performed in Minnesota.
169.31	(g) On a schedule and in a manner established by the commissioner of human services,
169.32	the bureau shall send the commissioner of human services a list identifying the name and

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170.1	case numb	er or, if no case number	r is available, t	he citation number of	each person who
170.2		grant of expungement.			
170.2	(h) Dat	a on a person whose offe	ansa has baan a	wounged under this su	bdivision including
170.3 170.4	· · /	sent pursuant to paragra		• •	_
170.4		13.02, subdivision 12.	$p_{\mathrm{II}}(\mathbf{c}), (\mathbf{I}), \mathbf{o}_{\mathrm{I}}(\mathbf{g})$	<i>;), are private data on n</i>	larviadais as defined
170.6		3. Order of expungeme			
170.7		ement, or upon entering			
170.8	-	ause, the court shall issu			
170.9	-	from any form of super			
170.10		g all records relating to			trial, verdict, or
170.11	<u>uisinissai a</u>	and discharge for an off	ense described		
170.12	<u>(b) Sec</u>	tion 609A.03, subdivisi	on 6, applies to	an order issued under	r this section sealing
170.13	the record	of proceedings under se	ection 152.18.		
170.14	<u>(c)</u> The	limitations under section	on 609A.03, sı	ıbdivision 7a, paragra	ph (b), do not apply
170.15	to an order	issued under this section	on.		
170.16	<u>(d)</u> The	court administrator sha	ll send a copy	of an expungement or	der issued under this
170.17	section to e	each agency and jurisdic	ction whose red	cords are affected by th	ne terms of the order
170.18	and send a	letter to the last known	address of the	person whose offense	has been expunged
170.19	identifying	g each agency to which	the order was	sent.	
170.20	<u>(e)</u> In c	onsultation with the con	nmissioner of	human services, the co	ourt shall establish a
170.21	schedule o	n which the court shall	provide the co	mmissioner of human	services and the
170.22	Profession	al Educator Licensing a	and Standards	Board a list identifying	g the name and case
170.23	number or	if no case number is av	ailable, the cita	ation number of each p	person who received
170.24	an expunge	ement order issued und	er this section.		
170.25	(f) Data	a on the person whose c	offense has bee	n expunged contained	in a letter or other
170.26	notification	n sent under this subdiv	ision are priva	te data on individuals a	as defined in section
170.27	<u>13.02.</u>				
170.28	EFFE	CTIVE DATE. This see	ction is effectiv	ve August 1, 2023.	
170.00		(AGA AZI EVDUNICEN	TENIT AND D	FCENTENCING OF	FELONV
170.29	<u> </u>	509A.06] EXPUNGEN	ICINI AIND K	ESDIVI EINCHNG UP	TELONI
170.30		<u>IS OFFENSES.</u>			
170.31	Subdiv	ision 1. <mark>Cannabis Exp</mark>	ungement Boa	rd. (a) The Cannabis I	Expungement Board

170.32 is created with the powers and duties established by law.

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171.1	(b) The Cann	abis Expungeme	nt Board is con	nposed of the followin	g members:
171.2	(1) the chief	justice of the sup	reme court or a	designee;	
171.3	(2) the attorn	ey general or a d	esignee;		
171.4	(3) one publi	c defender, appoi	inted by the gov	vernor upon recommer	ndation of the state
171.5	public defender;				
171.6	(4) the comm	issioner of one d	lepartment of th	ne state government as	defined in section
171.7	15.01, appointed	by the governor	; and		
171.8	(5) one public	e member with ex	xperience as an	advocate for victim's	rights, appointed by
171.9	the governor.				
171.10	(c) The Cann	abis Expungeme	nt Board shall	have the following pov	wers and duties:
171.11	(1) to obtain	and review the re	ecords, includir	ng but not limited to all	l matters, files,
171.12	documents, and	papers incident to	o the arrest, ind	ictment, information,	trial, appeal, or
171.13	dismissal and dis	scharge, which re	elate to a charge	e for possession of a co	ontrolled substance;
171.14	(2) to determine	ine whether a pers	son committed	an act involving the pos	ssession of cannabis
171.15	flower or cannab	inoid products th	at would either	be a lesser offense or 1	no longer be a crime
171.16	after August 1, 2	.023;			
171.17	(3) to determ	ine whether a per	rson's convictio	on should be vacated, c	harges should be
171.18	dismissed, and re	ecords should be	expunged, or v	whether the person sho	uld be resentenced
171.19	to a lesser offens	e; and			
171.20	(4) to notify the second secon	ne judicial branch	of individuals	eligible for an expunger	nent or resentencing
171.21	to a lesser offens	se.			
171.22	(d) The Cann	abis Expungemer	nt Board shall c	omplete the board's wo	rk by June 30, 2028.
171.23	Subd. 2. Elig	ibility; possessio	n of cannabis.	(a) A person is eligible	for an expungement
171.24	or resentencing t	o a lesser offense	e if:		
171.25	(1) the person	n was convicted o	of, or adjudicati	on was stayed for, a vi	olation of any of the
171.26	following involv	ing the possessic	on of marijuana	or tetrahydrocannabir	iols:
171.27	<u>(i) section 15</u>	2.021, subdivisio	on 2, clause (6)	2	
171.28	(ii) section 1:	52.022, subdivisi	on 2, clause (6)	<u>);</u>	
171.29	(iii) section 1	52.023, subdivis	ion 2, clause (5); or	
171.30	(iv) section 1	52.025, subdivis	ion 2, clause (1	<u>).</u>	

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172.1	(2) the of	fense did not involve	e a dangerous w	eapon, the intentiona	l infliction of bodily
172.2	<u> </u>			n on another, or an act	
172.3	intent to caus	se fear in another of i	immediate bodi	ly harm or death;	
172.4	(3) the ac	t on which the charg	e was based wo	uld either be a lesser	offense or no longer
172.5	be a crime af	ter August 1, 2023; a	and		
172.6	(1) the pe	rson did not anneal th	na cantanca an	appeal was denied, o	or the deadline to file
172.0	an appeal has	• •	ie sentence, any	appear was defiled, c	of the deadline to the
1/2./	an appear has	s expired.			
172.8	<u>(b) For pu</u>	rposes of this subdiv	vision, a "lesser	offense" means a non	felony offense if the
172.9	person was c	harged with a felony	•		
172.10	Subd. 3.	Bureau of Criminal	Apprehension	to identify eligible	records. (a) The
172.11	Bureau of Cri	minal Apprehension	shall identify co	nvictions and sentence	es where adjudication
172.12	was stayed th	nat qualify for review	under subdivis	sion 2, paragraph (a),	clause (1).
172.13	<u>(b)</u> The B	ureau of Criminal Ap	prehension sha	ll notify the Cannabis	Expungement Board
172.14	<u>of:</u>				
172.15	<u>(1) the na</u>	me and date of birth	of a person wh	ose record is eligible	for review; and
172.16	<u>(2) the ca</u>	se number of the elig	gible conviction	or stay of adjudication	on.
172.17	<u>Subd. 4.</u>	Access to records. T	The Cannabis Ex	pungement Board sh	all have free access
172.18	to records, in	cluding but not limit	ed to all matter	s, files, documents, ar	nd papers incident to
172.19	the arrest, inc	dictment, information	n, trial, appeal,	or dismissal and discl	harge that relate to a
172.20	charge and co	onviction or stay of a	djudication for	possession of a contr	olled substance held
172.21	by law enforc	ement agencies, pros	ecuting authorit	ies, and court administ	trators. The Cannabis
172.22	Expungemen	t Board may issue su	bpoenas for and	l compel the production	on of books, records,
172.23	accounts, doc	suments, and papers. I	f any person fai	ls or refuses to produc	e any books, records,
172.24	accounts, doc	cuments, or papers m	aterial in the ma	tter under considerati	on after having been
172.25	lawfully requ	ired by order or subj	poena, any judg	e of the district court	in any county of the
172.26	state where the	ne order or subpoena	was made retur	nable, on application	of the commissioner
172.27	of manageme	ent and budget or con	nmissioner of a	dministration, as the	case may be, shall
172.28	compel obed	ience or punish disol	bedience as for	contempt, as in the ca	ase of disobedience
172.29	of a similar o	order or subpoena iss	ued by such co	art.	
172.30	<u>Subd. 5.</u>	Meetings; anonymo	us identifier. (a) The Cannabis Expu	ngement Board shall
172.31	hold meeting	s at least monthly an	id shall hold a r	neeting whenever the	board takes formal
172.32	action on a re	eview of a conviction	n or stay of adir	dication for an offens	se involving the

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173.1	possession o	f marijuana or tetrah	ydrocannabinols	s. All board meetings s	hall be open to the
173.2	•	ubject to chapter 13D		v	
173.3	(b) Any x	victim of a crime bei	- na reviewed and	any law enforcement a	agency may submit
173.4	<u></u>			a recommendation on	
173.5				be resentenced to a less	<u> </u>
173.6				rcement agency's state	
173.7	the board's d				<u></u>
173.8	(c) Sectio	on 13D.05 governs the	e board's treatme	nt of not public data, as	s defined by section
173.9	13.02, subdi	vision 8a, discussed	at open meeting	s of the board. Notwith	nstanding section
173.10	13.03, subdiv	vision 11, the board s	hall assign an an	onymous, unique ident	ifier to each victim
173.11	of a crime ar	nd person whose con	viction or stay o	f adjudication the boar	d reviews. The
173.12	identifier sha	all be used in any disc	cussion in a meet	ing open to the public	and on any records
173.13	available to t	the public to protect	the identity of th	e person whose record	ls are being
173.14	considered.				
173.15	Subd. 6.	Review and determi	nation. (a) The C	Cannabis Expungement	Board shall review
173.16	all available	records to determine	whether the con	nviction or stay of adju	dication is eligible
173.17	for an expun	gement or resentenci	ng to a lesser off	ense. An expungemen	t under this section
173.18	is presumed	to be in the public in	terest unless the	re is clear and convinc	ing evidence that
173.19	an expungen	nent or resentencing	to a lesser offen	se would create a risk	to public safety.
173.20	(b) If the	Cannabis Expungem	ent Board deterr	nines that an expungen	nent is in the public
173.21	interest, the	board shall determine	e whether a pers	on's conviction should	be vacated and
173.22	charges shou	ıld be dismissed.			
173.23	(c) If the	Cannabis Expungem	ent Board detern	nines that an expungen	nent is in the public
173.24	interest, the b	ooard shall determine	whether the limit	tations under section 60	9A.03, subdivision
173.25	5a, apply.				
173.26	<u>(d)</u> If the	Cannabis Expungem	ent Board deterr	nines that an expungen	nent is in the public
173.27	interest, the b	ooard shall determine	whether the limit	tations under section 60	9A.03, subdivision
173.28	7a, paragrap	h (b), clause (4) or (5	5), apply.		
173.29	<u>(e)</u> If the	Cannabis Expungen	nent Board deter	mines that an expunge	ment is not in the
173.30	public intere	st, the board shall de	termine whether	the person is eligible	for resentencing to
173.31	a lesser offer	nse.			
173.32	<u>(f)</u> In mal	king a determination	under this subdi	vision, the Cannabis E	xpungement Board
173.33	shall conside	<u>27:</u>			

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174.1	(1) the nature and	l severity of the ur	nderlying crir	ne, including but no	ot limited to the total		
174.2	amount of marijuana	a or tetrahydrocan	nabinols poss	essed by the person	n and whether the		
174.3	offense involved a d	angerous weapon,	, the intention	al infliction of bod	ily harm on another,		
174.4	an attempt to inflict	bodily harm on ar	nother, or an a	act committed with	the intent to cause		
174.5	fear in another of im	mediate bodily ha	arm or death;				
174.6	(2) whether an ex	apungement or res	sentencing the	person a lesser off	ense would increase		
174.7	the risk, if any, the p	erson poses to oth	ner individual	s or society;			
174.8	(3) if the person (3)	is under sentence,	whether an e	xpungement or res	entencing to a lesser		
174.9	offense would result	in the release of t	the person and	d whether release e	arlier than the date		
174.10	that the person woul	d be released und	er the sentenc	e currently being so	erved would present		
174.11	a danger to the publi	c or would be cor	mpatible with	the welfare of soci	ety;		
174.12	(4) aggravating c	or mitigating facto	ors relating to	the underlying crin	ne, including the		
174.13	person's level of par	ticipation and the	context and c	ircumstances of the	e underlying crime;		
174.14	(5) statements from victims and law enforcement, if any;						
174.15	(6) if an expunge	ement or resentence	cing the perso	n to a lesser offens	e is considered,		
174.16	whether there is good	l cause to restore t	he person's rig	ght to possess firear	ms and ammunition;		
174.17	(7) if an expunge	ment is considered	d, whether an	expunged record of	f a conviction or stay		
174.18	of adjudication may	be opened for pur	poses of a ba	ckground study und	ler section 245C.08;		
174.19	(8) if an expunge	ment is considered	d, whether an	expunged record of	f a conviction or stay		
174.20	of adjudication may	be opened for pur	rposes of a ba	ckground check red	quired under section		
174.21	122A.18, subdivisio	n 8; and					
174.22	(9) other factors	deemed relevant b	by the Cannal	ois Expungement B	oard.		
174.23	(g) The affirmati	ve vote of three m	nembers is rec	uired for action tak	ken at any meeting.		
174.24	Subd. 7. Notice 1	to judicial brancl	h and offend	e rs. (a) The Cannal	bis Expungement		
174.25	Board shall identify	any conviction or	stay of adjuc	lication that qualified	es for an order of		
174.26	expungement or rese	entencing to a less	ser offense an	d notify the judicia	l branch of:		
174.27	(1) the name and	date of birth of a	person whose	e conviction or stay	v of adjudication is		
174.28	eligible for an order	of expungement of	or resentencir	g to a lesser offens	<u>e;</u>		
174.29	(2) the case num	ber of the eligible	conviction of	stay of adjudication	on;		
174.30	(3) whether the p	erson is eligible f	for an expung	ement;			

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175.1	(4) if the person is eligible	for an expungement,	whether the person's	s conviction should
175.2	be vacated and charges should	be dismissed;		
175.3	(5) if the person is eligible	for an expungement	, whether there is go	od cause to restore
175.4	the offender's right to possess	firearms and ammun	ition;	
175.5	(6) if the person is eligible (6)	for an expungement	, whether the limitat	ions under section
175.6	609A.03, subdivision 7a, clau	se (4) or (5), apply; a	nd	
175.7	(7) if the person is eligible	for resentencing to a	lesser offense, the le	esser sentence to be
175.8	imposed.			
175.9	(b) The Cannabis Expunge	ment Board shall ma	ke a reasonable and	good faith effort to
175.10	notify any person whose conv	iction or stay of adju	dication qualifies for	r an order of
175.11	expungement that the offense of	qualifies and notice is	being sent to the jud	icial branch. Notice
175.12	sent pursuant to this paragraph	n shall inform the per	rson that, following t	he order of
175.13	expungement, any records of	an arrest, conviction,	or incarceration sho	uld not appear on
175.14	any background check or stud	<u>y.</u>		
175.15	Subd. 8. Data classification	n. All data collected	, created, received, r	naintained, or
175.16	disseminated by the Cannabis	Expungement Board	in which each victin	m of a crime and
175.17	person whose conviction or st	ay of adjudication the	at the Cannabis Exp	ungement Board
175.18	reviews is or can be identified	as the subject of the	data is classified as	private data on
175.19	individuals, as defined by sect	ion 13.02, subdivisio	on 12.	
175.20	Subd. 9. Order of expung	ement. (a) Upon rec	eiving notice that an	offense qualifies
175.21	for expungement, the court sh	all issue an order sea	ling all records relat	ing to an arrest,
175.22	indictment or information, tria	l, verdict, or dismissa	ll and discharge for a	n offense described
175.23	in subdivision 1. If the Cannabi	s Expungement Board	d determined that the	person's conviction
175.24	should be vacated and charges	should be dismissed	l, the order shall vac	ate and dismiss the
175.25	charges.			
175.26	(b) If the Cannabis Expung	gement Board determ	ined that there is go	od cause to restore
175.27	the person's right to possess fir	earms and ammunitio	on, the court shall issu	ie an order pursuant
175.28	to section 609.165, subdivisio	<u>n 1d.</u>		
175.29	(c) If the Cannabis Expung	gement Board determ	ined that an expunge	ed record of a
175.30	conviction or stay of adjudica	tion may not be open	ed for purposes of a	background study
175.31	under section 245C.08, the co	urt shall direct the or	der specifically to th	e commissioner of
175.32	human services.			

176.1	(d) If the Cannabis Expungement Board determined that an expunged record of a
176.2	conviction or stay of adjudication may not be opened for purposes of a background check
176.3	required under section 122A.18, subdivision 8, the court shall direct the order specifically
176.4	to the Professional Educator Licensing and Standards Board.
176.5	(e) The court administrator shall send a copy of an expungement order issued under this
176.6	section to each agency and jurisdiction whose records are affected by the terms of the order
176.7	and send a letter to the last known address of the person whose offense has been expunged
176.8	identifying each agency to which the order was sent.
176.9	(f) Data on the person whose offense has been expunged in a letter sent under this
176.10	subdivision are private data on individuals as defined in section 13.02.
176.11	Subd. 10. Resentencing. (a) If the Cannabis Expungement Board determined that a
176.12	person is eligible for resentencing to a lesser offense and the person is currently under
176.13	sentence, the court shall proceed as if the appellate court directed a reduction of the conviction
176.14	to an offense of lesser degree pursuant to rule 28.02, subdivision 12 of the Rules of Criminal
176.15	Procedure.
176.16	(b) If the Cannabis Expungement Board determined that a person is eligible for
176.17	resentencing to a lesser offense and the person completed or has been discharged from the
176.18	sentence, the court may issue an order amending the conviction to an offense of lesser degree
176.19	without holding a hearing.
176.20	(c) If the Cannabis Expungement Board determined that there is good cause to restore
176.21	the person's right to possess firearms and ammunition, the court shall, as necessary, issue
176.22	an order pursuant to section 609.165, subdivision 1d.
176.23	EFFECTIVE DATE. This section is effective August 1, 2023.
176.24	ARTICLE 6
176.25	MISCELLANEOUS PROVISIONS
176.26	Section 1. [3.9224] MEDICAL CANNABIS; COMPACTS TO BE NEGOTIATED.
176.27	Subdivision 1. Definitions. (a) As used in this section, the following terms have the
176.28	meanings given.
176.29	(b) "Indian Tribe" means a Tribe, band, nation, or other federally recognized group or
176.30	community of Indians located within the geographical boundaries of the state of Minnesota.
176.31	(c) "Medical cannabinoid product" has the meaning given in section 342.01, subdivision
176.32	47.

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177.1	(d) "Medical cannabis flow	er" has the meaning	given in section 342.0	01, subdivision 49.
177.2	Subd. 2. Negotiations auth	norized. Following	a public hearing, the g	governor or the
177.3	governor's designated represen	tatives are authoriz	ed to negotiate in goo	d faith a compact
177.4	with an Indian Tribe regulating	medical cannabis fl	ower and medical can	nabinoid products.
177.5	The attorney general is the lega	al counsel for the go	overnor or the governo	or's representatives
177.6	in regard to negotiating a comp	pact under this section	on. If the governor app	points designees to
177.7	negotiate under this subdivisio	n, the designees mu	st include at least two	members of the
177.8	senate and two members of the	e house of represent	atives, two of whom r	nust be the chairs
177.9	of the senate and house of repre-	esentatives standing	committees with juris	diction over health
177.10	policy.			
177.11	Subd. 3. Terms of compac	t; rights of parties	(a) A compact agree	d to under this
177.12	section may address any issues	related to medical c	annabis flower and me	edical cannabinoid
177.13	products that affect the interest	ts of both the state a	nd Indian Tribe or oth	nerwise have an
177.14	impact on Tribal-state relations	s. At a minimum, a	compact agreed to on	behalf of the state
177.15	under this section must address	<u>s:</u>		
177.16	(1) the enforcement of crim	iinal and civil laws;		
177.17	(2) the regulation of the con	mmercial production	n, processing, sale or	distribution, and
177.18	possession of medical cannabi	s flower and medica	ll cannabinoid produc	<u>ts;</u>
177.19	(3) medical and pharmaceut	tical research involv	ing medical cannabis f	lower and medical
177.20	cannabinoid products;			
177.21	(4) the taxation of medical c	cannabis flower and	medical cannabinoid p	products, including
177.22	establishing an appropriate am	ount and method of	revenue sharing;	
177.23	(5) the immunities of an Ind	ian Tribe or preempt	ion of state law regard	ing the production,
177.24	processing, or sale or distributi			
177.25	products; and			
177.26	(6) the method of resolution	n for disputes invol	ving the compact, incl	uding the use of
177.27	mediation or other alternative	dispute resolution p	rocesses and procedur	·es.
177.28	(b) In addressing the issues	identified under para	agraph (a), the governo	or or the governor's
177.29	designated representatives shall	ll only enter into ag	reements that:	
177.30	(1) provide for the preservation	tion of public healt	h and safety;	
177.31	(2) ensure the security of pr	oduction, processin	g, retail, and research	facilities on Tribal
177.32	land; and			

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178.1	(3) establish provisions regulating business involving medical cannabis flower and
178.2	medical cannabinoid products that pass between Tribal land and non-Tribal land in the state.
178.3	Subd. 4. Assessments and charges. Notwithstanding any law to the contrary, any
178.4	compact agreed to under this section shall establish all taxes, fees, assessments, and other
178.5	charges related to the production, processing, sale or distribution, and possession of medical
178.6	cannabis flower and medical cannabinoid products.
178.7	Subd. 5. Civil and criminal immunities. The following acts, when performed by a
178.8	validly licensed medical cannabis retailer or an employee of a medical cannabis retailer
178.9	operated by an Indian Tribe pursuant to a compact entered into under this section, do not
178.10	constitute a criminal or civil offense under state law:
178.11	(1) the cultivation of cannabis flower, as defined in section 342.01, subdivision 16;
178.12	(2) the possession, purchase, and receipt of medical cannabis flower and medical
178.13	cannabinoid products that are properly packaged and labeled as authorized under a compact
178.14	entered into pursuant to this section; and
178.15	(3) the delivery, distribution, and sale of medical cannabis flower and medical cannabinoid
178.16	products as authorized under a compact entered into pursuant to this section and that takes
178.17	place on the premises of a medical cannabis retailer on Tribal land to any person 21 years
178.18	of age or older.
178.19	Subd. 6. Publication; report. (a) The governor shall post any compact entered into
178.20	under this section on a publicly accessible website.
178.21	(b) The governor, the attorney general, and the governor's designated representatives
178.22	shall report to the legislative committees having jurisdiction over health, taxation, and
178.23	commerce annually. This report shall contain information on compacts negotiated and an
178.24	outline of prospective negotiations.
178.25	Sec. 2. [3.9228] ADULT-USE CANNABIS; COMPACTS TO BE NEGOTIATED.
178.26	Subdivision 1. Definitions. (a) As used in this section, the following terms have the
178.27	meanings given.
178.28	(b) "Indian Tribe" means a Tribe, band, nation, or other federally recognized group or
178.29	community of Indians located within the geographical boundaries of the state of Minnesota.
178.30	(c) "Adult-use cannabinoid product" has the meaning given in section 342.01, subdivision
178.31	<u>2.</u>

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179.1	(d) "Adult	-use cannabis flowe	er" has the mean	ing given in section 34	2.01, subdivision
179.2	<u>4.</u>				
179.3	Subd. 2. N	egotiations author	•ized. Following	a public hearing, the	governor or the
179.4	governor's des	signated representat	ives are authoriz	zed to negotiate in goo	d faith a compact
179.5	with an Indian	Tribe regulating adu	ult-use cannabis f	lower and adult-use car	nnabinoid products.
179.6	The attorney g	general is the legal of	counsel for the g	overnor or the governo	or's representatives
179.7	in regard to ne	gotiating a compac	t under this sect	ion. If the governor ap	points designees to
179.8	negotiate und	er this subdivision,	the designees m	ust include at least two	members of the
179.9	senate and two	o members of the he	ouse of represen	tatives, two of whom	must be the chairs
179.10	of the senate a	nd house of represen	ntatives standing	g committees with juris	diction over health
179.11	policy.				
179.12	<u>Subd. 3.</u> T	erms of compact;	rights of partie	s. (a) A compact agree	d to under this
179.13	section may ac	ldress any issues rela	ated to adult-use	cannabis flower and ad	ult-use cannabinoid
179.14	products that	affect the interests of	of both the state	and Indian Tribe or otl	herwise have an
179.15	impact on Tril	oal-state relations. A	At a minimum, a	compact agreed to on	behalf of the state
179.16	under this sec	tion must address:			
179.17	(1) the enf	orcement of crimination	al and civil laws	<u>;</u>	
179.18	(2) the reg	ulation of the comn	nercial production	on, processing, sale or	distribution, and
179.19	possession of	adult-use cannabis	flower and adul	t-use cannabinoid proc	lucts;
179.20	(3) medica	and pharmaceutic	al research invo	lving adult-use cannab	bis flower and
179.21	adult-use canr	nabinoid products;			
179.22	(4) the tax	ation of adult-use ca	annabis flower a	nd adult-use cannabin	oid products,
179.23	including esta	blishing an appropr	iate amount and	method of revenue sh	aring;
179.24	(5) the imm	nunities of an Indian	Tribe or preemp	otion of state law regard	ling the production,
179.25	processing, or	sale or distribution	of adult-use car	nnabis flower and adul	t-use cannabinoid
179.26	products; and				
179.27	(6) the me	thod of resolution for	or disputes invo	lving the compact, inc	luding the use of
179.28	mediation or o	other alternative dis	pute resolution	processes and procedu	res.
179.29	(b) In addr	essing the issues ide	entified under pa	ragraph (a), the govern	or or the governor's
179.30	designee shall	only enter into agr	eements that:		
179.31	(1) provide	e for the preservatio	on of public heal	th and safety;	

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180.1	(2) ensure	e the security of prod	uction, processi	ng, retail, and research	facilities on Tribal
180.2	land; and	· ·			
180.3	(3) establ	ish provisions regula	ting business ir	volving adult-use can	nabis flower and
180.4				n Tribal land and non-T	
180.5	state.				
180.6	Subd. 4. A	Assessments and ch	arges. Notwith	standing any law to the	e contrary, any
180.7				ish all taxes, fees, asses	
180.8	charges relate	ed to the production, p	processing, sale	or distribution, and pos	session of adult-use
180.9	cannabis flov	ver and adult-use car	nnabinoid produ	acts.	
180.10	Subd. 5.	Civil and criminal i	mmunities. The	e following acts, when	performed by a
180.11	validly licens	ed cannabis retailer o	or an employee	of a cannabis retailer op	erated by an Indian
180.12	Tribe pursua	nt to a compact enter	ed into under th	nis section, do not cons	stitute a criminal or
180.13	civil offense	under state law:			
180.14	<u>(1) the cu</u>	ltivation of cannabis	flower, as defin	ned in section 342.01,	subdivision 16;
180.15	(2) the po	ssession, purchase, a	and receipt of a	dult-use cannabis flowe	er and adult-use
180.16	cannabinoid	products that are proj	perly packaged	and labeled as authorize	ed under a compact
180.17	entered into p	oursuant to this section	on; and		
180.18	(3) the de	livery, distribution, a	and sale of adul	t-use cannabis flower a	and adult-use
180.19	cannabinoid	products as authorize	ed under a com	pact entered into pursu	ant to this section
180.20	and that takes	s place on the premis	ses of a medical	cannabis retailer on T	ribal land to any
180.21	person 21 years	ars of age or older.			
180.22	<u>Subd. 6.</u>	Publication; report.	(a) The govern	or shall post any comp	pact entered into
180.23	under this see	ction on a publicly a	ccessible websi	te.	
180.24	(b) The g	overnor, the attorney	general, and th	e governor's designee	shall report to the
180.25	legislative co	ommittees having jur	isdiction over h	ealth, taxation, and con	mmerce annually.
180.26	This report sl	hall contain informat	ion on compact	s negotiated and an out	tline of prospective
180.27	negotiations.				
100.20	See 2 Min	magata Statutas 2022	a_{aation} 12.41	1 is amonded by addin	a a subdivision to
180.28		mesota Statutes 2022	2, Section 15.41	1, is amended by addin	g a subdivision to
180.29	read:				
180.30	Subd. 12.	Cannabis business	<mark>es.</mark> Data submit	ted to the Office of Can	nabis Management
180.31	for a cannabis	s business license and	data relating to	investigations and disci	plinary proceedings

181.1 involving cannabis businesses licensed by the Office of Cannabis Management are classified
181.2 under section 342.18, subdivision 6.

181.3 Sec. 4. Minnesota Statutes 2022, section 13.871, is amended by adding a subdivision to181.4 read:

Subd. 15. Cannabis Expungement Board records. Data collected, created, received,
 maintained, or disseminated by the Cannabis Expungement Board are classified under
 section 609A.06, subdivision 8.

181.8 Sec. 5. Minnesota Statutes 2022, section 34A.01, subdivision 4, is amended to read:

Subd. 4. **Food.** "Food" means every ingredient used for, entering into the consumption of, or used or intended for use in the preparation of food, drink, confectionery, or condiment for humans or other animals, whether simple, mixed, or compound; and articles used as components of these ingredients, except that edible cannabinoid products, as defined in section 151.72, subdivision 1, paragraph (c) 342.01, subdivision 29, are not food.

181.14 **EFFECTIVE DATE.** This section is effective July 1, 2024.

181.15 Sec. 6. [120B.215] EDUCATION ON CANNABIS USE AND SUBSTANCE USE.

Subdivision 1. Model program. The commissioner of education, in consultation with 181.16 the commissioners of health and human services, local district and school health education 181.17 specialists, and other qualified experts, shall identify one or more model programs that may 181.18 181.19 be used to educate middle school and high school students on the health effects on children and adolescents of cannabis use and substance use consistent with local standards as required 181.20 in section 120B.021, subdivision 1, paragraph (a), clause (6), for elementary and secondary 181.21 school students. The commissioner must publish a list of model programs that include 181.22 written materials, curriculum resources, and training for instructors by June 1, 2025. A 181.23 model program identified by the commissioner must be medically accurate, age and 181.24 181.25 developmentally appropriate, culturally inclusive, and grounded in science, and must address: 181.26 (1) the physical and mental health effects of cannabis use and substance use by children and adolescents, including effects on the developing brains of children and adolescents; 181.27 181.28 (2) unsafe or unhealthy behaviors associated with cannabis use and substance use;

- 181.29 (3) signs of substance use disorders;
- 181.30 (4) treatment options; and
- 181.31 (5) healthy coping strategies for children and adolescents.

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Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district 182.1 or charter school must implement a comprehensive education program on cannabis use and 182.2 182.3 substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: 182.4 182.5 (1) respect community values and encourage students to communicate with parents, 182.6 guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate 182.7 information about cannabis use and substance use, and treatment for a substance use disorder. 182.8 (b) District efforts to develop, implement, or improve instruction or curriculum as a 182.9 result of the provisions of this section must be consistent with sections 120B.10 and 120B.11. 182.10 Subd. 3. Parental review. Notwithstanding any law to the contrary, each school district 182.11 shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older 182.12 to review the content of the instructional materials to be provided to a minor child or to an 182.13 adult student pursuant to this section. The district or charter school must allow a parent or 182.14 adult student to opt out of instruction under this section with no academic or other penalty 182.15 for the student and must inform parents and adult students of this right to opt out. 182.16 Subd. 4. Youth council. A school district or charter school may establish one or more 182.17 youth councils in which student members of the council receive education and training on 182.18 cannabis use and substance use and provide peer-to-peer education on these topics. 182.19 Sec. 7. [144.196] CANNABIS DATA COLLECTION AND BIENNIAL REPORTS. 182.20 Subdivision 1. General. The commissioner of health shall engage in research and data 182.21 collection activities to measure the prevalence of cannabis flower use and the use of 182.22 cannabinoid products in the state by persons under 21 years of age and by persons 21 years 182.23 of age or older. In order to collect data, the commissioner may modify existing data collection 182.24 tools used by the department or other state agencies or may establish one or more new data 182.25 182.26 collection tools. Subd. 2. Statewide assessment; baseline data; updates. (a) The commissioner shall 182.27 conduct a statewide assessment to establish a baseline for the prevalence of cannabis flower 182.28 182.29 use and the use of cannabinoid products in the state broken out by:

182.30 (1) the current age of the customer;

182.31 (2) the age at which the customer began consuming cannabis flower or cannabinoid
 182.32 products;

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183.1	(3) whet	her the customer cons	sumes cannabis f	lower or cannabinoid	products, and by
183.2	type of canr	nabinoid product that	the customer con	sumes, if applicable;	
183.3	<u>(4) the a</u>	mount of cannabis flo	ower or cannabin	oid product typically	consumed at one
183.4	time;				
183.5	(5) the t	ypical frequency of co	onsumption; and		
183.6	<u>(6)</u> other	r criteria specified by	the commissione	er.	
183.7	<u>(b)</u> The	initial assessment mus	st be completed b	by July 1, 2024. The c	commissioner shall
183.8	collect upda	ated data under this su	bdivision at leas	t every two years ther	eafter.
183.9	<u>Subd. 3.</u>	Reports. Beginning	January 1, 2025,	and every two years	thereafter, the
183.10	commission	er shall issue a public	report on the pr	evalence of cannabis	flower use and the
183.11	use of canna	abinoid products in th	e state by person	s under age 21 and by	y persons age 21 or
183.12	older. The re	eport may include reco	ommendations fr	om the commissioner	for changes to this
183.13	chapter that	would discourage or	prevent personal	use of cannabis flow	er or cannabinoid
183.14	products by	persons under age 21	, that would disc	ourage personal use o	of cannabis flower
183.15	or cannabin	oid products by pregn	ant or breastfeed	ing women, that woul	d prevent access to
183.16	cannabis flo	wer or cannabinoid pro	oducts by young o	children, or that would	otherwise promote

183.17 public health.

183.18 Sec. 8. [144.197] CANNABIS EDUCATION PROGRAMS.

183.19 Subdivision 1. Youth education. The commissioner of health shall conduct a long-term,

183.20 coordinated education program to raise public awareness about and address the top three

183.21 adverse health effects, as determined by the commissioner, associated with the use of

183.22 cannabis flower or cannabinoid products by persons under age 21. In conducting this

183.23 education program, the commissioner shall engage and consult with youth around the state

183.24 on program content and on methods to effectively disseminate program information to youth

- 183.25 around the state.
- 183.26Subd. 2. Education for pregnant and breastfeeding women; women who may become183.27pregnant. The commissioner of health shall conduct a long-term, coordinated program to183.28educate pregnant women, breastfeeding women, and women who may become pregnant on183.29the adverse health effects of prenatal exposure to cannabis flower or cannabinoid products183.30and on the adverse health effects experienced by infants and children who are exposed to183.31cannabis flower or cannabinoid products in breast milk, from secondhand smoke, or by183.32ingesting cannabinoid products. This education program must also educate women on what

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184.1 constitutes a substance use disorder, signs of a substance use disorder, and treatment options
184.2 for persons with a substance use disorder.

184.3Subd. 3. Home visiting programs. The commissioner of health shall provide training,184.4technical assistance, and education materials to local public health home visiting programs184.5and Tribal home visiting programs regarding the safe and unsafe use of cannabis flower or184.6cannabinoid products in homes with infants and young children. Training, technical184.7assistance, and education materials shall address substance use, the signs of a substance use184.8disorder, treatment options for persons with a substance use disorder, the dangers of driving184.9under the influence of cannabis flower or cannabinoid products, how to safely consume

184.10 cannabis flower or cannabinoid products in homes with infants and young children, and

184.11 how to prevent infants and young children from being exposed to cannabis flower or

184.12 cannabinoid products by ingesting cannabinoid products or through secondhand smoke.

184.13 Sec. 9. Minnesota Statutes 2022, section 181.938, subdivision 2, is amended to read:

Subd. 2. Prohibited practice. (a) An employer may not refuse to hire a job applicant 184.14 or discipline or discharge an employee because the applicant or employee engages in or has 184.15 184.16 engaged in the use or enjoyment of lawful consumable products, if the use or enjoyment takes place off the premises of the employer during nonworking hours. For purposes of this 184.17 section, "lawful consumable products" means products whose use or enjoyment is lawful 184.18 and which are consumed during use or enjoyment, and includes food, alcoholic or 184.19 nonalcoholic beverages, and tobacco, cannabis flower, as defined in section 342.01, 184.20 subdivision 16, and cannabinoid products, as defined in section 342.01, subdivision 12. 184.21

(b) Cannabis flower and cannabinoid products are lawful consumable products for the
purpose of Minnesota law, regardless of whether federal or other state law considers cannabis
use, possession, impairment, sale, or transfer to be unlawful. Nothing in this section shall
be construed to limit an employer's ability to discipline or discharge an employee for cannabis
flower or cannabinoid product use, possession, impairment, sale, or transfer during working
hours, on work premises, or while operating an employer's vehicle, machinery, or equipment.

Sec. 10. Minnesota Statutes 2022, section 181.950, subdivision 2, is amended to read:
Subd. 2. Confirmatory test; confirmatory retest. "Confirmatory test" and "confirmatory
retest" mean a drug or alcohol test <u>or cannabis test</u> that uses a method of analysis allowed
under one of the programs listed in section 181.953, subdivision 1.

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Sec. 11. Minnesota Statutes 2022, section 181.950, subdivision 4, is amended to read:
Subd. 4. Drug. "Drug" means a controlled substance as defined in section 152.01,
subdivision 4, but does not include marijuana, tetrahydrocannabinols, cannabis flower as
defined in section 342.01, subdivision 16, or cannabinoid products as defined in section

185.5 <u>342.01</u>, subdivision 12.

185.6 Sec. 12. Minnesota Statutes 2022, section 181.950, subdivision 5, is amended to read:

Subd. 5. **Drug and alcohol testing.** "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" mean analysis of a body component sample according to the standards established under one of the programs listed in section 181.953, subdivision 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" do not include cannabis or cannabis testing, unless stated otherwise.

185.13 Sec. 13. Minnesota Statutes 2022, section 181.950, is amended by adding a subdivision185.14 to read:

185.15 Subd. 5a. Cannabis testing. "Cannabis testing" means the analysis of a body component

185.16 sample according to the standards established under one of the programs listed in section

185.17 <u>181.953</u>, subdivision 1, for the purpose of measuring the presence or absence of cannabis

185.18 <u>flower</u>, as defined in section 342.01, subdivision 16, cannabinoid products, as defined in

185.19 section 342.01, subdivision 12, or cannabis metabolites in the sample tested. The definitions

185.20 in this section apply to cannabis testing unless stated otherwise.

185.21 Sec. 14. Minnesota Statutes 2022, section 181.950, subdivision 8, is amended to read:

Subd. 8. Initial screening test. "Initial screening test" means a drug or alcohol test or
<u>cannabis test</u> which uses a method of analysis under one of the programs listed in section
185.24 181.953, subdivision 1.

185.25 Sec. 15. Minnesota Statutes 2022, section 181.950, subdivision 13, is amended to read:

Subd. 13. Safety-sensitive position. "Safety-sensitive position" means a job, including
 any supervisory or management position, in which an impairment caused by drug or, alcohol,
 <u>or cannabis</u> usage would threaten the health or safety of any person.

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186.1	Sec. 16.]	Minnesota Statutes 202	2, section 181.9	951, is amended by a	dding a subdivision
186.2	to read:				-
186.3	Subd. 8	3. Limitations on canna	abis testing. (a)	An employer must r	ot request or require
186.4	a job applic	cant to undergo cannabi	s testing or drug	and alcohol testing s	olely for the purpose
186.5	of determin	ning the presence or ab	sence of cannab	is as a condition of e	employment unless
186.6	otherwise 1	required by state or fede	eral law.		
186.7	<u>(b) Unl</u>	ess otherwise required	by state or feder	ral law, an employer	must not refuse to
186.8	<u>hire a job a</u>	pplicant solely because	the job applicat	nt submits to a canna	bis test or a drug and
186.9	alcohol tes	at authorized by this sec	tion and the res	ults of the test indica	te the presence of
186.10	cannabis.				
186.11	(c) An	employer must not requ	uest or require a	n employee or job ap	plicant to undergo
186.12	cannabis te	esting on an arbitrary or	capricious basi	is or on a random sel	ection basis.
186.13	<u>(d)</u> An	employer may request	or require an en	nployee to undergo c	annabis testing
186.14	conducted	by a testing laboratory	that participates	s in one of the progra	ms listed in section
186.15	<u>181.953, s</u> ı	ubdivision 1, if the emp	loyer has a reas	onable suspicion that	while the employee
186.16	is working	or while the employee	is on the employ	ver's premises or oper	rating the employer's
186.17	vehicle, ma	achinery, or equipment,	, the employee:		
186.18	(1) as the	ne result of consuming c	annabis flower o	or a cannabinoid prod	uct, does not possess
186.19	that clearn	ess of intellect and cont	trol of self that t	he employee otherw	ise would have;
186.20	<u>(2) has</u>	violated the employer's	written work ru	ales prohibiting cann	abis use, possession,
186.21	impairmen	it, sale, or transfer, provi	ided that the wo	rk rules for cannabis	and cannabis testing
186.22	are in writi	ing and in a written poli	icy that contains	s the minimum inform	mation required in
186.23	section 18	<u>1.952; or</u>			
186.24	<u>(3) has</u>	sustained a personal in	jury or has a cat	used a work-related a	accident as provided
186.25	in subdivis	sion 5, clauses (3) and (<u>4).</u>		
186.26	<u>(e)</u> Can	nabis testing authorized	d under paragra	ph (d) must comply v	with the safeguards
186.27	for testing	employees provided in	sections 181.95	53 and 181.954.	
186.28	Sec. 17.]	Minnesota Statutes 202	2, section 181.9	951, is amended by a	dding a subdivision
186.29	to read:				-
186.30	Subd 9	9. Cannabis testing exc	ceptions. For th	e following nositions	s, cannabis and its
186.31		s are considered a drug			
186.32		81.950 to 181.957:		<u> </u>	or

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187.1	(1) a safety	-sensitive position	, as defined in se	ction 181.950, subdi	vision 13;
187.2	<u>(2)</u> a peace	officer position, as	s defined in secti	on 626.84, subdivisio	<u>on 1;</u>
187.3	(3) a firefig	hter position, as de	efined in section	299N.01, subdivision	<u>n 3;</u>
187.4	(4) a positio	on requiring face-to	o-face care, train	ing, education, super	vision, counseling,
187.5	consultation, or	r medical assistanc	e to:		
187.6	(i) children;	<u>2</u>			
187.7	(ii) vulneral	ole adults, as defin	ed in section 620	6.5572, subdivision 2	1; or
187.8	(iii) patients	s who receive heal	th care services	from a provider for th	<u>ie treatment,</u>
187.9	examination, or	r emergency care of	of a medical, psy	chiatric, or mental co	ondition;
187.10	(5) a positio	n requiring a comm	nercial driver's li	cense or requiring an	employee to operate
187.11	a motor vehicle	e for which state or	r federal law req	uires drug or alcohol	testing of a job
187.12	applicant or an	employee;			
187.13	(6) a positic	on of employment	funded by a fede	eral grant; or	
187.14	(7) any othe	er position for which	ch state or federa	al law requires testing	g of a job applicant
187.15	or an employee	for cannabis.			
187.16	Sec. 18. Mini	nesota Statutes 202	22, section 181.9	52, is amended by ad	lding a subdivision
187.17	to read:				
187.18	<u>Subd. 3.</u> Ca	nnabis policy. (a)	Unless otherwis	se provided by state of	or federal law, an
187.19	employer is not	required to permit	t or accommodate	e cannabis flower or c	annabinoid product
187.20	use, possession	, impairment, sale	, or transfer whil	e an employee is wo	rking or while an
187.21	employee is on	the employer's pro	emises or operati	ng the employer's ve	hicle, machinery, or
187.22	equipment.				
187.23	(b) An emp	loyer may enact ar	nd enforce writte	n work rules prohibit	ing cannabis flower
187.24	and cannabinoi	<u>d product use, pos</u>	session, impairn	nent, sale, or transfer	while an employee
187.25	is working or w	hile an employee	is on the employ	er's premises or opera	ating the employer's
187.26	vehicle, machir	ery, or equipment	in a written polic	ey that contains the mi	nimum information
187.27	required by this	s section.			

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188.1 Sec. 19. Minnesota Statutes 2022, section 181.953, is amended to read:

188.2 **181.953 RELIABILITY AND FAIRNESS SAFEGUARDS.**

Subdivision 1. Use of licensed, accredited, or certified laboratory required. (a) An employer who requests or requires an employee or job applicant to undergo drug or alcohol testing or cannabis testing shall use the services of a testing laboratory that meets one of the following criteria for drug testing:

(1) is certified by the National Institute on Drug Abuse as meeting the mandatory
guidelines published at 53 Federal Register 11970 to 11989, April 11, 1988;

(2) is accredited by the College of American Pathologists, 325 Waukegan Road,
Northfield, Illinois, 60093-2750, under the forensic urine drug testing laboratory program;
or

(3) is licensed to test for drugs by the state of New York, Department of Health, underPublic Health Law, article 5, title V, and rules adopted under that law.

188.14 (b) For alcohol testing, the laboratory must either be:

(1) licensed to test for drugs and alcohol by the state of New York, Department of Health,
under Public Health Law, article 5, title V, and the rules adopted under that law; or

(2) accredited by the College of American Pathologists, 325 Waukegan Road, Northfield,
Illinois, 60093-2750, in the laboratory accreditation program.

Subd. 3. Laboratory testing, reporting, and sample retention requirements. A testing 188.19 laboratory that is not certified by the National Institute on Drug Abuse according to 188.20 subdivision 1 shall follow the chain-of-custody procedures prescribed for employers in 188.21 subdivision 5. A testing laboratory shall conduct a confirmatory test on all samples that 188.22 produced a positive test result on an initial screening test. A laboratory shall disclose to the 188.23 employer a written test result report for each sample tested within three working days after 188.24 a negative test result on an initial screening test or, when the initial screening test produced 188.25 a positive test result, within three working days after a confirmatory test. A test report must 188.26 indicate the drugs, alcohol, or drug or alcohol metabolites, or cannabis or cannabis 188.27 188.28 metabolites tested for and whether the test produced negative or positive test results. A laboratory shall retain and properly store for at least six months all samples that produced 188.29 a positive test result. 188.30

188.31 Subd. 4. **Prohibitions on employers.** An employer may not conduct drug or alcohol 188.32 testing <u>or cannabis testing</u> of its own employees and job applicants using a testing laboratory 188.33 owned and operated by the employer; except that, one agency of the state may test the employees of another agency of the state. Except as provided in subdivision 9, an employer
may not request or require an employee or job applicant to contribute to, or pay the cost of,
drug or alcohol testing or cannabis testing under sections 181.950 to 181.954.

Subd. 5. Employer chain-of-custody procedures. An employer shall establish its own
reliable chain-of-custody procedures to ensure proper record keeping, handling, labeling,
and identification of the samples to be tested. The procedures must require the following:

(1) possession of a sample must be traceable to the employee from whom the sample is
collected, from the time the sample is collected through the time the sample is delivered to
the laboratory;

(2) the sample must always be in the possession of, must always be in view of, or mustbe placed in a secured area by a person authorized to handle the sample;

189.12 (3) a sample must be accompanied by a written chain-of-custody record; and

(4) individuals relinquishing or accepting possession of the sample must record the time
the possession of the sample was transferred and must sign and date the chain-of-custody
record at the time of transfer.

Subd. 6. **Rights of employees and job applicants.** (a) Before requesting an employee or job applicant to undergo drug or alcohol testing or requesting cannabis testing, an employer shall provide the employee or job applicant with a form, developed by the employer, on which to acknowledge that the employee or job applicant has seen the employer's drug and alcohol testing or cannabis testing policy.

(b) If an employee or job applicant tests positive for drug use, the employee must be given written notice of the right to explain the positive test and the employer may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.

(c) Within three working days after notice of a positive test result on a confirmatory test, the employee or job applicant may submit information to the employer, in addition to any information already submitted under paragraph (b), to explain that result, or may request a confirmatory retest of the original sample at the employee's or job applicant's own expense as provided under subdivision 9.

189.31 Subd. 7. **Notice of test results.** Within three working days after receipt of a test result 189.32 report from the testing laboratory, an employer shall inform in writing an employee or job 189.33 applicant who has undergone drug or alcohol testing <u>or cannabis testing</u> of (1) a negative test result on an initial screening test or of a negative or positive test result on a confirmatory
test and (2) the right provided in subdivision 8. In the case of a positive test result on a
confirmatory test, the employer shall also, at the time of this notice, inform the employee
or job applicant in writing of the rights provided in subdivisions 6, paragraph (b), 9, and
either subdivision 10 or 11, whichever applies.

Subd. 8. Right to test result report. An employee or job applicant has the right to
request and receive from the employer a copy of the test result report on any drug or alcohol
test or cannabis test.

Subd. 9. Confirmatory retests. An employee or job applicant may request a confirmatory 190.9 190.10 retest of the original sample at the employee's or job applicant's own expense after notice of a positive test result on a confirmatory test. Within five working days after notice of the 190.11 confirmatory test result, the employee or job applicant shall notify the employer in writing 190.12 of the employee's or job applicant's intention to obtain a confirmatory retest. Within three 190.13 working days after receipt of the notice, the employer shall notify the original testing 190.14 laboratory that the employee or job applicant has requested the laboratory to conduct the 190.15 confirmatory retest or transfer the sample to another laboratory licensed under subdivision 190.16 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that the 190.17 chain-of-custody procedures in subdivision 3 are followed during transfer of the sample to 190.18 the other laboratory. The confirmatory retest must use the same drug or, alcohol, or cannabis 190.19 threshold detection levels as used in the original confirmatory test. If the confirmatory retest 190.20 does not confirm the original positive test result, no adverse personnel action based on the 190.21 original confirmatory test may be taken against the employee or job applicant. 190.22

Subd. 10. Limitations on employee discharge, discipline, or discrimination. (a) An
employer may not discharge, discipline, discriminate against, or request or require
rehabilitation of an employee on the basis of a positive test result from an initial screening
test that has not been verified by a confirmatory test.

(b) In addition to the limitation under paragraph (a), an employer may not discharge an
employee for whom a positive test result on a confirmatory test was the first such result for
the employee on a drug or alcohol test <u>or cannabis test</u> requested by the employer unless
the following conditions have been met:

(1) the employer has first given the employee an opportunity to participate in, at the
employee's own expense or pursuant to coverage under an employee benefit plan, either a
drug or, alcohol, or cannabis counseling or rehabilitation program, whichever is more
appropriate, as determined by the employer after consultation with a certified chemical use

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191.1 counselor or a physician trained in the diagnosis and treatment of substance use disorder;191.2 and

(2) the employee has either refused to participate in the counseling or rehabilitation
program or has failed to successfully complete the program, as evidenced by withdrawal
from the program before its completion or by a positive test result on a confirmatory test
after completion of the program.

(c) Notwithstanding paragraph (a), an employer may temporarily suspend the tested
employee or transfer that employee to another position at the same rate of pay pending the
outcome of the confirmatory test and, if requested, the confirmatory retest, provided the
employer believes that it is reasonably necessary to protect the health or safety of the
employee, coemployees, or the public. An employee who has been suspended without pay
must be reinstated with back pay if the outcome of the confirmatory test or requested
confirmatory retest is negative.

(d) An employer may not discharge, discipline, discriminate against, or request or require
rehabilitation of an employee on the basis of medical history information revealed to the
employer pursuant to subdivision 6 unless the employee was under an affirmative duty to
provide the information before, upon, or after hire.

(e) An employee must be given access to information in the employee's personnel file
relating to positive test result reports and other information acquired in the drug and alcohol
testing process <u>or cannabis testing process</u> and conclusions drawn from and actions taken
based on the reports or other acquired information.

191.22 Subd. 10a. Additional limitations for cannabis. An employer may discipline, discharge,
191.23 or take other adverse personnel action against an employee for cannabis flower or

191.24 cannabinoid product use, possession, impairment, sale, or transfer while an employee is

191.25 working, on the employer's premises, or operating the employer's vehicle, machinery, or
191.26 equipment as follows:

191.27 (1) if, as the result of consuming cannabis flower or a cannabinoid product, the employee
 191.28 does not possess that clearness of intellect and control of self that the employee otherwise
 191.29 would have;

191.30 (2) if cannabis testing that the employer requested or required pursuant to section 181.951,

191.31 subdivision 8, paragraphs (d) and (e), verifies the presence of cannabis following a

191.32 confirmatory test;

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192.1 (3) as provided in the employer's written work rules for cannabis and cannabis testing,

192.2 provided that the rules are in writing and in a written policy that contains the minimum

192.3 information required by section 181.952; or

192.4 (4) as otherwise authorized under state or federal law.

Subd. 11. Limitation on withdrawal of job offer. If a job applicant has received a job
offer made contingent on the applicant passing drug and alcohol testing, the employer may
not withdraw the offer based on a positive test result from an initial screening test that has
not been verified by a confirmatory test.

192.9 Sec. 20. Minnesota Statutes 2022, section 181.954, is amended to read:

192.10 **181.954 PRIVACY, CONFIDENTIALITY, AND PRIVILEGE SAFEGUARDS.**

Subdivision 1. Privacy limitations. A laboratory may only disclose to the employer test
result data regarding the presence or absence of drugs, alcohol, or their metabolites in a
sample tested.

Subd. 2. **Confidentiality limitations.** Test result reports and other information acquired in the drug or alcohol testing <u>or cannabis testing</u> process are, with respect to private sector employees and job applicants, private and confidential information, and, with respect to public sector employees and job applicants, private data on individuals as that phrase is defined in chapter 13, and may not be disclosed by an employer or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee or job applicant tested.

192.21 Subd. 3. Exceptions to privacy and confidentiality disclosure

limitations. Notwithstanding subdivisions 1 and 2, evidence of a positive test result on a 192.22 confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective 192.23 bargaining agreement, an administrative hearing under chapter 43A or other applicable state 192.24 or local law, or a judicial proceeding, provided that information is relevant to the hearing 192.25 or proceeding; (2) disclosed to any federal agency or other unit of the United States 192.26 government as required under federal law, regulation, or order, or in accordance with 192.27 compliance requirements of a federal government contract; and (3) disclosed to a substance 192.28 abuse treatment facility for the purpose of evaluation or treatment of the employee. 192.29

Subd. 4. Privilege. Positive test results from an employer drug or alcohol testing or
cannabis testing program may not be used as evidence in a criminal action against the
employee or job applicant tested.

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193.1 Sec. 21. Minnesota Statutes 2022, section 181.955, is amended to read:

193.2 **181.955 CONSTRUCTION.**

Subdivision 1. Freedom to collectively bargain. Sections 181.950 to 181.954 shall not be construed to limit the parties to a collective bargaining agreement from bargaining and agreeing with respect to a drug and alcohol testing <u>or a cannabis testing</u> policy that meets or exceeds, and does not otherwise conflict with, the minimum standards and requirements for employee protection provided in those sections.

193.8 Subd. 2. Employee protections under existing collective bargaining

agreements. Sections 181.950 to 181.954 shall not be construed to interfere with or diminish
any employee protections relating to drug and alcohol testing or cannabis testing already
provided under collective bargaining agreements in effect on the effective date of those
sections that exceed the minimum standards and requirements for employee protection
provided in those sections.

Subd. 3. Professional athletes. Sections 181.950 to 181.954 shall not be construed to
interfere with the operation of a drug and alcohol testing or cannabis testing program if:

(1) the drug and alcohol testing program is permitted under a contract between theemployer and employees; and

193.18 (2) the covered employees are employed as professional athletes.

Upon request of the commissioner of labor and industry, the exclusive representative of the employees and the employer shall certify to the commissioner of labor and industry that the drug and alcohol testing <u>or cannabis testing</u> program permitted under the contract should operate without interference from the sections specified in this subdivision. This subdivision must not be construed to create an exemption from controlled substance crimes in chapter 152.

193.25 Sec. 22. Minnesota Statutes 2022, section 181.957, subdivision 1, is amended to read:

Subdivision 1. Excluded employees and job applicants. Except as provided under
subdivision 2, the employee and job applicant protections provided under sections 181.950
to 181.956 do not apply to employees and job applicants where the specific work performed
requires those employees and job applicants to be subject to drug and alcohol testing pursuant
to:

(1) federal regulations that specifically preempt state regulation of drug and alcohol
testing <u>or cannabis testing</u> with respect to those employees and job applicants;

(2) federal regulations or requirements necessary to operate federally regulated facilities;
(3) federal contracts where the drug and alcohol testing <u>or cannabis testing</u> is conducted
for security, safety, or protection of sensitive or proprietary data; or

(4) state agency rules that adopt federal regulations applicable to the interstate component
of a federally regulated industry, and the adoption of those rules is for the purpose of
conforming the nonfederally regulated intrastate component of the industry to identical
regulation.

194.8 Sec. 23. Minnesota Statutes 2022, section 245C.08, subdivision 1, is amended to read:

Subdivision 1. Background studies conducted by Department of Human Services. (a)
For a background study conducted by the Department of Human Services, the commissioner
shall review:

(1) information related to names of substantiated perpetrators of maltreatment of
vulnerable adults that has been received by the commissioner as required under section
626.557, subdivision 9c, paragraph (j);

(2) the commissioner's records relating to the maltreatment of minors in licensed
programs, and from findings of maltreatment of minors as indicated through the social
service information system;

(3) information from juvenile courts as required in subdivision 4 for individuals listedin section 245C.03, subdivision 1, paragraph (a), when there is reasonable cause;

(4) information from the Bureau of Criminal Apprehension, including information
regarding a background study subject's registration in Minnesota as a predatory offender
under section 243.166;

(5) except as provided in clause (6), information received as a result of submission of
fingerprints for a national criminal history record check, as defined in section 245C.02,
subdivision 13c, when the commissioner has reasonable cause for a national criminal history
record check as defined under section 245C.02, subdivision 15a, or as required under section
144.057, subdivision 1, clause (2);

(6) for a background study related to a child foster family setting application for licensure,
foster residence settings, children's residential facilities, a transfer of permanent legal and
physical custody of a child under sections 260C.503 to 260C.515, or adoptions, and for a
background study required for family child care, certified license-exempt child care, child

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care centers, and legal nonlicensed child care authorized under chapter 119B, thecommissioner shall also review:

(i) information from the child abuse and neglect registry for any state in which thebackground study subject has resided for the past five years;

(ii) when the background study subject is 18 years of age or older, or a minor under
section 245C.05, subdivision 5a, paragraph (c), information received following submission
of fingerprints for a national criminal history record check; and

(iii) when the background study subject is 18 years of age or older or a minor under
section 245C.05, subdivision 5a, paragraph (d), for licensed family child care, certified
license-exempt child care, licensed child care centers, and legal nonlicensed child care
authorized under chapter 119B, information obtained using non-fingerprint-based data
including information from the criminal and sex offender registries for any state in which
the background study subject resided for the past five years and information from the national
crime information database and the national sex offender registry; and

(7) for a background study required for family child care, certified license-exempt child
care centers, licensed child care centers, and legal nonlicensed child care authorized under
chapter 119B, the background study shall also include, to the extent practicable, a name
and date-of-birth search of the National Sex Offender Public website.

(b) Except as otherwise provided in this paragraph, notwithstanding expungement by a 195.19 court, the commissioner may consider information obtained under paragraph (a), clauses 195.20 (3) and (4), unless the commissioner received notice of the petition for expungement and 195.21 the court order for expungement is directed specifically to the commissioner. The 195.22 commissioner may not consider information obtained under paragraph (a), clauses (3) and 195.23 (4), or from any other source that identifies a violation of chapter 152 without determining 195.24 if the offense involved the possession of marijuana or tetrahydrocannabinol and, if so, 195.25 whether the person received a grant of expungement or order of expungement, or the person 195.26 was resentenced to a lesser offense. If the person received a grant of expungement or order 195.27 of expungement, the commissioner may not consider information related to that violation 195.28

195.29 but may consider any other relevant information arising out of the same incident.

(c) The commissioner shall also review criminal case information received according
to section 245C.04, subdivision 4a, from the Minnesota court information system that relates
to individuals who have already been studied under this chapter and who remain affiliated
with the agency that initiated the background study.

(d) When the commissioner has reasonable cause to believe that the identity of a
background study subject is uncertain, the commissioner may require the subject to provide
a set of classifiable fingerprints for purposes of completing a fingerprint-based record check
with the Bureau of Criminal Apprehension. Fingerprints collected under this paragraph
shall not be saved by the commissioner after they have been used to verify the identity of
the background study subject against the particular criminal record in question.

(e) The commissioner may inform the entity that initiated a background study underNETStudy 2.0 of the status of processing of the subject's fingerprints.

196.9 Sec. 24. Minnesota Statutes 2022, section 256.01, subdivision 18c, is amended to read:

Subd. 18c. **Drug convictions.** (a) The state court administrator shall provide a report every six months by electronic means to the commissioner of human services, including the name, address, date of birth, and, if available, driver's license or state identification card number, date of the sentence, effective date of the sentence, and county in which the conviction occurred, of each person convicted of a felony under chapter 152, except for convictions under section 152.0263 or 152.0264, during the previous six months.

(b) The commissioner shall determine whether the individuals who are the subject of the data reported under paragraph (a) are receiving public assistance under chapter 256D or 256J, and if <u>the an</u> individual is receiving assistance under chapter 256D or 256J, the commissioner shall instruct the county to proceed under section 256D.024 or 256J.26, whichever is applicable, for this individual.

(c) The commissioner shall not retain any data received under paragraph (a) or (d) that
does not relate to an individual receiving publicly funded assistance under chapter 256D or
256J.

(d) In addition to the routine data transfer under paragraph (a), the state court
administrator shall provide a onetime report of the data fields under paragraph (a) for
individuals with a felony drug conviction under chapter 152 dated from July 1, 1997, until
the date of the data transfer. The commissioner shall perform the tasks identified under
paragraph (b) related to this data and shall retain the data according to paragraph (c).

196.29 Sec. 25. Minnesota Statutes 2022, section 256B.0625, subdivision 13d, is amended to196.30 read:

Subd. 13d. Drug formulary. (a) The commissioner shall establish a drug formulary. Its
establishment and publication shall not be subject to the requirements of the Administrative

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197.1 Procedure Act, but the Formulary Committee shall review and comment on the formulary197.2 contents.

197.3 (b) The formulary shall not include:

(1) drugs, active pharmaceutical ingredients, or products for which there is no federalfunding;

197.6 (2) over-the-counter drugs, except as provided in subdivision 13;

197.7 (3) drugs or active pharmaceutical ingredients when used for the treatment of impotence197.8 or erectile dysfunction;

(4) drugs or active pharmaceutical ingredients for which medical value has not beenestablished;

197.11 (5) drugs from manufacturers who have not signed a rebate agreement with the
197.12 Department of Health and Human Services pursuant to section 1927 of title XIX of the
197.13 Social Security Act; and

197.14 (6) medical cannabis <u>flower</u> as defined in section <u>152.22</u>, <u>subdivision 6</u> <u>342.01</u>,
197.15 <u>subdivision 49</u>, or medical cannabinoid products as defined in section <u>342.01</u>, subdivision
197.16 <u>47</u>.

(c) If a single-source drug used by at least two percent of the fee-for-service medical
assistance recipients is removed from the formulary due to the failure of the manufacturer
to sign a rebate agreement with the Department of Health and Human Services, the
commissioner shall notify prescribing practitioners within 30 days of receiving notification
from the Centers for Medicare and Medicaid Services (CMS) that a rebate agreement was
not signed.

197.23 Sec. 26. Minnesota Statutes 2022, section 256D.024, subdivision 1, is amended to read:

Subdivision 1. Person convicted of drug offenses. (a) If an applicant or recipient has 197.24 been convicted of a drug offense after July 1, 1997, except for convictions related to cannabis, 197.25 marijuana, or tetrahydrocannabinols, the assistance unit is ineligible for benefits under this 197.26 chapter until five years after the applicant has completed terms of the court-ordered sentence, 197.27 unless the person is participating in a drug treatment program, has successfully completed 197.28 a drug treatment program, or has been assessed by the county and determined not to be in 197.29 need of a drug treatment program. Persons subject to the limitations of this subdivision who 197.30 become eligible for assistance under this chapter shall be subject to random drug testing as 197.31

a condition of continued eligibility and shall lose eligibility for benefits for five yearsbeginning the month following:

198.3 (1) any positive test result for an illegal controlled substance <u>under chapter 152</u>; or

198.4 (2) discharge of sentence after conviction for another drug felony.

(b) For the purposes of this subdivision, "drug offense" means a conviction that occurred after July 1, 1997, of sections 152.021 to 152.025, 152.0261, 152.0262, or 152.096. Drug offense also means a conviction in another jurisdiction of the possession, use, or distribution of a controlled substance, or conspiracy to commit any of these offenses, if the offense occurred after July 1, 1997, and the conviction is a felony offense in that jurisdiction, or in the case of New Jersey, a high misdemeanor for a crime that would be a felony if committed in Minnesota.

198.12 Sec. 27. Minnesota Statutes 2022, section 256D.024, subdivision 3, is amended to read:

Subd. 3. Fleeing felons. An individual who is fleeing to avoid prosecution, or custody,
or confinement after conviction for a crime that is a felony under the laws of the jurisdiction
from which the individual flees, or in the case of New Jersey, is a high misdemeanor, would
be a felony if committed in Minnesota, is ineligible to receive benefits under this chapter.

198.17 Sec. 28. Minnesota Statutes 2022, section 256J.26, subdivision 1, is amended to read:

Subdivision 1. Person convicted of drug offenses. (a) An individual who has been
convicted of a felony level drug offense committed during the previous ten years from the
date of application or recertification, except for convictions related to cannabis, marijuana,
or tetrahydrocannabinols, is subject to the following:

(1) Benefits for the entire assistance unit must be paid in vendor form for shelter andutilities during any time the applicant is part of the assistance unit.

(2) The convicted applicant or participant shall be subject to random drug testing as a
 condition of continued eligibility and following any positive test for an illegal controlled
 substance under chapter 152 is subject to the following sanctions:

(i) for failing a drug test the first time, the residual amount of the participant's grant after
making vendor payments for shelter and utility costs, if any, must be reduced by an amount
equal to 30 percent of the MFIP standard of need for an assistance unit of the same size.

When a sanction under this subdivision is in effect, the job counselor must attempt to meet with the person face-to-face. During the face-to-face meeting, the job counselor must explain the consequences of a subsequent drug test failure and inform the participant of the right to appeal the sanction under section 256J.40. If a face-to-face meeting is not possible, the
county agency must send the participant a notice of adverse action as provided in section
256J.31, subdivisions 4 and 5, and must include the information required in the face-to-face
meeting; or

199.5 (ii) for failing a drug test two times, the participant is permanently disqualified from receiving MFIP assistance, both the cash and food portions. The assistance unit's MFIP 199.6 grant must be reduced by the amount which would have otherwise been made available to 199.7 199.8 the disqualified participant. Disqualification under this item does not make a participant ineligible for the Supplemental Nutrition Assistance Program (SNAP). Before a 199.9 disqualification under this provision is imposed, the job counselor must attempt to meet 199.10 with the participant face-to-face. During the face-to-face meeting, the job counselor must 199.11 identify other resources that may be available to the participant to meet the needs of the 199.12 family and inform the participant of the right to appeal the disqualification under section 199.13 256J.40. If a face-to-face meeting is not possible, the county agency must send the participant 199.14 a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must 199.15 include the information required in the face-to-face meeting. 199.16

(3) A participant who fails a drug test the first time and is under a sanction due to other
MFIP program requirements is considered to have more than one occurrence of
noncompliance and is subject to the applicable level of sanction as specified under section
256J.46, subdivision 1, paragraph (d).

(b) Applicants requesting only SNAP benefits or participants receiving only SNAP
benefits, who have been convicted of a drug offense that occurred after July 1, 1997, except
for convictions related to cannabis, marijuana, or tetrahydrocannabinols, may, if otherwise
eligible, receive SNAP benefits if the convicted applicant or participant is subject to random
drug testing as a condition of continued eligibility. Following a positive test for an illegal
controlled substance under chapter 152, the applicant is subject to the following sanctions:

(1) for failing a drug test the first time, SNAP benefits shall be reduced by an amount 199.27 equal to 30 percent of the applicable SNAP benefit allotment. When a sanction under this 199.28 clause is in effect, a job counselor must attempt to meet with the person face-to-face. During 199.29 the face-to-face meeting, a job counselor must explain the consequences of a subsequent 199.30 drug test failure and inform the participant of the right to appeal the sanction under section 199.31 256J.40. If a face-to-face meeting is not possible, a county agency must send the participant 199.32 a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must 199.33 include the information required in the face-to-face meeting; and 199.34

(2) for failing a drug test two times, the participant is permanently disqualified from 200.1 receiving SNAP benefits. Before a disqualification under this provision is imposed, a job 200.2 200.3 counselor must attempt to meet with the participant face-to-face. During the face-to-face meeting, the job counselor must identify other resources that may be available to the 200.4 participant to meet the needs of the family and inform the participant of the right to appeal 200.5 the disqualification under section 256J.40. If a face-to-face meeting is not possible, a county 200.6 agency must send the participant a notice of adverse action as provided in section 256J.31, 200.7 200.8 subdivisions 4 and 5, and must include the information required in the face-to-face meeting.

(c) For the purposes of this subdivision, "drug offense" means an offense that occurred 200.9 during the previous ten years from the date of application or recertification of sections 200.10 152.021 to 152.025, 152.0261, 152.0262, 152.096, or 152.137. Drug offense also means a 200.11 conviction in another jurisdiction of the possession, use, or distribution of a controlled 200.12 substance, or conspiracy to commit any of these offenses, if the offense occurred during 200.13 200.14 the previous ten years from the date of application or recertification and the conviction is a felony offense in that jurisdiction, or in the case of New Jersey, a high misdemeanor for 200.15 a crime that would be a felony if committed in Minnesota. 200.16

200.17 Sec. 29. Minnesota Statutes 2022, section 256J.26, subdivision 3, is amended to read:

Subd. 3. Fleeing felons. An individual who is fleeing to avoid prosecution, or custody, or confinement after conviction for a crime that is a felony under the laws of the jurisdiction from which the individual flees, or in the case of New Jersey, is a high misdemeanor, would be a felony if committed in Minnesota, is disqualified from receiving MFIP.

200.22 Sec. 30. [340A.4022] RETAIL LICENSE NOT PROHIBITED; LOWER POTENCY 200.23 EDIBLE PRODUCTS.

200.24 (a) Nothing in this chapter:

200.25 (1) prohibits the issuance of a retail license or permit to a person also holding a lower 200.26 potency edible product retailer license;

- 200.27 (2) allows any agreement between a licensing authority and retail license or permit holder
 200.28 that prohibits the license or permit holder from also holding a lower potency edible product
 200.29 retailer license; or
- 200.30 (3) allows the revocation or suspension of a retail license or permit, or the imposition
- 200.31 of a penalty on a retail license or permit holder, due to the retail license or permit holder
- 200.32 also holding a lower potency edible product retailer license.

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201.1	<u>(</u> b) For p	ourposes of this section	on, "lower potenc	y edible product retail	er license" means
201.2	a license iss	ued by the Office of	Cannabis Manage	ement under section 34	2.40.
201.3	Sec. 31. M	innesota Statutes 202	22, section 340A.	412, subdivision 14, is	amended to read:
201.4	Subd. 14	. Exclusive liquor st	ores. (a) Except a	as otherwise provided i	n this subdivision,
201.5	an exclusive	e liquor store may sel	l only the followi	ng items:	
201.6	(1) alcoh	olic beverages;			
201.7	(2) tobac	co products;			
201.8	(3) ice;				
201.9	(4) bever	ages, either liquid or p	owder, specifical	ly designated for mixing	g with intoxicating
201.10	liquor;				
201.11	(5) soft d	lrinks;			
201.12	(6) lique	ur-filled candies;			
201.13	(7) food	products that contain	more than one-h	alf of one percent alco	hol by volume;
201.14	(8) cork	extraction devices;			
201.15	(9) books	s and videos on the u	se of alcoholic be	everages;	
201.16	(10) mag	azines and other publ	ications published	d primarily for informa	tion and education
201.17	on alcoholic	beverages;			
201.18	(11) mul	tiple-use bags design	ed to carry purch	ased items;	
201.19	(12) devi	ices designed to ensu	re safe storage ar	nd monitoring of alcoh	ol in the home, to
201.20	prevent acce	ess by underage drink	ters;		
201.21	(13) hom	ne brewing equipmen	ıt;		
201.22	(14) cloth	hing marked with the	specific name, b	rand, or identifying log	o of the exclusive
201.23	liquor store,	and bearing no other	r name, brand, or	identifying logo;	
201.24	(15) citru	ıs fruit; and			
201.25	(16) glas	sware . ; and			
201.26	<u>(17) low</u>	er potency edible pro	ducts as defined	in section 342.01, sub	livision 45.
201.27	(b) An ex	xclusive liquor store	that has an on-sal	le, or combination on-s	sale and off-sale
201.28	license may	sell food for on-pren	nise consumption	when authorized by the	ne municipality
201.29	issuing the l	icense.			

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202.1	(c) An exe	clusive liquor store n	nay offer live or	· recorded entertainme	ent.
202.2	EFFECT	IVE DATE. This see	ction is effectiv	e July 1, 2024.	
202.3	Sec. 32. Mi	nnesota Statutes 202	2, section 609B	.425, subdivision 2, is	s amended to read:
202.4	Subd. 2. I	Benefit eligibility. (a)) A person conv	icted of a drug offense	e after July 1, 1997,
202.5	except for con	nvictions related to ca	innabis, marijua	na, or tetrahydrocanna	<u>ibinols,</u> is ineligible
202.6	for general as	sistance benefits and	Supplemental S	ecurity Income under	chapter 256D until:
202.7	(1) five ye	ears after completing	the terms of a o	court-ordered sentence	e; or
202.8	(2) unless	the person is particip	pating in a drug	treatment program, h	as successfully
202.9	completed a p	brogram, or has been	determined not	to be in need of a drug	treatment program.
202.10	(b) A pers	son who becomes elig	gible for assista	nce under chapter 256	D is subject to
202.11	random drug	testing and shall lose	eligibility for b	enefits for five years b	eginning the month
202.12	following:				
202.13	(1) any po	ositive test for an ille	gal controlled s	ubstance <u>under chapte</u>	<u>er 152;</u> or
202.14	(2) discha	arge of sentence for c	onviction of an	other drug felony.	
202.15	(c) Parole	violators and fleeing	felons are inelig	gible for benefits and p	ersons fraudulently
202.16	misrepresenti	ng eligibility are also	o ineligible to re	eceive benefits for ten	years.
202.17	Sec. 33. Mi	nnesota Statutes 202	2, section 609B	.435, subdivision 2, is	s amended to read:
202.18	Subd. 2. I)rug offenders; rand	dom testing; sa	nctions. A person wh	o is an applicant for
202.19	benefits from	the Minnesota family	y investment pr	ogram or MFIP, the ve	hicle for temporary
202.20	assistance for	needy families or T	ANF, and who l	has been convicted of	a drug offense <u>,</u>
202.21	except for co	nvictions related to c	annabis, mariju	ana, or tetrahydrocan	nabinols, shall be
202.22	subject to cer	tain conditions, inclu	iding random d	rug testing, in order to	receive MFIP
202.23	benefits. Foll	owing any positive to	est for a control	led substance under c	hapter 152, the
202.24	convicted app	plicant or participant	is subject to the	e following sanctions:	
202.25	(1) a first	time drug test failure	e results in a red	uction of benefits in a	an amount equal to
202.26	30 percent of	the MFIP standard c	of need; and		
202.27	(2) a seco	nd time drug test fail	ure results in po	ermanent disqualificat	tion from receiving
202.28	MFIP assistar	nce.			
202.29	A similar disq	jualification sequence	occurs if the app	olicant is receiving Sup	plemental Nutrition
202.30	Assistance Pr	rogram (SNAP) bene	fits.		

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203.1 Sec. 34. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 203.2 to read:

203.3 Subd. 13. Adult-use cannabis flower. "Adult-use cannabis flower" has the meaning
203.4 given in section 342.01, subdivision 4.

Sec. 35. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
to read:

203.7 <u>Subd. 14.</u> Adult-use cannabinoid product. "Adult-use cannabis product" has the 203.8 meaning given in section 342.01, subdivision 2.

203.9 Sec. 36. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 203.10 to read:

203.11 Subd. 15. Medical cannabis flower. "Medical cannabis flower" has the meaning given
 203.12 in section 342.01, subdivision 49.

203.13 Sec. 37. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 203.14 to read:

203.15 <u>Subd. 16.</u> <u>Medical cannabinoid product.</u> "Medical cannabinoid product" has the 203.16 meaning given in section 342.01, subdivision 47.

203.17 Sec. 38. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 203.18 to read:

203.19 Subd. 17. Patient. "Patient" has the meaning given in section 342.01, subdivision 54.

203.20 Sec. 39. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 203.21 to read:

203.22 <u>Subd. 18.</u> **Qualifying medical condition.** "Qualifying medical condition" has the meaning 203.23 given in section 342.01, subdivision 56.

203.24 Sec. 40. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 203.25 to read:

203.26Subd. 19. Registry or registry program. "Registry" or "registry program" has the203.27meaning given in section 342.01, subdivision 58.

204.1 Sec. 41. Minnesota Statutes 2022, section 624.713, subdivision 1, is amended to read:

204.2 Subdivision 1. **Ineligible persons.** The following persons shall not be entitled to possess 204.3 ammunition or a pistol or semiautomatic military-style assault weapon or, except for clause 204.4 (1), any other firearm:

204.5 (1) a person under the age of 18 years except that a person under 18 may possess ammunition designed for use in a firearm that the person may lawfully possess and may 204.6 carry or possess a pistol or semiautomatic military-style assault weapon (i) in the actual 204.7 presence or under the direct supervision of the person's parent or guardian, (ii) for the 204.8 purpose of military drill under the auspices of a legally recognized military organization 204.9 and under competent supervision, (iii) for the purpose of instruction, competition, or target 204.10 practice on a firing range approved by the chief of police or county sheriff in whose 204.11 jurisdiction the range is located and under direct supervision; or (iv) if the person has 204.12 successfully completed a course designed to teach marksmanship and safety with a pistol 204.13 or semiautomatic military-style assault weapon and approved by the commissioner of natural 204.14 resources; 204.15

(2) except as otherwise provided in clause (9), a person who has been convicted of, or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, in this state or elsewhere, a crime of violence. For purposes of this section, crime of violence includes crimes in other states or jurisdictions which would have been crimes of violence as herein defined if they had been committed in this state;

(3) a person who is or has ever been committed in Minnesota or elsewhere by a judicial
determination that the person is mentally ill, developmentally disabled, or mentally ill and
dangerous to the public, as defined in section 253B.02, to a treatment facility, or who has
ever been found incompetent to stand trial or not guilty by reason of mental illness, unless
the person's ability to possess a firearm and ammunition has been restored under subdivision
4;

(4) a person who has been convicted in Minnesota or elsewhere of a misdemeanor or
gross misdemeanor violation of chapter 152, unless three years have elapsed since the date
of conviction and, during that time, the person has not been convicted of any other such
violation of chapter 152 or a similar law of another state; or a person who is or has ever
been committed by a judicial determination for treatment for the habitual use of a controlled
substance or marijuana, as defined in sections 152.01 and 152.02, unless the person's ability
to possess a firearm and ammunition has been restored under subdivision 4;

(5) a person who has been committed to a treatment facility in Minnesota or elsewhere
by a judicial determination that the person is chemically dependent as defined in section
253B.02, unless the person has completed treatment or the person's ability to possess a
firearm and ammunition has been restored under subdivision 4. Property rights may not be
abated but access may be restricted by the courts;

(6) a peace officer who is informally admitted to a treatment facility pursuant to section
205.7 253B.04 for chemical dependency, unless the officer possesses a certificate from the head
of the treatment facility discharging or provisionally discharging the officer from the
treatment facility. Property rights may not be abated but access may be restricted by the
courts;

(7) a person, including a person under the jurisdiction of the juvenile court, who has
been charged with committing a crime of violence and has been placed in a pretrial diversion
program by the court before disposition, until the person has completed the diversion program
and the charge of committing the crime of violence has been dismissed;

(8) except as otherwise provided in clause (9), a person who has been convicted in
another state of committing an offense similar to the offense described in section 609.224,
subdivision 3, against a family or household member or section 609.2242, subdivision 3,
unless three years have elapsed since the date of conviction and, during that time, the person
has not been convicted of any other violation of section 609.224, subdivision 3, or 609.2242,
subdivision 3, or a similar law of another state;

(9) a person who has been convicted in this state or elsewhere of assaulting a family or
household member and who was found by the court to have used a firearm in any way
during commission of the assault is prohibited from possessing any type of firearm or
ammunition for the period determined by the sentencing court;

205.25 (10) a person who:

(i) has been convicted in any court of a crime punishable by imprisonment for a termexceeding one year;

(ii) is a fugitive from justice as a result of having fled from any state to avoid prosecutionfor a crime or to avoid giving testimony in any criminal proceeding;

(iii) is an unlawful user of any controlled substance as defined in chapter 152. The use
 of medical cannabis flower or medical cannabinoid products by a patient enrolled in the

205.32 registry program or the use of adult-use cannabis flower or adult-use cannabinoid products

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206.1 by a person 21 years of age or older does not constitute the unlawful use of a controlled
206.2 substance under this item;

(iv) has been judicially committed to a treatment facility in Minnesota or elsewhere as
a person who is mentally ill, developmentally disabled, or mentally ill and dangerous to the
public, as defined in section 253B.02;

206.6 (v) is an alien who is illegally or unlawfully in the United States;

206.7 (vi) has been discharged from the armed forces of the United States under dishonorable206.8 conditions;

(vii) has renounced the person's citizenship having been a citizen of the United States;
or

(viii) is disqualified from possessing a firearm under United States Code, title 18, section
922(g)(8) or (9), as amended through March 1, 2014;

(11) a person who has been convicted of the following offenses at the gross misdemeanor 206.13 level, unless three years have elapsed since the date of conviction and, during that time, the 206.14 person has not been convicted of any other violation of these sections: section 609.229 206.15 (crimes committed for the benefit of a gang); 609.2231, subdivision 4 (assaults motivated 206.16 by bias); 609.255 (false imprisonment); 609.378 (neglect or endangerment of a child); 206.17 609.582, subdivision 4 (burglary in the fourth degree); 609.665 (setting a spring gun); 609.71 206.18 (riot); or 609.749 (harassment or stalking). For purposes of this paragraph, the specified 206.19 gross misdemeanor convictions include crimes committed in other states or jurisdictions 206.20 which would have been gross misdemeanors if conviction occurred in this state; 206.21

(12) a person who has been convicted of a violation of section 609.224 if the court
determined that the assault was against a family or household member in accordance with
section 609.2242, subdivision 3 (domestic assault), unless three years have elapsed since
the date of conviction and, during that time, the person has not been convicted of another
violation of section 609.224 or a violation of a section listed in clause (11); or

(13) a person who is subject to an order for protection as described in section 260C.201,
subdivision 3, paragraph (d), or 518B.01, subdivision 6, paragraph (g).

A person who issues a certificate pursuant to this section in good faith is not liable for damages resulting or arising from the actions or misconduct with a firearm or ammunition committed by the individual who is the subject of the certificate.

The prohibition in this subdivision relating to the possession of firearms other than pistols and semiautomatic military-style assault weapons does not apply retroactively to

207.1 persons who are prohibited from possessing a pistol or semiautomatic military-style assault
207.2 weapon under this subdivision before August 1, 1994.

The lifetime prohibition on possessing, receiving, shipping, or transporting firearms and ammunition for persons convicted or adjudicated delinquent of a crime of violence in clause (2), applies only to offenders who are discharged from sentence or court supervision for a crime of violence on or after August 1, 1993.

207.7 Participation as a patient in the registry program or use of adult-use cannabis flower or 207.8 adult-use cannabinoid products by a person 21 years of age or older does not disqualify the 207.9 person from possessing firearms and ammunition under this section.

For purposes of this section, "judicial determination" means a court proceeding pursuant to sections 253B.07 to 253B.09 or a comparable law from another state.

207.12 Sec. 42. Minnesota Statutes 2022, section 624.714, subdivision 6, is amended to read:

207.13 Subd. 6. **Granting and denial of permits.** (a) The sheriff must, within 30 days after the 207.14 date of receipt of the application packet described in subdivision 3:

207.15 (1) issue the permit to carry;

207.16 (2) deny the application for a permit to carry solely on the grounds that the applicant 207.17 failed to qualify under the criteria described in subdivision 2, paragraph (b); or

(3) deny the application on the grounds that there exists a substantial likelihood that theapplicant is a danger to self or the public if authorized to carry a pistol under a permit.

(b) Failure of the sheriff to notify the applicant of the denial of the application within 207.20 30 days after the date of receipt of the application packet constitutes issuance of the permit 207.21 to carry and the sheriff must promptly fulfill the requirements under paragraph (c). To deny 207.22 the application, the sheriff must provide the applicant with written notification and the 207.23 specific factual basis justifying the denial under paragraph (a), clause (2) or (3), including 207.24 the source of the factual basis. The sheriff must inform the applicant of the applicant's right 207.25 to submit, within 20 business days, any additional documentation relating to the propriety 207.26 of the denial. Upon receiving any additional documentation, the sheriff must reconsider the 207.27 denial and inform the applicant within 15 business days of the result of the reconsideration. 207.28 207.29 Any denial after reconsideration must be in the same form and substance as the original denial and must specifically address any continued deficiencies in light of the additional 207.30 documentation submitted by the applicant. The applicant must be informed of the right to 207.31 seek de novo review of the denial as provided in subdivision 12. 207.32

(c) Upon issuing a permit to carry, the sheriff must provide a laminated permit card to
the applicant by first class mail unless personal delivery has been made. Within five business
days, the sheriff must submit the information specified in subdivision 7, paragraph (a), to
the commissioner for inclusion solely in the database required under subdivision 15,
paragraph (a). The sheriff must transmit the information in a manner and format prescribed
by the commissioner.

(d) Within five business days of learning that a permit to carry has been suspended or
revoked, the sheriff must submit information to the commissioner regarding the suspension
or revocation for inclusion solely in the databases required or permitted under subdivision
15.

(e) Notwithstanding paragraphs (a) and (b), the sheriff may suspend the application
process if a charge is pending against the applicant that, if resulting in conviction, will
prohibit the applicant from possessing a firearm.

(f) A sheriff shall not deny an application for a permit to carry solely because the applicant
 is a patient enrolled in the registry program and uses medical cannabis flower or medical
 cannabinoid products for a qualifying medical condition or because the person is 21 years
 of age or older and uses adult-use cannabis flower or adult-use cannabinoid products.

208.18 Sec. 43. Minnesota Statutes 2022, section 624.7142, subdivision 1, is amended to read:

208.19 Subdivision 1. Acts prohibited. A person may not carry a pistol on or about the person's 208.20 clothes or person in a public place:

(1) when the person is under the influence of a controlled substance, as defined in section
152.01, subdivision 4;

208.23 (2) when the person is under the influence of a combination of any two or more of the 208.24 elements named in clauses (1) and (4);

(3) when the person is under the influence of an intoxicating substance as defined in
section 169A.03, subdivision 11a, and the person knows or has reason to know that the
substance has the capacity to cause impairment;

208.28 (4) when the person is under the influence of alcohol;

208.29 (5) when the person's alcohol concentration is 0.10 or more; or

208.30 (6) when the person's alcohol concentration is less than 0.10, but more than 0.04-; or

208.31 (7) when the person is enrolled as a patient in the registry program, uses medical cannabis

208.32 flower or medical cannabinoid products, and knows or has reason to know that the medical

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209.1 cannabis flower or medical cannabinoid products used by the person has the capacity to
 209.2 cause impairment.

209.3 Sec. 44. Minnesota Statutes 2022, section 624.7151, is amended to read:

209.4 624.7151 STANDARDIZED FORMS.

By December 1, 1992, the commissioner shall adopt statewide standards governing the form and contents, as required by sections 624.7131 to 624.714, of every application for a pistol transferee permit, pistol transferee permit, report of transfer of a pistol, application for a permit to carry a pistol, and permit to carry a pistol that is granted or renewed on or after January 1, 1993.

209.10 Every application for a pistol transferee permit, pistol transferee permit, report of transfer of a pistol, application for a permit to carry a pistol, and permit to carry a pistol that is 209.11 received, granted, or renewed by a police chief or county sheriff on or after January 1, 1993, 209.12 must meet the statewide standards adopted by the commissioner. Notwithstanding the 209.13 previous sentence, neither failure of the Department of Public Safety to adopt standards nor 209.14 failure of the police chief or county sheriff to meet them shall delay the timely processing 209.15 of applications nor invalidate permits issued on other forms meeting the requirements of 209.16 sections 624.7131 to 624.714. 209.17

Any form used for the purpose of approving or disapproving a person from purchasing, owning, possessing, or carrying a firearm that inquires about the applicant's use of controlled substances shall specifically authorize a patient in the registry program to refrain from reporting the use of medical cannabis flower and medical cannabinoid products and shall specifically authorize a person 21 years of age or older from refraining from reporting the use of adult-use cannabis flower or adult-use cannabinoid products.

209.24 Sec. 45. [624.7152] LAWFUL CANNABIS USERS.

209.25 (a) A person may not be denied the right to purchase, own, possess, or carry a firearm
 209.26 solely on the basis that the person is a patient in the registry program.

209.27 (b) A person may not be denied the right to purchase, own, possess, or carry a firearm

209.28 solely on the basis that the person is 21 years of age or older and uses adult-use cannabis

- 209.29 <u>flower or adult-use cannabinoid products.</u>
- 209.30 (c) A state or local agency may not access a database containing the identities of patients
- 209.31 in the registry program to obtain information for the purpose of approving or disapproving
- 209.32 a person from purchasing, owning, possessing, or carrying a firearm.

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210.1	(d) A state or local agency may not use information gathered from a database containing
210.2	the identities of patients in the registry program to obtain information for the purpose of
210.3	approving or disapproving a person from purchasing, owning, possessing, or carrying a
210.4	firearm.

- (e) A state or local agency may not inquire about a person's status as a patient in the
 registry program for the purpose of approving or disapproving the person from purchasing,
 owning, possessing, or carrying a firearm.
- 210.8 (f) A state or local agency may not inquire about the use of adult-use cannabis flower

210.9 or adult-use cannabinoid products by a person 21 years of age or older for the purpose of

210.10 approving or disapproving the person from purchasing, owning, possessing, or carrying a

210.11 <u>firearm.</u>

210.12 Sec. 46. <u>**REPEALER.**</u>

210.13 (a) Minnesota Rules, parts 4770.0100; 4770.0200; 4770.0300; 4770.0400; 4770.0500;

210.14 <u>4770.0600; 4770.0800; 4770.0900; 4770.1000; 4770.1100; 4770.1200; 4770.1300;</u>

210.15 <u>4770.1400; 4770.1460; 4770.1500; 4770.1600; 4770.1700; 4770.1800; 4770.1900;</u>

210.16 <u>4770.2000; 4770.2100; 4770.2200; 4770.2300; 4770.2400; 4770.2700; 4770.2800;</u>

210.17 <u>4770.4000; 4770.4002; 4770.4003; 4770.4004; 4770.4005; 4770.4007; 4770.4008;</u>

210.18 <u>4770.4009; 4770.4010; 4770.4012; 4770.4013; 4770.4014; 4770.4015; 4770.4016;</u>

- 210.19 4770.4017; 4770.4018; and 4770.4030, are repealed.
- 210.20 (b) Minnesota Statutes 2022, sections 152.22, subdivisions 1, 2, 3, 4, 5, 5a, 5b, 6, 7, 8,
- 210.21 <u>9, 10, 11, 12, 13, and 14; 152.23; 152.24; 152.25, subdivisions 1, 1a, 1b, 1c, 2, 3, and 4;</u>
- 210.22 <u>152.26</u>; 152.261; 152.27, subdivisions 1, 2, 3, 4, 5, 6, and 7; 152.28, subdivisions 1, 2, and
- 210.23 3; 152.29, subdivisions 1, 2, 3, 3a, and 4; 152.30; 152.31; 152.32, subdivisions 1, 2, and 3;
- 210.24 <u>152.33</u>, subdivisions 1, 1a, 2, 3, 4, 5, and 6; 152.34; 152.35; 152.36, subdivisions 1, 1a, 2,
- 210.25 3, 4, and 5; and 152.37, are repealed.
- 210.26 (c) Minnesota Statutes 2022, section 152.027, subdivisions 3 and 4, are repealed.
- 210.27 (d) Minnesota Statutes 2022, section 152.21, is repealed.
- 210.28 **EFFECTIVE DATE.** Paragraphs (a) and (b) are effective January 1, 2024. Paragraph
- 210.29 (c) is effective August 1, 2023. Paragraph (d) is effective July 1, 2023.

SF73 REVISOR BD S0073-1 1st Engrossment **ARTICLE 7** 211.1 211.2 **TEMPORARY REGULATION OF CERTAIN PRODUCTS** 211.3 Section 1. Minnesota Statutes 2022, section 34A.01, subdivision 4, is amended to read: Subd. 4. Food. "Food" means every ingredient used for, entering into the consumption 211.4 of, or used or intended for use in the preparation of food, drink, confectionery, or condiment 211.5 211.6 for humans or other animals, whether simple, mixed, or compound; and articles used as components of these ingredients, except that edible cannabinoid products, as defined in 211.7 section 151.72, subdivision 1, paragraph (c) (f), are not food. 211.8 **EFFECTIVE DATE.** This section is effective the day following final enactment. 211.9 Sec. 2. Minnesota Statutes 2022, section 144.99, subdivision 1, is amended to read: 211.10 Subdivision 1. Remedies available. The provisions of chapters 103I and 157 and sections 211.11 115.71 to 115.77; 144.12, subdivision 1, paragraphs (1), (2), (5), (6), (10), (12), (13), (14), 211.12 and (15); 144.1201 to 144.1204; 144.121; 144.1215; 144.1222; 144.35; 144.381 to 144.385; 211.13 144.411 to 144.417; 144.495; 144.71 to 144.74; 144.9501 to 144.9512; 144.97 to 144.98; 211.14 144.992; 151.72; 152.22 to 152.37; 326.70 to 326.785; 327.10 to 327.131; and 327.14 to 211.15 327.28 and all rules, orders, stipulation agreements, settlements, compliance agreements, 211.16 licenses, registrations, certificates, and permits adopted or issued by the department or under 211.17 any other law now in force or later enacted for the preservation of public health may, in 211.18 addition to provisions in other statutes, be enforced under this section. 211.19 **EFFECTIVE DATE.** This section is effective the day following final enactment. 211.20 Sec. 3. Minnesota Statutes 2022, section 151.72, is amended to read: 211.21 **151.72 SALE OF CERTAIN CANNABINOID PRODUCTS.** 211.22 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have 211.23 the meanings given. 211.24 (a) "Artificially derived cannabinoid" means a cannabinoid extracted from a hemp plant 211.25 or hemp plant parts whose chemical makeup is changed after extraction to create a different 211.26 cannabinoid or other chemical compound by applying a catalyst other than heat or light. 211.27 Artificially derived cannabinoid includes but is not limited to any tetrahydrocannabinol 211.28 created from cannabidiol. 211.29

211.30 (b) "Batch" means a specific quantity of a specific product containing cannabinoids
 211.31 derived from hemp, including an edible cannabinoid product, that is manufactured at the

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212.1 same time and using the same methods, equipment, and ingredients that is uniform and

212.2 intended to meet specifications for identity, strength, purity, and composition, and that is

212.3 manufactured, packaged, and labeled according to a single batch production record executed

and documented during the same cycle of manufacture and produced by a continuous

212.5 **process.**

212.6 (b)(c) "Certified hemp" means hemp plants that have been tested and found to meet the 212.7 requirements of chapter 18K and the rules adopted thereunder.

212.8 (d) "Commissioner" means the commissioner of health.

212.9 (e) "Distributor" means a person who sells, arranges a sale, or delivers a product

212.10 containing cannabinoids derived from hemp, including an edible cannabinoid product, that

212.11 the person did not manufacture to a retail establishment for sale to consumers. Distributor

212.12 does not include a common carrier used only to complete delivery to a retailer.

212.13 (e) (f) "Edible cannabinoid product" means any product that is intended to be eaten or 212.14 consumed as a beverage by humans, contains a cannabinoid in combination with food 212.15 ingredients, and is not a drug.

212.16 (d) (g) "Hemp" has the meaning given to "industrial hemp" in section 18K.02, subdivision 212.17 3.

212.18 (e) (h) "Label" has the meaning given in section 151.01, subdivision 18.

212.19 (f) (i) "Labeling" means all labels and other written, printed, or graphic matter that are:

(1) affixed to the immediate container in which a product regulated under this sectionis sold;

(2) provided, in any manner, with the immediate container, including but not limited toouter containers, wrappers, package inserts, brochures, or pamphlets; or

(3) provided on that portion of a manufacturer's website that is linked by a scannablebarcode or matrix barcode.

212.26 $(\underline{g})(\underline{j})$ "Matrix barcode" means a code that stores data in a two-dimensional array of 212.27 geometrically shaped dark and light cells capable of being read by the camera on a 212.28 smartphone or other mobile device.

- 212.29 (h)(k) "Nonintoxicating cannabinoid" means substances extracted from certified hemp 212.30 plants that do not produce intoxicating effects when consumed by any route of administration.
- 212.31 (1) "Synthetic cannabinoid" means a substance with a similar chemical structure and
- 212.32 pharmacological activity to a cannabinoid, but which is not extracted or derived from hemp

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213.1 plants, or hemp plant parts and is instead created or produced by chemical or biochemical
213.2 synthesis.

213.3 Subd. 2. Scope. (a) This section applies to the sale of any product that contains

cannabinoids extracted from hemp and that is an edible cannabinoid product or is intendedfor human or animal consumption by any route of administration.

(b) This section does not apply to any product dispensed by a registered medical cannabis
manufacturer pursuant to sections 152.22 to 152.37.

(c) The <u>board commissioner</u> must have no authority over food products, as defined in
section 34A.01, subdivision 4, that do not contain cannabinoids extracted or derived from
hemp.

Subd. 3. Sale of cannabinoids derived from hemp. (a) Notwithstanding any other section of this chapter, a product containing nonintoxicating cannabinoids, including an edible cannabinoid product, may be sold for human or animal consumption only if all of the requirements of this section are met, provided that a product sold for human or animal consumption does not contain more than 0.3 percent of any tetrahydrocannabinol and an edible cannabinoid product does not contain an amount of any tetrahydrocannabinol that exceeds the limits established in subdivision 5a, paragraph (f).

(b) No other substance extracted or otherwise derived from hemp may be sold for humanconsumption if the substance is intended:

(1) for external or internal use in the diagnosis, cure, mitigation, treatment, or preventionof disease in humans or other animals; or

(2) to affect the structure or any function of the bodies of humans or other animals.

(c) No product containing any cannabinoid or tetrahydrocannabinol extracted or otherwise
derived from hemp may be sold to any individual who is under the age of 21.

(d) Products that meet the requirements of this section are not controlled substancesunder section 152.02.

Subd. 4. **Testing requirements.** (a) A manufacturer of a product regulated under this section must submit representative samples <u>of each batch</u> of the product to an independent, accredited laboratory in order to certify that the product complies with the standards adopted by the board <u>on or before July 1, 2023</u>, or the standards adopted by the commissioner. Testing must be consistent with generally accepted industry standards for herbal and botanical

substances, and, at a minimum, the testing must confirm that the product:

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(1) contains the amount or percentage of cannabinoids that is stated on the label of theproduct;

(2) does not contain more than trace amounts of any mold, residual solvents or other
catalysts, pesticides, fertilizers, or heavy metals; and

214.5 (3) does not contain more than 0.3 percent of any tetrahydrocannabinol.

(b) A manufacturer of a product regulated under this section must disclose all known

214.7 information regarding pesticides, fertilizers, solvents, or other foreign materials applied to

214.8 industrial hemp or added to industrial hemp during any production or processing stages of

214.9 any batch from which a representative sample has been sent for testing, including any

214.10 catalysts used to create artificially derived cannabinoids. Disclosure must be made to the

- 214.11 laboratory performing testing or sampling and, upon request, to the commissioner. Disclosure
- 214.12 must include all information known to the licensee regardless of whether the application or
- 214.13 addition was made intentionally or accidentally, or by the manufacturer or any other person.

214.14 (b) (c) Upon the request of the board commissioner, the manufacturer of the product

214.15 must provide the board commissioner with the results of the testing required in this section.

214.16 (d) The commissioner may determine that any testing laboratory that does not operate

214.17 formal management systems under the International Organization for Standardization is not

214.18 an accredited laboratory and require that a representative sample of a batch of the product

214.19 be retested by a testing laboratory that meets this requirement.

(e) (e) Testing of the hemp from which the nonintoxicating cannabinoid was derived,

or possession of a certificate of analysis for such hemp, does not meet the testing requirementsof this section.

214.23 Subd. 5. Labeling requirements. (a) A product regulated under this section must bear 214.24 a label that contains, at a minimum:

(1) the name, location, contact phone number, and website of the manufacturer of theproduct;

(2) the name and address of the independent, accredited laboratory used by themanufacturer to test the product; and

214.29 (3) the batch number; and

214.30 (3)(4) an accurate statement of the amount or percentage of cannabinoids found in each 214.31 unit of the product meant to be consumed.

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(b) The information in paragraph (a) may be provided on an outer package if theimmediate container that holds the product is too small to contain all of the information.

(c) The information required in paragraph (a) may be provided through the use of a
scannable barcode or matrix barcode that links to a page on the manufacturer's website if
that page contains all of the information required by this subdivision.

(d) The label must also include a statement stating that the product does not claim to
diagnose, treat, cure, or prevent any disease and has not been evaluated or approved by the
United States Food and Drug Administration (FDA) unless the product has been so approved.

(e) The information required by this subdivision must be prominently and conspicuously
placed on the label or displayed on the website in terms that can be easily read and understood
by the consumer.

(f) The labeling must not contain any claim that the product may be used or is effective
for the prevention, treatment, or cure of a disease or that it may be used to alter the structure
or function of human or animal bodies, unless the claim has been approved by the FDA.

Subd. 5a. Additional requirements for edible cannabinoid products. (a) In addition to the testing and labeling requirements under subdivisions 4 and 5, an edible cannabinoid must meet the requirements of this subdivision.

(b) An edible cannabinoid product must not:

(1) bear the likeness or contain cartoon-like characteristics of a real or fictional person,
animal, or fruit that appeals to children;

215.21 (2) be modeled after a brand of products primarily consumed by or marketed to children;

(3) be made by applying an extracted or concentrated hemp-derived cannabinoid to acommercially available candy or snack food item;

(4) contain an ingredient, other than a hemp-derived cannabinoid, that is not approved
by the United States Food and Drug Administration for use in food;

(5) be packaged in a way that resembles the trademarked, characteristic, or
product-specialized packaging of any commercially available food product; or

(6) be packaged in a container that includes a statement, artwork, or design that could
reasonably mislead any person to believe that the package contains anything other than an
edible cannabinoid product.

(c) An edible cannabinoid product must be prepackaged in packaging or a container thatis child-resistant, tamper-evident, and opaque or placed in packaging or a container that is

child-resistant, tamper-evident, and opaque at the final point of sale to a customer. The

216.2 requirement that packaging be child-resistant does not apply to an edible cannabinoid product

that is intended to be consumed as a beverage and which contains no more than a trace

amount of any tetrahydrocannabinol total of 0.25 milligrams of all tetrahydrocannabinols.

(d) If an edible cannabinoid product is intended for more than a single use or contains
multiple servings, each serving must be indicated by scoring, wrapping, or other indicators
designating the individual serving size that appear on the edible cannabinoid product.

(e) A label containing at least the following information must be affixed to the packaging
or container of all edible cannabinoid products sold to consumers:

(1) the serving size;

216.11 (2) the cannabinoid profile per serving and in total;

(3) a list of ingredients, including identification of any major food allergens declaredby name; and

216.14 (4) the following statement: "Keep this product out of reach of children."

(f) An edible cannabinoid product must not contain more than five milligrams of any
tetrahydrocannabinol in a single serving, or more than a total of 50 milligrams of any
tetrahydrocannabinol per package.

216.18 (g) An edible cannabinoid product may contain delta-8 tetrahydrocannabinol or delta-9

216.19 tetrahydrocannabinol that is extracted from hemp plants or hemp plant parts or is an

216.20 artificially derived cannabinoid. Edible cannabinoid products are prohibited from containing

216.21 any other artificially derived cannabinoid, including but not limited to THC-P, THC-O, and

216.22 HHC, unless the commissioner authorizes use of the artificially derived cannabinoid in

216.23 edible cannabinoid products. Edible cannabinoid products are prohibited from containing
216.24 synthetic cannabinoids.

216.25 Subd. 5b. Registration; prohibitions. (a) On or before October 1, 2023, every person
216.26 selling edible cannabinoid products to consumers must apply for registration with the

216.27 commissioner in a form and manner established by the commissioner. After October 1,

216.28 2023, the sale of edible cannabinoid products by a person that is not registered is prohibited.

216.29 (b) The commissioner shall approve completed registration applications unless the

216.30 applicant is operating in violation of this section or the commissioner reasonably believes

216.31 that the applicant will operate in violation of this section.

216.32 (c) The commissioner shall not charge a fee for registration under this subdivision.

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217.1	(d) A regist	ered retailer shall 1	<u>not:</u>						
217.2	(1) permit the on-site consumption of edible cannabinoid products; or								
217.3	(2) provide free samples of edible cannabinoid products, except that a retailer may								
217.4	provide a single package of an edible cannabinoid product with the purchase of a childproof								
217.5	packaging cont	ainer or other devi	ce designed to e	ensure the safe storage	and monitoring of				
217.6	edible cannabin	noid products in the	e home to preve	nt access by individua	als under 21 years				
217.7	of age.								
217.8	<u>Subd. 5c.</u> A	ge verification. (a)) Prior to initiatii	ng a sale of an edible ca	annabinoid product,				
217.9	an employee of	f a retailer must ve	rify that the cus	tomer is at least 21 ye	ars of age.				
217.10	(b) Proof of	f age may be establ	ished only by o	ne of the following:					
217.11	<u>(1) a valid o</u>	lriver's license or i	dentification car	rd issued by Minnesot	a, another state, or				
217.12	a province of C	anada and includin	ig the photograp	h and date of birth of t	the licensed person;				
217.13	<u>(2) a valid 7</u>	Fribal identification	n card as defined	d in section 171.072, j	oaragraph (b);				
217.14	<u>(3)</u> a valid p	bassport issued by	the United State	<u>s;</u>					
217.15	<u>(</u> 4) a valid i	nstructional permi	t issued under so	ection 171.05 to a per-	son of legal age to				
217.16	purchase edible	e cannabinoid prod	ucts, which incl	udes a photograph an	d the date of birth				
217.17	of the person is	ssued the permit; or	<u>r</u>						
217.18	(5) in the ca	ase of a foreign nat	ional, by a valid	l passport.					
217.19	(c) A regist	ered retailer may s	eize a form of id	lentification listed und	der paragraph (b) if				
217.20	the registered r	etailer has reasona	ble grounds to b	believe that the form o	of identification has				
217.21	been altered or	falsified or is bein	g used to violate	e any law. A registered	l retailer that seizes				
217.22	a form of ident	ification as authori	zed under this p	paragraph must deliver	r it to a law				
217.23	enforcement ag	gency within 24 ho	urs of seizing it	<u>.</u>					
217.24	Subd. 6. <u>No</u>	oncompliant prod	<u>ucts;</u> enforcem	ent. (a) A product reg	ulated under this				
217.25	section, includi	ing an edible canna	binoid product,	shall be considered a	n adulterated drug				
217.26	<u>a noncomplian</u>	t product if the pro	duct is offered f	for sale in this state or	if the product is				
217.27				th the intent to be offe					
217.28	state in violation	on of any provision	of this section,	including but not lim	ited to if:				
217.29	(1) it consis	sts, in whole or in p	oart, of any filth	y, putrid, or decompos	sed substance;				
217.30	(2) it has be	en produced, prep	ared, packed, or	held under unsanitary	y conditions where				
217.31	•	n rendered injuriou	us to health, or w	where it may have been	contaminated with				
217.32	filth;								

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(3) its container is composed, in whole or in part, of any poisonous or deleterious
substance that may render the contents injurious to health;

(4) it contains any food additives, color additives, or excipients that have been found by
the FDA to be unsafe for human or animal consumption;

(5) it contains an amount or percentage of nonintoxicating cannabinoids that is different
than the amount or percentage stated on the label;

(6) it contains more than 0.3 percent of any tetrahydrocannabinol or, if the product is
an edible cannabinoid product, an amount of tetrahydrocannabinol that exceeds the limits
established in subdivision 5a, paragraph (f); or

(7) it contains more than trace amounts of mold, residual solvents, pesticides, fertilizers,or heavy metals.

(b) A product regulated under this section shall be considered a misbranded drug
 noncompliant product if the product's labeling is false or misleading in any manner or in
 violation of the requirements of this section.

(c) The board's authority to issue cease and desist orders under section 151.06; to embargo
adulterated and misbranded drugs under section 151.38; and to seek injunctive relief under
section 214.11, extends to any commissioner may assume that any product regulated under
this section that is present in the state, other than a product lawfully possessed for personal
use, has been manufactured, imported, distributed, or stored with the intent to be offered
for sale in this state if a product of the same type and brand was sold in the state on or after

218.21 July 1, 2023, or if the product is in the possession of a person who has sold any product in

218.22 violation of this section.

218.23 (d) The commissioner may enforce this section, including enforcement against a

218.24 manufacturer or distributor of a product regulated under this section, under sections 144.989
218.25 to 144.993.

(e) The commissioner may enter into an interagency agreement with the Office of

218.27 Cannabis Management to perform inspections and take other enforcement actions on behalf
218.28 of the commissioner.

218.29 Subd. 7. Violations; criminal penalties. (a) Notwithstanding section 144.99, subdivision

218.30 11, a person who does any of the following regarding a product regulated under this section

218.31 is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than

218.32 one year or to payment of a fine of not more than \$3,000, or both:

218.33 (1) knowingly alters or otherwise falsifies testing results;

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219.1	(2) inten	ntionally alters or falsif	fies any inform	ation required to be in	ncluded on the label
219.2	of an edible	cannabinoid product;	or		
219.3	<u>(3) inten</u>	ntionally makes a false	material stater	nent to the commission	oner.
219.4	(b) Notv	vithstanding section 14	14.99, subdivis	ion 11, a person who	does any of the
219.5	following o	n the premises of a reg	sistered retailer	or another business t	hat sells retail goods
219.6	to customer	rs is guilty of a gross m	nisdemeanor ar	d may be sentenced t	to imprisonment for
219.7	not more the	an one year or to paym	nent of a fine o	f not more than \$3,00	0, or both:
219.8	(1) sells	an edible cannabinoid	product know	ing that the product d	oes not comply with
219.9	the limits or	n the amount or types of	of cannabinoid	s that a product may o	contain;
219.10	<u>(2) sells</u>	an edible cannabinoid	product know	ng that the product d	oes not comply with
219.11	the applicab	ble testing, packaging,	or labeling req	uirements; or	
219.12	(3) sells	an edible cannabinoid	product to a p	erson under the age o	f 21, except that it is
219.13	an affirmati	ve defense to a charge	under this clau	se if the defendant p	roves by a
219.14	prepondera	nce of the evidence that	at the defendan	t reasonably and in go	ood faith relied on
219.15	proof of age	e as described in subdi	vision 5c.		
219.16	EFFEC	TIVE DATE. This see	ction is effectiv	e the day following f	inal enactment.
219.17	Sec. 4. Mi	innesota Statutes 2022	, section 340A	412, subdivision 14,	is amended to read:
219.18	Subd. 14	4. Exclusive liquor sto	ores. (a) Except	as otherwise provide	d in this subdivision,
219.19	an exclusive	e liquor store may sell	only the follow	ving items:	
219.20	(1) alcol	holic beverages;			
219.21	(2) tobac	cco products;			
219.22	(3) ice;				
219.23	(4) bever	rages, either liquid or po	owder, specifica	Illy designated for mix	king with intoxicating
219.24	liquor;				
219.25	(5) soft	drinks;			
219.26	(6) lique	eur-filled candies;			
219.27	(7) food	products that contain	more than one-	half of one percent a	lcohol by volume;
219.28	(8) cork	extraction devices;			
219.29	(9) book	ts and videos on the us	e of alcoholic	beverages;	

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220.1	(10) magazi	nes and other publicat	ions publishe	ed primarily for inform	mation and education		
220.2	on alcoholic be	verages;					
220.3	(11) multipl	e-use bags designed t	o carry purc	hased items;			
220.4	(12) devices	s designed to ensure s	afe storage a	nd monitoring of alc	sohol in the home, to		
220.5	prevent access	by underage drinkers;					
220.6	(13) home b	prewing equipment;					
220.7	(14) clothin	g marked with the spe	cific name, l	orand, or identifying	logo of the exclusive		
220.8	liquor store, an	d bearing no other na	ne, brand, o	r identifying logo;			
220.9	(15) citrus fruit; and						
220.10	(16) glassw	are . ; and					
220.11	<u>(17)</u> edible of	cannabinoid products	as defined in	section 151.72, sub	division 1, paragraph		
220.12	<u>(f).</u>						
220.13	(b) An exclu	usive liquor store that	has an on-sa	ale, or combination o	on-sale and off-sale		
220.14	license may sell food for on-premise consumption when authorized by the municipality						
220.15	issuing the license.						
220.16	(c) An exclu	usive liquor store may	offer live of	r recorded entertainn	ient.		
220.17	EFFECTIV	E DATE. This section	on is effectiv	e the day following t	final enactment.		
220.18	Sec. 5. <u>REPE</u>	ALER.					
220.19	Minnesota S	Statutes 2022, section	151.72, is re	epealed.			
220.20	EFFECTIV	E DATE. This section	on is effectiv	e July 1, 2024.			
220.21			ARTICLI	E 8			
220.22		SCHEDU	LING OF N	MARIJUANA			
220.23	Section 1. Mi	nnesota Statutes 2022	, section 152	2.02, subdivision 2, i	s amended to read:		
220.24	Subd. 2. Sc	nedule I. (a) Schedule	e I consists o	f the substances liste	d in this subdivision.		
220.25	(b) Opiates.	Unless specifically ex	ccepted or u	less listed in another	schedule, any of the		
220.26	following subst	ances, including their	analogs, iso	omers, esters, ethers,	salts, and salts of		
220.27	isomers, esters,	and ethers, whenever	the existence	ce of the analogs, iso	mers, esters, ethers,		
220.28	and salts is pos	sible:					
220.20	(1) agetulm	sthadal					

220.29 (1) acetylmethadol;

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221.1	(2) allylpr	rodine;					
221.2	(3) alphacetylmethadol (except levo-alphacetylmethadol, also known as levomethadyl						
221.3 a	acetate);						
221.4	(4) alphan	neprodine;					
221.5	(5) alphan	nethadol;					
221.6	(6) alpha-	methylfentanyl benz	ethidine;				
221.7	(7) betace	tylmethadol;					
221.8	(8) betame	eprodine;					
221.9	(9) betame	ethadol;					
221.10	(10) betap	prodine;					
221.11	(11) cloni	tazene;					
221.12	(12) dextr	omoramide;					
221.13	(13) diam	promide;					
221.14	(14) dieth	yliambutene;					
221.15	(15) difen	oxin;					
221.16	(16) dime	noxadol;					
221.17	(17) dime	pheptanol;					
221.18	(18) dime	thyliambutene;					
221.19	(19) dioxa	aphetyl butyrate;					
221.20	(20) dipip	anone;					
221.21	(21) ethyl	methylthiambutene;					
221.22	(22) etoni	tazene;					
221.23	(23) etoxe	eridine;					
221.24	(24) furetl	hidine;					
221.25	(25) hydro	oxypethidine;					

- 221.26 (26) ketobemidone;
- 221.27 (27) levomoramide;

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222.1	(28) levop	henacylmorphan;		
222.2	(29) 3-met	thylfentanyl;		
222.3	(30) acety	l-alpha-methylfenta	nyl;	
222.4	(31) alpha	-methylthiofentany	l;	
222.5	(32) benzy	ylfentanyl beta-hydı	roxyfentanyl;	
222.6	(33) beta-l	hydroxy-3-methylfe	entanyl;	
222.7	(34) 3-met	thylthiofentanyl;		
222.8	(35) theny	lfentanyl;		
222.9	(36) thiofe	entanyl;		
222.10	(37) para-1	fluorofentanyl;		
222.11	(38) morp	heridine;		
222.12	(39) 1-met	thyl-4-phenyl-4-pro	pionoxypiperidi	ine;
222.13	(40) norac	ymethadol;		
222.14	(41) norley	vorphanol;		
222.15	(42) norm	ethadone;		
222.16	(43) norpi	panone;		
222.17	(44) 1-(2-1	phenylethyl)-4-pher	nyl-4-acetoxypip	peridine (PEPAP);
222.18	(45) phena	adoxone;		
222.19	(46) phena	ampromide;		
222.20	(47) pheno	omorphan;		
222.21	(48) pheno	operidine;		
222.22	(49) piritra	amide;		
222.23	(50) prohe	eptazine;		
222.24	(51) prope	eridine;		
222.25	(52) propi	ram;		
222.26	(53) racem	noramide;		

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223.1	(55) trimepe	ridine;							
223.2	(56) N-(1-Pl	nenethylpiperidin-4	-yl)-N-phenyl	acetamide (acetyl fen	tanyl);				
223.3	(57) 3,4-dicl	(57) 3,4-dichloro-N-[(1R,2R)-2-(dimethylamino)cyclohexyl]-N-							
223.4	methylbenzami	de(U47700);							
223.5	(58) N-pheny	yl-N-[1-(2-phenyleth	nyl)piperidin-4	-yl]furan-2-carboxam	ide(furanylfentanyl);				
223.6	(59) 4-(4-bro	omophenyl)-4-dime	thylamino-1-	phenethylcyclohexand	ol (bromadol);				
223.7	(60) N-(1-pł	enethylpiperidin-4	-yl)-N-phenyl	cyclopropanecarboxa	mide (Cyclopropryl				
223.8	fentanyl);								
223.9	(61) N-(1-pł	enethylpiperidin-4-	-yl)-N-phenyl	butanamide) (butyryl	fentanyl);				
223.10	(62) 1-cyclo	hexyl-4-(1,2-dipher	nylethyl)piper	razine) (MT-45);					
223.11	(63) N-(1-pł	enethylpiperidin-4	-yl)-N-phenyl	cyclopentanecarboxa	nide (cyclopentyl				
223.12	fentanyl);								
223.13	(64) N-(1-pł	enethylpiperidin-4	-yl)-N-phenyl	isobutyramide (isobut	tyryl fentanyl);				
223.14	(65) N-(1-pł	enethylpiperidin-4	-yl)-N-phenyl	pentanamide (valeryl	fentanyl);				
223.15	(66) N-(4-ch	lorophenyl)-N-(1-p	henethylpipe	ridin-4-yl)isobutyram	ide				
223.16	(para-chloroisol	butyryl fentanyl);							
223.17		.1000 uorophenyl)-N-(1-p	henethylpiper	ridin-4-yl)butyramide	(para-fluorobutyryl				
223.18	fentanyl);								
223.19 223.20		ethoxyphenyl)-N-(1 outyryl fentanyl);	l-phenethylpi	peridin-4-yl)butyrami	de				
			NVV N (1 nhon	othulningridin (1 ul)og	atamida (asfantanil);				
223.21		/		ethylpiperidin-4-yl)ac					
223.22 223.23		lorophenyl)-N-(1-ph l-fluoroisobutyryl fe		din-4-yl)isobutyramide	e (4-fluoroisobutyryl				
223.24				acrylamide (acryl fen	tanyl or				
223.25	acryloylfentany		ji) it phony	uory runnide (uory r ren					
223.26	(72) 2-metho	oxy-N-(1-phenethy)	piperidin-4-y	l)-N-phenylacetamide	e (methoxyacetyl				
223.27	fentanyl);								
223.28	(73) N-(2-flu	orophenyl)-N-(1-ph	enethylpiperid	in-4-yl)propionamide (ortho-fluorofentanyl				
223.29	or 2-fluorofenta	.nyl);							

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(74) N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide
(tetrahydrofuranyl fentanyl); and

(75) Fentanyl-related substances, their isomers, esters, ethers, salts and salts of isomers,
esters and ethers, meaning any substance not otherwise listed under another federal
Administration Controlled Substance Code Number or not otherwise listed in this section,
and for which no exemption or approval is in effect under section 505 of the Federal Food,
Drug, and Cosmetic Act, United States Code , title 21, section 355, that is structurally related
to fentanyl by one or more of the following modifications:

(i) replacement of the phenyl portion of the phenethyl group by any monocycle, whetheror not further substituted in or on the monocycle;

(ii) substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo,
haloalkyl, amino, or nitro groups;

(iii) substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether,
hydroxyl, halo, haloalkyl, amino, or nitro groups;

224.15 (iv) replacement of the aniline ring with any aromatic monocycle whether or not further 224.16 substituted in or on the aromatic monocycle; or

224.17 (v) replacement of the N-propionyl group by another acyl group.

(c) Opium derivatives. Any of the following substances, their analogs, salts, isomers,
and salts of isomers, unless specifically excepted or unless listed in another schedule,
whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- 224.21 (1) acetorphine;
- 224.22 (2) acetyldihydrocodeine;
- 224.23 (3) benzylmorphine;
- 224.24 (4) codeine methylbromide;
- 224.25 (5) codeine-n-oxide;
- 224.26 (6) cyprenorphine;
- 224.27 (7) desomorphine;
- 224.28 (8) dihydromorphine;
- 224.29 **(9)** drotebanol;
- 224.30 (10) etorphine;

225.1 (11) heroin;225.2 (12) hydromorphinol;

- 225.3 (13) methyldesorphine;
- 225.4 (14) methyldihydromorphine;
- 225.5 (15) morphine methylbromide;
- 225.6 (16) morphine methylsulfonate;
- 225.7 (17) morphine-n-oxide;
- 225.8 (18) myrophine;
- 225.9 (19) nicocodeine;
- 225.10 (20) nicomorphine;
- 225.11 (21) normorphine;
- 225.12 (22) pholcodine; and
- 225.13 (23) thebacon.

(d) Hallucinogens. Any material, compound, mixture or preparation which contains any
quantity of the following substances, their analogs, salts, isomers (whether optical, positional,
or geometric), and salts of isomers, unless specifically excepted or unless listed in another
schedule, whenever the existence of the analogs, salts, isomers, and salts of isomers is
possible:

- 225.19 (1) methylenedioxy amphetamine;
- 225.20 (2) methylenedioxymethamphetamine;
- 225.21 (3) methylenedioxy-N-ethylamphetamine (MDEA);
- 225.22 (4) n-hydroxy-methylenedioxyamphetamine;
- 225.23 (5) 4-bromo-2,5-dimethoxyamphetamine (DOB);
- 225.24 (6) 2,5-dimethoxyamphetamine (2,5-DMA);
- 225.25 (7) 4-methoxyamphetamine;
- 225.26 (8) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 225.27 (9) alpha-ethyltryptamine;
- 225.28 (10) bufotenine;

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226.1	(11) diethy	ltryptamine;		
226.2	(12) dimet	hyltryptamine;		
226.3	(13) 3,4,5-	trimethoxyampheta	mine;	
226.4	(14) 4-met	hyl-2, 5-dimethoxy	amphetamine (DO	DM);
226.5	(15) ibogai	ne;		
226.6	(16) lyserg	ic acid diethylamid	e (LSD);	
226.7	(17) mesca	line;		
226.8	(18) parahe	exyl;		
226.9	(19) N-eth	yl-3-piperidyl benz	ilate;	
226.10	(20) N-met	thyl-3-piperidyl ber	nzilate;	
226.11	(21) psiloc	ybin;		
226.12	(22) psiloc	yn;		
226.13	(23) tenocy	velidine (TPCP or T	ССР);	
226.14	(24) N-eth	yl-1-phenyl-cycloh	exylamine (PCE);	
226.15	(25) 1-(1-p	henylcyclohexyl) p	yrrolidine (PCPy));
226.16	(26) 1-[1-(2	2-thienyl)cyclohexy	yl]-pyrrolidine (T	CPy);
226.17	(27) 4-chlo	oro-2,5-dimethoxya	mphetamine (DO	C);
226.18	(28) 4-ethy	1-2,5-dimethoxyam	phetamine (DOE	T);
226.19	(29) 4-iodo	o-2,5-dimethoxyam	phetamine (DOI);	
226.20	(30) 4-bror	no-2,5-dimethoxyp	henethylamine (2	С-В);
226.21	(31) 4-chlo	oro-2,5-dimethoxyp	henethylamine (2	C-C);
226.22	(32) 4-met	hyl-2,5-dimethoxyr	ohenethylamine (2	2C-D);
226.23	(33) 4-ethy	d-2,5-dimethoxyph	enethylamine (2C	-E);
226.24	(34) 4-iodo	o-2,5-dimethoxyphe	enethylamine (2C-	-I);
226.25	(35) 4-prop	oyl-2,5-dimethoxyp	henethylamine (2	С-Р);
226.26	(36) 4-isop	ropylthio-2,5-dime	thoxyphenethylan	nine (2C-T-4);
226.27	(37) 4-prop	oylthio-2,5-dimetho	xyphenethylamin	e (2C-T-7);

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227.2 **(2-CB-FLY);**

- 227.3 (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY);
- 227.4 (40) alpha-methyltryptamine (AMT);
- 227.5 (41) N,N-diisopropyltryptamine (DiPT);
- 227.6 (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT);
- 227.7 (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET);
- 227.8 (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT);
- 227.9 (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT);
- 227.10 (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT);
- 227.11 (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT);
- 227.12 (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT);
- 227.13 (49) 5-methoxy-α-methyltryptamine (5-MeO-AMT);
- 227.14 (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- 227.15 (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT);
- 227.16 (52) 5-methoxy-N-methyl-N-isopropyltryptamine (5-MeO-MiPT);
- 227.17 (53) 5-methoxy-α-ethyltryptamine (5-MeO-AET);
- 227.18 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);
- 227.19 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);
- 227.20 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);
- 227.21 (57) methoxetamine (MXE);
- 227.22 (58) 5-iodo-2-aminoindane (5-IAI);
- 227.23 (59) 5,6-methylenedioxy-2-aminoindane (MDAI);
- 227.24 (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe);
- 227.25 (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe);
- 227.26 (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe);
- 227.27 (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);

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228.1	(64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
228.2	(65) N,N-Dipropyltryptamine (DPT);
228.3	(66) 3-[1-(Piperidin-1-yl)cyclohexyl]phenol (3-HO-PCP);
228.4	(67) N-ethyl-1-(3-methoxyphenyl)cyclohexanamine (3-MeO-PCE);
228.5	(68) 4-[1-(3-methoxyphenyl)cyclohexyl]morpholine (3-MeO-PCMo);
228.6	(69) 1-[1-(4-methoxyphenyl)cyclohexyl]-piperidine (methoxydine, 4-MeO-PCP);
228.7	(70) 2-(2-Chlorophenyl)-2-(ethylamino)cyclohexan-1-one (N-Ethylnorketamine,
228.8 et	hketamine, NENK);
228.9	(71) methylenedioxy-N,N-dimethylamphetamine (MDDMA);
228.10	(72) 3-(2-Ethyl(methyl)aminoethyl)-1H-indol-4-yl (4-AcO-MET); and
228.11	(73) 2-Phenyl-2-(methylamino)cyclohexanone (deschloroketamine).
228.12	(e) Peyote. All parts of the plant presently classified botanically as Lophophora willia

villiamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of the plant, 228.13 and every compound, manufacture, salts, derivative, mixture, or preparation of the plant, 228.14 its seeds or extracts. The listing of peyote as a controlled substance in Schedule I does not 228.15 apply to the nondrug use of peyote in bona fide religious ceremonies of the American Indian 228.16 Church, and members of the American Indian Church are exempt from registration. Any 228.17 person who manufactures peyote for or distributes peyote to the American Indian Church, 228.18 however, is required to obtain federal registration annually and to comply with all other 228.19 requirements of law. 228.20

(f) Central nervous system depressants. Unless specifically excepted or unless listed in
another schedule, any material compound, mixture, or preparation which contains any
quantity of the following substances, their analogs, salts, isomers, and salts of isomers
whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

228.25 (1) mecloqualone;

228.26 (2) methaqualone;

228.27 (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;

228.28 (4) flunitrazepam;

(5) 2-(2-Methoxyphenyl)-2-(methylamino)cyclohexanone (2-MeO-2-deschloroketamine,
methoxyketamine);

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229.1	(6) tianeptine;
229.2	(7) clonazolam;
229.3	(8) etizolam;
229.4	(9) flubromazolam; and
229.5	(10) flubromazepam.
229.6	(g) Stimulants. Unless specifically excepted or unless listed in another schedule, any
229.7	material compound, mixture, or preparation which contains any quantity of the following
229.8	substances, their analogs, salts, isomers, and salts of isomers whenever the existence of the
229.9	analogs, salts, isomers, and salts of isomers is possible:
229.10	(1) aminorex;
229.11	(2) cathinone;
229.12	(3) fenethylline;
229.13	(4) methcathinone;
229.14	(5) methylaminorex;
229.15	(6) N,N-dimethylamphetamine;
229.16	(7) N-benzylpiperazine (BZP);
229.17	(8) methylmethcathinone (mephedrone);
229.18	(9) 3,4-methylenedioxy-N-methylcathinone (methylone);
229.19	(10) methoxymethcathinone (methedrone);
229.20	(11) methylenedioxypyrovalerone (MDPV);
229.21	(12) 3-fluoro-N-methylcathinone (3-FMC);
229.22	(13) methylethcathinone (MEC);
229.23	(14) 1-benzofuran-6-ylpropan-2-amine (6-APB);
229.24	(15) dimethylmethcathinone (DMMC);
229.25	(16) fluoroamphetamine;
229.26	(17) fluoromethamphetamine;
229.27	(18) α-methylaminobutyrophenone (MABP or buphedrone);
229.28	(19) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone);

- 230.1 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378);
- 230.2 (21) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl) pentan-1-one (naphthylpyrovalerone or
 230.3 naphyrone);
- 230.4 (22) (alpha-pyrrolidinopentiophenone (alpha-PVP);
- 230.5 (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or MPHP);
- 230.6 (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- 230.7 (25) 4-methyl-N-ethylcathinone (4-MEC);
- 230.8 (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
- 230.9 (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- 230.10 (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone);
- 230.11 (29) 4-fluoro-N-methylcathinone (4-FMC);
- 230.12 (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);
- 230.13 (31) alpha-pyrrolidinobutiophenone (α -PBP);
- 230.14 (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);
- 230.15 (33) 1-phenyl-2-(1-pyrrolidinyl)-1-heptanone (PV8);
- 230.16 (34) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB);
- 230.17 (35) 4-methyl-alpha-ethylaminopentiophenone (4-MEAPP);
- 230.18 (36) 4'-chloro-alpha-pyrrolidinopropiophenone (4'-chloro-PPP);
- 230.19 (37) 1-(1,3-Benzodioxol-5-yl)-2-(dimethylamino)butan-1-one (dibutylone, bk-DMBDB);
- 230.20 (38) 1-(3-chlorophenyl) piperazine (meta-chlorophenylpiperazine or mCPP);
- 230.21 (39) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one (N-ethylpentylone, ephylone);
 230.22 and
- (40) any other substance, except bupropion or compounds listed under a different
 schedule, that is structurally derived from 2-aminopropan-1-one by substitution at the
 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the
 compound is further modified in any of the following ways:
- (i) by substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy,
 haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring
 system by one or more other univalent substituents;

231.1 (ii) by substitution at the 3-position with an acyclic alkyl substituent;

(iii) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, ormethoxybenzyl groups; or

(iv) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(h) Marijuana, tetrahydrocannabinols, and synthetic cannabinoids. Unless specifically
excepted or unless listed in another schedule, any natural or synthetic material, compound,
mixture, or preparation that contains any quantity of the following substances, their analogs,
isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence
of the isomers, esters, ethers, or salts is possible:

231.10 (1) marijuana;

231.11 (2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis, except

231.12 that tetrahydrocannabinols do not include any material, compound, mixture, or preparation

231.13 that qualifies as industrial hemp as defined in section 18K.02, subdivision 3; synthetic

231.14 equivalents of the substances contained in the cannabis plant or in the resinous extractives

231.15 of the plant; or synthetic substances with similar chemical structure and pharmacological

231.16 activity to those substances contained in the plant or resinous extract, including, but not

231.17 limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans tetrahydrocannabinol, and 3,4

231.18 cis or trans tetrahydrocannabinol;

(3) (h) Synthetic cannabinoids, including the following substances:

(i) (1) Naphthoylindoles, which are any compounds containing a 3-(1-napthoyl)indole

231.21 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,

231.22 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or

231.23 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any

extent and whether or not substituted in the naphthyl ring to any extent. Examples of

- 231.25 naphthoylindoles include, but are not limited to:
- 231.26 (A) (i) 1-Pentyl-3-(1-naphthoyl)indole (JWH-018 and AM-678);
- 231.27 (B) (ii) 1-Butyl-3-(1-naphthoyl)indole (JWH-073);
- 231.28 (C) (iii) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);
- 231.29 (D) (iv) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);
- 231.30 $(\underline{E})(\underline{v})$ 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);
- 231.31 (F) (vi) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);

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232.1	(G) (vii) 1	-Pentyl-3-(4-methyl-1-	-naphthoyl)i	ndole (JWH-122);					
232.2	(H) (viii) 1	-Pentyl-3-(4-ethyl-1-r	naphthoyl)in	dole (JWH-210);					
232.3	(I) (ix) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);								
232.4	(J)<u>(x)</u> 1-(5	5-fluoropentyl)-3-(1-na	aphthoyl)ind	ole (AM-2201).					
232.5	(ii) <u>(</u>2) Naj	pthylmethylindoles, w	hich are any	compounds containin	ig a				
232.6	1H-indol-3-yl	-(1-naphthyl)methane	structure wi	th substitution at the r	nitrogen atom of the				
232.7	indole ring by	an alkyl, haloalkyl, al	kenyl, cyclo	alkylmethyl, cycloalk	ylethyl,				
232.8	1-(N-methyl-2	2-piperidinyl)methyl o	r 2-(4-morpl	nolinyl)ethyl group, w	hether or not further				
232.9	substituted in	the indole ring to any	extent and w	whether or not substitu	ted in the naphthyl				
232.10	ring to any ex	tent. Examples of naph	nthylmethyli	ndoles include, but ar	e not limited to:				
232.11	(A)<u>(i)</u> 1-P	entyl-1H-indol-3-yl-(1	l-naphthyl)n	nethane (JWH-175);					
232.12	(B)<u>(ii)</u> 1-I	Pentyl-1H-indol-3-yl-(4	4-methyl-1-	naphthyl)methane (JW	/H-184).				
232.13	(iii) (3) Naj	phthoylpyrroles, which	are any com	pounds containing a 3-	(1-naphthoyl)pyrrole				
232.14	structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl,								
232.15	alkenyl, cyclo	alkylmethyl, cycloalky	ylethyl, 1-(N	-methyl-2-piperidinyl)methyl or				
232.16	2-(4-morpholi	nyl)ethyl group wheth	er or not fur	ther substituted in the	pyrrole ring to any				
232.17	extent, whethe	er or not substituted in	the naphthy	l ring to any extent. E	xamples of				
232.18	naphthoylpyri	oles include, but are n	ot limited to	,					
232.19	(5-(2-fluoroph	nenyl)-1-pentylpyrrol-3	3-yl)-naphth	alen-1-ylmethanone (.	JWH-307).				
232.20	(iv) <u>(</u>4) Na	phthylmethylindenes,	which are a	ny compounds contair	ning a				
232.21	naphthylidene	eindene structure with s	substitution	at the 3-position of the	e indene ring by an				
232.22	alkyl, haloalk	yl, alkenyl, cycloalkyli	methyl, cycl	oalkylethyl,					
232.23	1-(N-methyl-2	2-piperidinyl)methyl o	r 2-(4-morpl	nolinyl)ethyl group wl	hether or not further				
232.24	substituted in	the indene ring to any	extent, whe	ther or not substituted	in the naphthyl ring				
232.25	to any extent.	Examples of naphthyl	emethylinde	enes include, but are no	ot limited to,				
232.26	E-1-[1-(1-nap	hthalenylmethylene)-1	H-inden-3-y	vl]pentane (JWH-176)					
232.27	(v)<u>(</u>5) Phe	nylacetylindoles, whicl	h are any cor	npounds containing a 3	3-phenylacetylindole				
232.28	structure with	substitution at the nitr	ogen atom o	of the indole ring by a	n alkyl, haloalkyl,				
232.29	alkenyl, cyclo	alkylmethyl, cycloalky	ylethyl, 1-(N	-methyl-2-piperidinyl)methyl or				
232.30	2-(4-morpholi	inyl)ethyl group wheth	er or not fur	ther substituted in the	indole ring to any				
232.31	extent, whethe	er or not substituted in	the phenyl 1	ring to any extent. Exa	amples of				
232.32	phenylacetylii	ndoles include, but are	not limited	to:					

232.33 (A) (i) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8);

- 233.1 (B) (ii) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);
- 233.2 (C) (iii) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);
- 233.3 (D) (iv) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).
- 233.4 (vi) (6) Cyclohexylphenols, which are compounds containing a
- 233.5 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic

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- ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 233.7 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted
- in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include, but are notlimited to:
- 233.10 (A) (i) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);
- 233.11 (B) (ii) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol
- 233.12 (Cannabicyclohexanol or CP 47,497 C8 homologue);
- 233.13 (C) (iii) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]
 233.14 -phenol (CP 55,940).
- 233.15 (vii) (7) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole
- 233.16 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
- 233.17 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 233.18 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any
- extent and whether or not substituted in the phenyl ring to any extent. Examples ofbenzoylindoles include, but are not limited to:
- 233.21 (A) (i) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);
- 233.22 (B) (ii) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);

233.23 (C) (iii) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone
 233.24 (WIN 48,098 or Pravadoline).

- 233.25 (viii) (8) Others specifically named:
- 233.26 (A) (i) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
- 233.27 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);
- (B) (ii) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
- 233.29 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);
- 233.30 (C) (iii) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]
- 233.31 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);

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234.1	(D)<u>(iv)</u>(1-p	entylindol-3-yl)-((2,2,3,3-tetrameth	nylcyclopropyl)metha	anone (UR-144);
234.2	(E) <u>(v)</u> (1-(5	-fluoropentyl)-1H	I-indol-3-yl)(2,2,	3,3-tetramethylcyclo	propyl)methanone
234.3	(XLR-11);				
234.4	(F) (vi) 1-pe	entyl-N-tricyclo[3.	.3.1.13,7]dec-1-y	1-1H-indazole-3-carb	ooxamide
234.5	(AKB-48(APIN	JACA));			
234.6	(G)<u>(vii)</u> N-((3s,5s,7s)-adamar	ntan-1-yl)-1-(5-flu	uoropentyl)-1H-indaz	zole-3-carboxamide
234.7	(5-Fluoro-AKB	-48);			
234.8	(H) (viii) 1-j	pentyl-8-quinoliny	yl ester-1H-indol	e-3-carboxylic acid (PB-22);
234.9	(I) (ix) 8-qu	inolinyl ester-1-(5	-fluoropentyl)-11	H-indole-3-carboxyli	c acid (5-Fluoro
234.10	PB-22);				
234.11	(J)(x) N-[(15)	S)-1-(aminocarbon	yl)-2-methylprop	yl]-1-pentyl-1H-indaz	zole- 3-carboxamide
234.12	(AB-PINACA)	•			
234.13				oropyl]-1-[(4-fluorop)	henyl)methyl]-
234.14	1H-indazole-3-	carboxamide (AB	-FUBINACA);		
234.15				propyl]-1-(cyclohexy	lmethyl)-1H-
234.16		oxamide(AB-CH)			
234.17	· · · · · · · ·	· · · · ·		-indazole-3-carboxai	nido)-3-
234.18		e (5-fluoro-AMB)			
234.19	· · · · · · · · · · · · · · · · · · ·			naphthalen-1-yl) metl	
234.20	· / <u></u> ·	(5-fluoropentyl)-1	H-benzo[d]imida	azol-2-yl)(naphthaler	1-1-yl)methanone)
234.21	(FUBIMINA);				
234.22 234.23	· · ·	methoxy-1-(2-mo -yl)-1H-indole-3-0		((1S,2S,4R)-1,3,3-t)	rimethylbicyclo
234.24 234.25		arboxamide (5-flu	·	n-2-yl)-1-(5-fluorop	entyl)
				2-yl)-1-(5-fluoropen	tv1)
234.26 234.27	-1H-indole-3-ca	· •	1y1-1-0x0p10pan-	-2-y1)-1-(3-110010pen	(y1)
234.28			1-1-0x0propap-2	-yl)-1-(5-fluoropenty	z1)
234.29	-1H-indazole-3-			yi) i (5 indotopenty	1)
234.30	(T) (xx) met	thyl 2-(1-(cvclohe	xylmethvl)-1H-ii	ndole-3-carboxamido))
234.31	-3,3-dimethylbu		,	2	,

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- 235.1 (U) (xxi) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1(cyclohexylmethyl)-1
- 235.2 H-indazole-3-carboxamide (MAB-CHMINACA);
- 235.3 (V) (xxii)
- 235.4 N-(1-Amino-3,3-dimethyl-1-oxo-2-butanyl)-1-pentyl-1H-indazole-3-carboxamide
- 235.5 (ADB-PINACA);
- 235.6 (W)(xxiii) methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate (FUB-AMB);
- $235.7 \qquad (X) (xxiv)$
- 235.8 N-[(1S)-2-amino-2-oxo-1-(phenylmethyl)ethyl]-1-(cyclohexylmethyl)-1H-Indazole-
- 235.9 3-carboxamide. (APP-CHMINACA);
- (Y)(xxv) quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FUB-PB-22); and
- 235.11 (Z) (xxvi) methyl N-[1-(cyclohexylmethyl)-1H-indole-3-carbonyl]valinate
- 235.12 (MMB-CHMICA).
- 235.13 (ix) (9) Additional substances specifically named:
- 235.14 (A) (i) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1
- 235.15 H-pyrrolo[2,3-B]pyridine-3-carboxamide (5F-CUMYL-P7AICA);
- 235.16 (B) (ii) 1-(4-cyanobutyl)-N-(2- phenylpropan-2-yl)-1 H-indazole-3-carboxamide
- 235.17 (4-CN-Cumyl-Butinaca);
- (C) (iii) naphthalen-1-yl-1-(5-fluoropentyl)-1-H-indole-3-carboxylate (NM2201;
- 235.19 CBL2201);
- (D) (iv) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1
- 235.21 H-indazole-3-carboxamide (5F-ABPINACA);
- 235.22 (E)(v) methyl-2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate
 235.23 (MDMB CHMICA);
- 235.24 (F)(vi) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate
- 235.25 (5F-ADB; 5F-MDMB-PINACA); and
- 235.26 (G) (vii) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)
- 235.27 1H-indazole-3-carboxamide (ADB-FUBINACA).
- (i) A controlled substance analog, to the extent that it is implicitly or explicitly intendedfor human consumption.
- 235.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

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236.1 Sec. 2. Minnesota Statutes 2022, section 152.02, subdivision 4, is amended to read:

236.2 Subd. 4. Schedule III. (a) Schedule III consists of the substances listed in this subdivision.

(b) Stimulants. Unless specifically excepted or unless listed in another schedule, any
material, compound, mixture, or preparation which contains any quantity of the following
substances having a potential for abuse associated with a stimulant effect on the central
nervous system, including its salts, isomers, and salts of such isomers whenever the existence
of such salts, isomers, and salts of isomers is possible within the specific chemical
designation:

236.9 (1) benzphetamine;

236.10 (2) chlorphentermine;

236.11 (3) clortermine;

236.12 (4) phendimetrazine.

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any
material, compound, mixture, or preparation which contains any quantity of the following
substances having a potential for abuse associated with a depressant effect on the central
nervous system:

(1) any compound, mixture, or preparation containing amobarbital, secobarbital,
pentobarbital or any salt thereof and one or more other active medicinal ingredients which
are not listed in any schedule;

(2) any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or
any salt of any of these drugs and approved by the food and drug administration for marketing
only as a suppository;

(3) any substance which contains any quantity of a derivative of barbituric acid, or any
salt of a derivative of barbituric acid, except those substances which are specifically listed
in other schedules;

(4) any drug product containing gamma hydroxybutyric acid, including its salts, isomers,
and salts of isomers, for which an application is approved under section 505 of the federal
Food, Drug, and Cosmetic Act;

236.29 (5) any of the following substances:

236.30 (i) chlorhexadol;

236.31 (ii) ketamine, its salts, isomers and salts of isomers;

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237.1	(iii) lysergic	e acid;			
237.2	(iv) lysergic	acid amide;			
237.3	(v) methypr	ylon;			
237.4	(vi) sulfond	iethylmethane;			
237.5	(vii) sulfone	enthylmethane;			
237.6	(viii) sulfon	methane;			
237.7	(ix) tiletami	ne and zolazepam a	nd any salt there	of;	
237.8	(x) embutra	mide;			
237.9	(xi) Peramp	anel [2-(2-oxo-1-ph	enyl-5-pyridin-2	-yl-1,2-Dihydropy	vridin-3-yl)
237.10	benzonitrile].				

237.11 (d) Nalorphine.

(e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule,
any material, compound, mixture, or preparation containing any of the following narcotic
drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities
as follows:

(1) not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams
per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams
per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic
amounts;

(3) not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more than 90
milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized
therapeutic amounts;

(4) not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than
15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized
therapeutic amounts;

(5) not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not
more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients
in recognized therapeutic amounts;

(6) not more than 50 milligrams of morphine per 100 milliliters or per 100 grams withone or more active, nonnarcotic ingredients in recognized therapeutic amounts.

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- 238.1 (f) Anabolic steroids, human growth hormone, and chorionic gonadotropin.
- 238.2 (1) Anabolic steroids, for purposes of this subdivision, means any drug or hormonal

238.3 substance, chemically and pharmacologically related to testosterone, other than estrogens,

238.4 progestins, corticosteroids, and dehydroepiandrosterone, and includes:

- 238.5 (i) 3[beta],17[beta]-dihydroxy-5[alpha]-androstane;
- 238.6 (ii) 3[alpha],17[beta]-dihydroxy-5[alpha]-androstane;
- 238.7 (iii) androstanedione (5[alpha]-androstan-3,17-dione);
- 238.8 (iv) 1-androstenediol (3[beta],17[beta]-dihydroxy-5[alpha]-androst-l-ene;
- 238.9 (v) 3[alpha],17[beta]-dihydroxy-5[alpha]-androst-1-ene);
- 238.10 (vi) 4-androstenediol (3[beta],17[beta]-dihydroxy-androst-4-ene);
- 238.11 (vii) 5-androstenediol (3[beta],17[beta]-dihydroxy-androst-5-ene);
- 238.12 (viii) 1-androstenedione (5[alpha]-androst-1-en-3,17-dione);
- 238.13 (ix) 4-androstenedione (androst-4-en-3,17-dione);
- 238.14 (x) 5-androstenedione (androst-5-en-3,17-dione);
- 238.15 (xi) bolasterone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- 238.16 (xii) boldenone (17[beta]-hydroxyandrost-1,4-diene-3-one);
- 238.17 (xiii) boldione (androsta-1,4-diene-3,17-dione);
- 238.18 (xiv) calusterone (7[beta],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- 238.19 (xv) clostebol (4-chloro-17[beta]-hydroxyandrost-4-en-3-one);
- 238.20 (xvi) dehydrochloromethyltestosterone
- 238.21 (4-chloro-17[beta]-hydroxy-17[alpha]-methylandrost-1,4-dien-3-one);
- 238.22 (xvii) desoxymethyltestosterone (17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol);
- 238.23 (xviii) [delta]1-dihydrotestosterone- (17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- 238.24 (xix) 4-dihydrotestosterone (17[beta]-hydroxy-androstan-3-one);
- 238.25 (xx) drostanolone (17[beta]hydroxy-2[alpha]-methyl-5[alpha]-androstan-3-one);
- 238.26 (xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-hydroxyestr-4-ene);
- 238.27 (xxii) fluoxymesterone
- 238.28 (9-fluoro-17[alpha]-methyl-11[beta],17[beta]-dihydroxyandrost-4-en-3-one);

- (xxiii) formebolone 239.1 (2-formyl-17[alpha]-methyl-11[alpha],17[beta]-dihydroxyandrost-1,4-dien-3-one); 239.2 239.3 (xxiv) furazabol (17[alpha]-methyl-17[beta]-hydroxyandrostano[2,3-c]-furazan)13[beta]-ethyl-17[beta] 239.4 239.5 -hydroxygon-4-en-3-one; (xxv) 4-hydroxytestosterone (4,17[beta]-dihydroxyandrost-4-en-3-one); 239.6 239.7 (xxvi) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxyestr-4-en-3-one); (xxvii) mestanolone (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one); 239.8 239.9 (xxviii) mesterolone (1[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one); (xxix) methandienone (17[alpha]-methyl-17[beta]-hydroxyandrost-1,4-dien-3-one); 239.10 (xxx) methandriol (17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-5-ene); 239.11 (xxxi) methasterone (2 alpha-17 alpha-dimethyl-5 alpha-androstan-17beta-ol-3-one); 239.12 239.13 (xxxii) methenolone (1-methyl-17[beta]-hydroxy-5[alpha]-androst-1-en-3-one); (xxxiii) 17[alpha]-methyl-3[beta],17[beta]-dihydroxy-5[alpha]-androstane; 239.14 (xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy-5[alpha]-androstane; 239.15 (xxxv) 17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-4-ene; 239.16 (xxxvi) 17[alpha]-methyl-4-hydroxynandrolone 239.17 (17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one); 239.18 (xxxvii) methyldienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9(10)-dien-3-one); 239.19 239.20 (xxxviii) methyltrienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9-11-trien-3-one); (xxxix) methyltestosterone (17[alpha]-methyl-17[beta]-hydroxyandrost-4-en-3-one); 239.21 239.22 (xl) mibolerone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyestr-4-en-3-one); (xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone 239.23 (17[beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-3-one); 239.24 (xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one); 239.25 239.26 (xliii) 19-nor-4-androstenediol (3[beta],17[beta]-dihydroxyestr-4-ene; (xliv) 3[alpha],17[beta]-dihydroxyestr-4-ene); 19-nor-5-androstenediol 239.27 (3[beta],17[beta]-dihydroxyestr-5-ene; 239.28
- 239.29 (xlv) 3[alpha],17[beta]-dihydroxyestr-5-ene);

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240.1	(xlvi) 19-nor	-4,9(10)-androstad	lienedione (est	ra-4,9(10)-diene-3,17	-dione);
240.2	(xlvii) 19-no	r-5-androstenedio	ne (estr-5-en-3	,17-dione);	
240.3	(xlviii) norbo	olethone (13[beta],	,17[alpha]-diet	hyl-17[beta]-hydroxy	gon-4-en-3-one);
240.4	(xlix) norclo	stebol (4-chloro-1'	7[beta]-hydrox	yestr-4-en-3-one);	
240.5	(l) norethand	rolone (17[alpha]·	-ethyl-17[beta]	-hydroxyestr-4-en-3-c	one);
240.6	(li) normetha	undrolone (17[alph	a]-methyl-17[oeta]-hydroxyestr-4-e	n-3-one);
240.7	(lii) oxandrol	one (17[alpha]-me	thyl-17[beta]-l	nydroxy-2-oxa-5[alpha	a]-androstan-3-one);
240.8	(liii) oxymes	terone (17[alpha]-	methyl-4,17[b	eta]-dihydroxyandros	t-4-en-3-one);
240.9	(liv) oxymet	holone			
240.10	(17[alpha]-meth	yl-2-hydroxymeth	ylene-17[beta]	-hydroxy-5[alpha]-an	drostan-3-one);
240.11	(lv) prostano	zol (17 beta-hydro	oxy-5 alpha-an	drostano[3,2-C]pryazo	ole;
240.12	(lvi) stanozo	lol			
240.13	(17[alpha]-meth	yl-17[beta]-hydro:	xy-5[alpha]-an	drost-2-eno[3,2-c]-py	razole);
240.14	(lvii) stenbol	one (17[beta]-hyd	roxy-2-methyl	-5[alpha]-androst-1-en	n-3-one);
240.15	(lviii) testola	ctone (13-hydroxy-	-3-oxo-13,17-s	ecoandrosta-1,4-dien-	17-oic acid lactone);
240.16	(lix) testoster	rone (17[beta]-hyd	lroxyandrost-4	-en-3-one);	
240.17	(lx) tetrahydr	rogestrinone			
240.18	(13[beta],17[alp	ha]-diethyl-17[bet	a]-hydroxygor	1-4,9,11-trien-3-one);	
240.19	(lxi) trenbolo	one (17[beta]-hydr	oxyestr-4,9,11	-trien-3-one);	
240.20	(lxii) any sal	t, ester, or ether of	a drug or subs	tance described in thi	s paragraph.
240.21	Anabolic steroid	ls are not included	if they are: (A) expressly intended f	for administration
240.22	through implants	s to cattle or other r	onhuman spec	ies; and (B) approved	by the United States
240.23	Food and Drug	Administration for	that use;		
240.24	(2) Human g	rowth hormones.			
240.25	(3) Chorioni	e gonadotropin, ex	cept that a pro-	duct containing choric	onic gonadotropin is
240.26	not included if it	t is:			
240.27	(i) expressly	intended for admi	nistration to ca	ttle or other nonhuma	in species; and
240.28	(ii) approved	by the United Sta	tes Food and I	Drug Administration f	or that use.

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241.1	(g) Hallucinogenic substances. Dronabinol (synthetic) in sesame oil and encapsulated
241.2	in a soft gelatin capsule in a United States Food and Drug Administration approved product.
241.3	(h) Any material, compound, mixture, or preparation containing the following narcotic
241.4	drug or its salt: buprenorphine.

- (i) Marijuana, tetrahydrocannabinols, and synthetic cannabinoids. Unless specifically
 excepted or unless listed in another schedule, any natural or synthetic material, compound,
 mixture, or preparation that contains any quantity of the following substances, their analogs,
- 241.8 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence
- 241.9 of the isomers, esters, ethers, or salts is possible:

241.10 <u>(1) marijuana;</u>

- 241.11 (2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis, except
- 241.12 that tetrahydrocannabinols do not include any material, compound, mixture, or preparation
- 241.13 that qualifies as industrial hemp as defined in section 18K.02, subdivision 3; synthetic

241.14 equivalents of the substances contained in the cannabis plant or in the resinous extractives

241.15 of the plant; or synthetic substances with similar chemical structure and pharmacological

- 241.16 activity to those substances contained in the plant or resinous extract, including but not
- 241.17 limited to 1 cis or trans tetrahydrocannabinol, 6 cis or trans tetrahydrocannabinol, and 3,4
- 241.18 <u>cis or trans tetrahydrocannabinol.</u>
- 241.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 241.20

ARTICLE 9

241.21 APPROPRIATIONS

241.22 Section 1. <u>APPROPRIATIONS.</u>

241.23 Subdivision 1. Office of Cannabis Management. (a) \$..... in fiscal year 2024 and

241.24 \$..... in fiscal year 2025 are appropriated from the general fund to the Cannabis Management

241.25 Board for purposes of this act. The base for this appropriation is \$..... in fiscal year 2026

241.26 and \$..... in fiscal year 2027.

(b) Of the amount appropriated under paragraph (a), \$..... in fiscal year 2024 and \$......
in fiscal year 2025 are for rulemaking. The base for this appropriation is \$..... in fiscal year

- 241.29 **2024 and thereafter.**
- 241.30 (c) Of the base established in paragraph (a), \$..... in fiscal year 2026 and \$..... in fiscal
- 241.31 year 2027 are for cannabis industry community renewal grants. Of these amounts, up to
- 241.32 three percent may be used for administrative expenses.

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242.1	(d) Of the base establish	ned in paragraph (a), \$.	in fiscal year 202	6 and \$ in fiscal
242.2	year 2027 are for the admin	nistration of substance	use disorder treatme	nt and prevention
242.3	grants.			
242.4	Subd. 2. Department of	of Agriculture. <u>\$</u> i	n fiscal year 2024 and	l \$ in fiscal year
242.5	2025 are appropriated from	n the general fund to th	e commissioner of a	griculture for food
242.6	safety and pesticide enforce	ement lab testing and r	ulemaking related to	changes in cannabis
242.7	laws. The base for this app	ropriation is \$ in f	iscal year 2026 and \$	S in fiscal year
242.8	<u>2027.</u>			
242.9	Subd. 3. Cannabis Exp	oungement Board. §	in fiscal year 202	4 and \$ in fiscal
242.10	year 2025 are appropriated	from the general fund	to the Cannabis Exp	ungement Board for
242.11	staffing and other expenses	related to reviewing c	riminal convictions a	nd issuing decisions
242.12	related to expungement and	d resentencing. The ba	se for this appropriat	ion is \$ in fiscal
242.13	years 2026, 2027, and 2023	8. The base in fiscal ye	ar 2029 and thereafte	er is \$0.
242.14	Subd. 4. Department of	of Commerce. \$ in	fiscal year 2024 and	\$ in fiscal year
242.15	2025 are appropriated from	n the general fund to th	e commissioner of co	ommerce for the
242.16	purposes of this act. The ba	ase for this appropriation	on is \$ in fiscal y	year 2026 and \$
242.17	in fiscal year 2027.			
242.18	Subd. 5. Department of	of Corrections. An app	propriation to the con	missioner of
242.19	corrections for correctional	l institutions is reduced	by \$ in fiscal ye	ear 2024 and \$
242.20	in fiscal year 2025. The ba	se for this appropriatio	n is reduced by \$. in fiscal year 2026
242.21	and \$ in fiscal year 20	27.		
242.22	Subd. 6. Department of	of Education. § in	fiscal year 2024 and	\$ in fiscal year
242.23	2025 are appropriated from	n the general fund to th	e commissioner of e	ducation for the
242.24	purposes of this act.			
242.25	Subd. 7. Department o	f Employment and Ec	conomic Developme	nt. (a) \$ in fiscal
242.26	year 2024 and \$ in fisc	cal year 2025 are appro	priated from the gen	eral fund to the
242.27	commissioner of employme	ent and economic devel	opment for the CanSt	artup, CanNavigate,
242.28	and CanTrain programs. A	ny unencumbered bala	nces remaining in the	e first year do not
242.29	cancel but are available for	the second year.		
242.30	(b) Of the amount approx	opriated under paragrap	bh (a), \$ in fiscal	year 2024 and \$
242.31	in fiscal year 2025 are for t	the CanStartup program	<u>n.</u>	
242.32	(c) Of the amount approx	opriated under paragrap	bh (a), \$ in fiscal	year 2024 and \$
242.33	in fiscal year 2025 are for t	the CanNavigate progr	am.	

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243.1	(d) Of th	ne amount appropriated	under paragra	ph (a), \$ in fiscal	year 2024 and \$
243.2		ar 2025 are for the Can'			
243.3	<u>(e) Of th</u>	nese amounts, up to fou	ir percent may	be used for administr	ative expenses.
243.4	Subd. 8.	<u>Department of Healt</u>	h. (a) \$ in	fiscal year 2024 and	\$ in fiscal year
243.5	<u>2025 are ap</u>	propriated from the ger	neral fund to th	e commissioner of he	alth for the purposes
243.6	of this act.	The base for this appropriate the second s	priation is \$	in fiscal year 2026	and \$ in fiscal
243.7	year 2027.				
243.8	<u>(b) Of th</u>	ne amount appropriated	under paragra	ph (a), \$ in fiscal	year 2024 and \$
243.9	in fiscal yea	ar 2025 are for education	on for women	who are pregnant, bre	astfeeding, or who
243.10	may becom	e pregnant. Of this amo	ount, \$ eac	ch year is for media ca	ampaign contracts.
243.11	The base fo	or this appropriation is S	S in fiscal	year 2026 and thereaf	ter. Of the amounts
243.12	appropriate	d in fiscal year 2026 ar	nd thereafter, \$	is for media cam	paign contracts.
243.13	(c) Of th	ne amount appropriated	under paragra	oh (a), \$ in fiscal	year 2024 and \$
243.14	in fiscal yea	ar 2025 are for data col	lection and rep	orts. The base for this	s appropriation is
243.15	<u>\$ in fis</u>	cal year 2026 and \$	in fiscal year	2027.	
243.16	<u>(d)</u> Of th	ne amount appropriated	under paragra	ph (a), \$ in fiscal	year 2024 and \$
243.17	in fiscal yea	ar 2025 are for testing r	required by this	s act. The base for this	s appropriation is
243.18	<u>\$ in fis</u>	cal year 2026 and there	eafter.		
243.19	<u>(e)</u> Of th	ne amount appropriated	under paragra	ph (a), \$ in fiscal	year 2024 and \$
243.20	in fiscal yea	ar 2025 are for education	on for youth. O	f this amount, \$	each year is for
243.21	statewide y	outh awareness campai	ign contracts. 7	The base for this appro-	opriation is \$ in
243.22	fiscal year 2	2026 and thereafter. Of	the amounts in	n fiscal year 2026 and	thereafter, \$ is
243.23	for media c	ampaign contracts.			
243.24	Subd. 9.	Department of Huma	an Services. (a	a) \$ in fiscal year	2024 and \$ in
243.25	fiscal year 2	2025 are appropriated f	from the genera	al fund to the commis	sioner of human
243.26	services for	the purposes of this ac	t. The base for	this appropriation is	\$ in fiscal years
243.27	2026, 2027,	, and 2028. The base in	fiscal year 20	29 and thereafter is \$.	<u></u>
243.28	<u>(b)</u> Of th	ne amount appropriated	under paragra	ph (a), \$ in fiscal	year 2024 and \$
243.29	in fiscal yea	ar 2025 are for the Bacl	kground Studie	es Legal Division. The	e base for this
243.30	appropriatio	on is \$ in fiscal yea	ars 2026, 2027,	and 2028. The base i	in fiscal year 2029
243.31	and thereaft	ter is \$0.			
243.32	<u>(c)</u> Of th	ne amount appropriated	l under paragra	ph (a), \$ in fiscal	year 2024 is for
243.33	technology	system changes. This i	s a onetime ap	propriation.	

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244.1	(d) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$
244.2	in fiscal year 2025 are for costs associated with the Substance Use Disorder Advisory
244.3	Council.
244.4	Subd. 10. Department of Labor and Industry. \$ in fiscal year 2024 and \$ in
244.5	fiscal year 2025 are appropriated from the general fund to the commissioner of labor and
244.6	industry to identify occupational competency standards and provide technical assistance
244.7	for developing dual-training programs under Minnesota Statutes, section 175.45, for the
244.8	legal cannabis industry.
244.9	Subd. 11. Department of Natural Resources. \$ in fiscal year 2024 is appropriated
244.10	from the general fund to the commissioner of natural resources for the purposes of this act.
244.11	This is a onetime appropriation.
244.12	
244.12	Subd. 12. Office of Higher Education. \$ in fiscal year 2024 and \$ in fiscal
244.13	year 2025 are appropriated from the general fund to the commissioner of higher education
244.14	for transfer to the dual training account in the special revenue fund under Minnesota Statutes,
244.15	section 136A.246, subdivision 10, for grants to employers in the legal cannabis industry.
244.16	The commissioner shall give priority to applications from employers who are, or who are
244.17	training employees who are, eligible to be social equity applicants under Minnesota Statutes,
244.18	section 342.16.
244.19	Subd. 13. Pollution Control Agency. (a) \$ in fiscal year 2024 and \$ in fiscal
244.20	year 2025 are appropriated from the general fund to the commissioner of the Pollution
244.21	Control Agency for the purposes of this act. The base for this appropriation is \$ in fiscal
244.22	year 2026 and \$0 in fiscal year 2027 and thereafter.
244.23	(b) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$
244.24	in fiscal year 2025 are for rulemaking. The base for this appropriation is \$0 in fiscal year
244.25	2026 and thereafter.
244.26	(c) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 is for
244.27	wastewater staff. This is a onetime appropriation.
244.28	(d) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$
244.29	in fiscal year 2025 are for small business assistance staff. The base for this appropriation
244.30	is \$ in fiscal year 2026 and \$0 in fiscal year 2027 and thereafter.
244.31	Subd. 14. Department of Public Safety; Bureau of Criminal Apprehension. (a) \$
244.32	in fiscal year 2024 and \$ in fiscal year 2025 are appropriated from the general fund to
244.33	the commissioner of public safety for use by the Bureau of Criminal Apprehension. The

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245.1	base for this	appropriation is \$	in fiscal years	2026, 2027, and 202	8. The base in fiscal
245.2		d thereafter is \$			
245.3	(b) Of the	amount appropriated	d under paragrap	h (a), \$ in fiscal	year 2024 and \$
245.4				fying and providing re	
245.5	for certain of	fenses involving the	possession of ca	nnabis that may be e	ligible for
245.6	expungemen	t and resentencing. T	he base for this a	ppropriation is \$	in fiscal years 2026,
245.7	2027, and 20	28. The base in fisca	l year 2029 and	thereafter is \$0.	
245.8	(c) Of the	amount appropriated	d under paragrap	h (a), \$ in fiscal y	year 2024 and \$
245.9	in fiscal year	2025 are for forensi	c science service	es including additiona	al staff, equipment,
245.10	and supplies.				
245.11	(d) Of the	amount appropriated	d under paragrap	h (a), \$ in fiscal y	year 2024 and \$
245.12	in fiscal year	2025 are for investig	gation of diversi	on crimes.	
245.13	<u>Subd. 15.</u>	Department of Pul	blic Safety; Stat	e Patrol. \$ in fis	cal year 2024 and
245.14	\$ in fisca	ll year 2025 are appro	opriated from the	trunk highway fund	to the commissioner
245.15	of public safe	ety for use by the Min	nnesota State Pat	rol for the purposes of	of this act, including
245.16	identifying a	nd investigating incid	lents and offense	s that involve driving	under the influence.
245.17	<u>Subd. 16.</u>	Department of Rev	v enue. \$ in t	fiscal year 2024 and S	S in fiscal year
245.18	2025 are appr	ropriated from the gen	neral fund to the	commissioner of reve	nue for the purposes
245.19	of this act. T	he base for this appro	opriation is \$. in fiscal year 2026	and \$ in fiscal
245.20	year 2027.				
245.21	Subd. 17.	Department of Pub	blic Safety; Stat	e Patrol. § in fis	cal year 2024 and
245.22	<u>\$ in fisca</u>	al year 2025 are appr	opriated from th	e general fund to the	Minnesota State
245.23	Patrol for its	drug evaluation and	classification pr	ogram for drug recog	nition evaluator
245.24	training, addi	tional phlebotomists,	and drug recogn	ition training for peac	e officers, as defined
245.25	in Minnesota	Statutes, section 620	6.84, subdivision	n 1, paragraph (c).	
245.26	Subd. 18.	Supreme court. \$	in fiscal year	2024 and \$ in fi	scal year 2025 are
245.27	appropriated	from the general fun	nd to the supreme	e court for reviewing	records and issuing
245.28	orders related	1 to the expungemen	t or resentencing	g of certain cannabis	offenses. The base
245.29	for this appro	opriation is \$0 in fisc	al year 2026 and	l thereafter.	
245.30	Subd. 19.	Supreme court. \$	in fiscal year	2024 and \$ in fi	scal year 2025 are
245.31	appropriated	from the general fun	nd to the supreme	e court for treatment	court operations.
245.32	<u>Subd. 20.</u>	Substance use diso	rder treatment	and prevention gra	nt account. Money
245.33	for substance	use disorder treatme	ent and prevention	on is transferred from	the general fund to

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- 246.1 the substance use disorder treatment and prevention grant account established under
- 246.2 Minnesota Statutes, section 342.72. The transfer is \$..... in fiscal years 2024 and 2025. The
- 246.3 base for this transfer is \$..... in fiscal year 2026 and \$..... in fiscal year 2027.

151.72 SALE OF CERTAIN CANNABINOID PRODUCTS.

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Certified hemp" means hemp plants that have been tested and found to meet the requirements of chapter 18K and the rules adopted thereunder.

(c) "Edible cannabinoid product" means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.

(d) "Hemp" has the meaning given to "industrial hemp" in section 18K.02, subdivision 3.

(e) "Label" has the meaning given in section 151.01, subdivision 18.

(f) "Labeling" means all labels and other written, printed, or graphic matter that are:

(1) affixed to the immediate container in which a product regulated under this section is sold;

(2) provided, in any manner, with the immediate container, including but not limited to outer containers, wrappers, package inserts, brochures, or pamphlets; or

(3) provided on that portion of a manufacturer's website that is linked by a scannable barcode or matrix barcode.

(g) "Matrix barcode" means a code that stores data in a two-dimensional array of geometrically shaped dark and light cells capable of being read by the camera on a smartphone or other mobile device.

(h) "Nonintoxicating cannabinoid" means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by any route of administration.

Subd. 2. **Scope.** (a) This section applies to the sale of any product that contains cannabinoids extracted from hemp and that is an edible cannabinoid product or is intended for human or animal consumption by any route of administration.

(b) This section does not apply to any product dispensed by a registered medical cannabis manufacturer pursuant to sections 152.22 to 152.37.

(c) The board must have no authority over food products, as defined in section 34A.01, subdivision 4, that do not contain cannabinoids extracted or derived from hemp.

Subd. 3. Sale of cannabinoids derived from hemp. (a) Notwithstanding any other section of this chapter, a product containing nonintoxicating cannabinoids, including an edible cannabinoid product, may be sold for human or animal consumption only if all of the requirements of this section are met, provided that a product sold for human or animal consumption does not contain more than 0.3 percent of any tetrahydrocannabinol and an edible cannabinoid product does not contain an amount of any tetrahydrocannabinol that exceeds the limits established in subdivision 5a, paragraph (f).

(b) No other substance extracted or otherwise derived from hemp may be sold for human consumption if the substance is intended:

(1) for external or internal use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or other animals; or

(2) to affect the structure or any function of the bodies of humans or other animals.

(c) No product containing any cannabinoid or tetrahydrocannabinol extracted or otherwise derived from hemp may be sold to any individual who is under the age of 21.

(d) Products that meet the requirements of this section are not controlled substances under section 152.02.

Subd. 4. **Testing requirements.** (a) A manufacturer of a product regulated under this section must submit representative samples of the product to an independent, accredited laboratory in order to certify that the product complies with the standards adopted by the board. Testing must be consistent with generally accepted industry standards for herbal and botanical substances, and, at a minimum, the testing must confirm that the product:

(1) contains the amount or percentage of cannabinoids that is stated on the label of the product;

(2) does not contain more than trace amounts of any mold, residual solvents, pesticides, fertilizers, or heavy metals; and

(3) does not contain more than 0.3 percent of any tetrahydrocannabinol.

(b) Upon the request of the board, the manufacturer of the product must provide the board with the results of the testing required in this section.

(c) Testing of the hemp from which the nonintoxicating cannabinoid was derived, or possession of a certificate of analysis for such hemp, does not meet the testing requirements of this section.

Subd. 5. Labeling requirements. (a) A product regulated under this section must bear a label that contains, at a minimum:

(1) the name, location, contact phone number, and website of the manufacturer of the product;

(2) the name and address of the independent, accredited laboratory used by the manufacturer to test the product; and

(3) an accurate statement of the amount or percentage of cannabinoids found in each unit of the product meant to be consumed.

(b) The information in paragraph (a) may be provided on an outer package if the immediate container that holds the product is too small to contain all of the information.

(c) The information required in paragraph (a) may be provided through the use of a scannable barcode or matrix barcode that links to a page on the manufacturer's website if that page contains all of the information required by this subdivision.

(d) The label must also include a statement stating that the product does not claim to diagnose, treat, cure, or prevent any disease and has not been evaluated or approved by the United States Food and Drug Administration (FDA) unless the product has been so approved.

(e) The information required by this subdivision must be prominently and conspicuously placed on the label or displayed on the website in terms that can be easily read and understood by the consumer.

(f) The labeling must not contain any claim that the product may be used or is effective for the prevention, treatment, or cure of a disease or that it may be used to alter the structure or function of human or animal bodies, unless the claim has been approved by the FDA.

Subd. 5a. Additional requirements for edible cannabinoid products. (a) In addition to the testing and labeling requirements under subdivisions 4 and 5, an edible cannabinoid must meet the requirements of this subdivision.

(b) An edible cannabinoid product must not:

(1) bear the likeness or contain cartoon-like characteristics of a real or fictional person, animal, or fruit that appeals to children;

(2) be modeled after a brand of products primarily consumed by or marketed to children;

(3) be made by applying an extracted or concentrated hemp-derived cannabinoid to a commercially available candy or snack food item;

(4) contain an ingredient, other than a hemp-derived cannabinoid, that is not approved by the United States Food and Drug Administration for use in food;

(5) be packaged in a way that resembles the trademarked, characteristic, or product-specialized packaging of any commercially available food product; or

(6) be packaged in a container that includes a statement, artwork, or design that could reasonably mislead any person to believe that the package contains anything other than an edible cannabinoid product.

(c) An edible cannabinoid product must be prepackaged in packaging or a container that is child-resistant, tamper-evident, and opaque or placed in packaging or a container that is child-resistant, tamper-evident, and opaque at the final point of sale to a customer. The requirement that packaging be child-resistant does not apply to an edible cannabinoid product that is intended to be consumed as a beverage and which contains no more than a trace amount of any tetrahydrocannabinol.

(d) If an edible cannabinoid product is intended for more than a single use or contains multiple servings, each serving must be indicated by scoring, wrapping, or other indicators designating the individual serving size.

(e) A label containing at least the following information must be affixed to the packaging or container of all edible cannabinoid products sold to consumers:

(1) the serving size;

(2) the cannabinoid profile per serving and in total;

(3) a list of ingredients, including identification of any major food allergens declared by name; and

(4) the following statement: "Keep this product out of reach of children."

(f) An edible cannabinoid product must not contain more than five milligrams of any tetrahydrocannabinol in a single serving, or more than a total of 50 milligrams of any tetrahydrocannabinol per package.

Subd. 6. **Enforcement.** (a) A product regulated under this section, including an edible cannabinoid product, shall be considered an adulterated drug if:

(1) it consists, in whole or in part, of any filthy, putrid, or decomposed substance;

(2) it has been produced, prepared, packed, or held under unsanitary conditions where it may have been rendered injurious to health, or where it may have been contaminated with filth;

(3) its container is composed, in whole or in part, of any poisonous or deleterious substance that may render the contents injurious to health;

(4) it contains any food additives, color additives, or excipients that have been found by the FDA to be unsafe for human or animal consumption;

(5) it contains an amount or percentage of nonintoxicating cannabinoids that is different than the amount or percentage stated on the label;

(6) it contains more than 0.3 percent of any tetrahydrocannabinol or, if the product is an edible cannabinoid product, an amount of tetrahydrocannabinol that exceeds the limits established in subdivision 5a, paragraph (f); or

(7) it contains more than trace amounts of mold, residual solvents, pesticides, fertilizers, or heavy metals.

(b) A product regulated under this section shall be considered a misbranded drug if the product's labeling is false or misleading in any manner or in violation of the requirements of this section.

(c) The board's authority to issue cease and desist orders under section 151.06; to embargo adulterated and misbranded drugs under section 151.38; and to seek injunctive relief under section 214.11, extends to any violation of this section.

152.027 OTHER CONTROLLED SUBSTANCE OFFENSES.

Subd. 3. **Possession of marijuana in a motor vehicle.** A person is guilty of a misdemeanor if the person is the owner of a private motor vehicle, or is the driver of the motor vehicle if the owner is not present, and possesses on the person, or knowingly keeps or allows to be kept within the area of the vehicle normally occupied by the driver or passengers, more than 1.4 grams of marijuana. This area of the vehicle does not include the trunk of the motor vehicle if the vehicle is equipped with a trunk, or another area of the vehicle not normally occupied by the driver or passengers if the vehicle is not equipped with a trunk. A utility or glove compartment is deemed to be within the area occupied by the driver and passengers.

Subd. 4. **Possession or sale of small amounts of marijuana.** (a) A person who unlawfully sells a small amount of marijuana for no remuneration, or who unlawfully possesses a small amount of marijuana is guilty of a petty misdemeanor and shall be required to participate in a drug education program unless the court enters a written finding that a drug education program is inappropriate. The program must be approved by an area mental health board with a curriculum approved by the state alcohol and drug abuse authority.

(b) A person convicted of an unlawful sale under paragraph (a) who is subsequently convicted of an unlawful sale under paragraph (a) within two years is guilty of a misdemeanor and shall be

required to participate in a chemical dependency evaluation and treatment if so indicated by the evaluation.

(c) A person who is convicted of a petty misdemeanor under paragraph (a) who willfully and intentionally fails to comply with the sentence imposed, is guilty of a misdemeanor. Compliance with the terms of the sentence imposed before conviction under this paragraph is an absolute defense.

152.21 THC THERAPEUTIC RESEARCH ACT.

Subdivision 1. **Findings and purpose.** The legislature finds that scientific literature indicates promise for delta-9-tetrahydro-cannabinol (THC), the active component of marijuana, in alleviating certain side effects of cancer chemotherapy under strictly controlled medical circumstances.

The legislature also finds that further research and strictly controlled experimentation regarding the therapeutic use of THC is necessary and desirable. The intent of this section is to establish an extensive research program to investigate and report on the therapeutic effects of THC under strictly controlled circumstances in compliance with all federal laws and regulations promulgated by the federal Food and Drug Administration, the National Institute on Drug Abuse and the Drug Enforcement Administration. The intent of the legislature is to allow this research program the greatest possible access to qualified cancer patients residing in Minnesota who meet protocol requirements. The establishment of this research program is not intended in any manner whatsoever to condone or promote the illicit recreational use of marijuana.

Subd. 2. **Definitions.** For purposes of this section, the following terms shall have the meanings given.

(a) "Commissioner" means the commissioner of health.

(b) "Marijuana" means marijuana as defined in section 152.01, subdivision 9, and delta-9-tetrahydro-cannabinol (THC), tetrahydrocannabinols or a chemical derivative of tetrahydrocannabinols, and all species of the genus Cannabis.

(c) "Principal investigator" means the individual responsible for the medical and scientific aspects of the research, development of protocol, and contacting and qualifying the clinical investigators in the state.

(d) "Clinical investigators" means those individuals who conduct the clinical trials.

(e) "Sponsor" means that individual or organization who, acting on behalf of the state, has the total responsibility for the state program.

Subd. 3. **Research grant.** The commissioner of health shall grant funds to the principal investigator selected by the commissioner pursuant to subdivision 4 for the purpose of conducting a research program under a protocol approved by the FDA regarding the therapeutic use of oral THC and other dosage forms, if available, according to the guidelines and requirements of the federal Food and Drug Administration, the Drug Enforcement Administration and the National Institute on Drug Abuse. The commissioner shall ensure that the research principal investigator complies with the requirements of subdivision 5. The commissioner may designate the principal investigator as the sponsor.

Subd. 4. **Principal investigator.** Within three months of April 25, 1980, the commissioner shall, in consultation with a representative chosen by the state Board of Pharmacy and a representative chosen by the state Board of Medical Examiners, select a person or research organization to be the principal investigator of the research program.

Subd. 5. Duties. The principal investigator shall:

(1) apply to the Food and Drug Administration for a notice of "Claimed Investigational Exemption for a New Drug (IND)" pursuant to the Federal Food, Drug and Cosmetic Act, United States Code, title 21, section 301, et seq., and shall comply with all applicable laws and regulations of the federal Food and Drug Administration, the Drug Enforcement Administration, and the National Institute on Drug Abuse in establishing the program;

(2) notify every oncologist in the state of the program, explain the purposes and requirements of the program to them, provide on request each of them with a copy of the approved protocol which shall include summaries of current papers in medical journals reporting on research concerning the safety, efficacy and appropriate use of THC in alleviating the nausea and emetic effects of cancer chemotherapy, and provide on request each of them with a bibliography of other articles published in medical journals;

(3) allow each oncologist (clinical investigator) in the state who meets or agrees to meet all applicable federal requirements for investigational new drug research and who so requests to be included in the research program as a clinical investigator to conduct the clinical trials;

(4) provide explanatory information and assistance to each clinical investigator in understanding the nature of therapeutic use of THC within program requirements, including the informed consent document contained in the protocol, informing and counseling patients involved in the program regarding the appropriate use and the effects of therapeutic use of THC;

(5) apply to contract with the National Institute on Drug Abuse for receipt of dosage forms of THC, fully characterized as to contents and delivery to the human system, pursuant to regulations promulgated by the National Institute on Drug Abuse, and the federal Food and Drug Administration. The principal investigator shall ensure delivery of the THC dosages to clinical investigators as needed for participation in the program;

(6) conduct the research program in compliance with federal laws and regulations promulgated by the federal Food and Drug Administration, the Drug Enforcement Administration, the National Institute on Drug Abuse, and the purposes and provisions of this section;

(7) submit periodic reports as determined by the commissioner on the numbers of oncologists and patients involved in the program and the results of the program;

(8) submit reports on intermediate or final research results, as appropriate, to the major scientific journals in the United States; and

(9) otherwise comply with the provisions of this section.

Subd. 6. **Exemption from criminal sanctions.** For the purposes of this section, the following are not violations under this chapter:

(1) use or possession of THC, or both, by a patient in the research program;

(2) possession, prescribing use of, administering, or dispensing THC, or any combination of these actions, by the principal investigator or by any clinical investigator; and

(3) possession or distribution of THC, or both, by a pharmacy registered to handle Schedule I substances which stores THC on behalf of the principal investigator or a clinical investigator.

THC obtained and distributed pursuant to this section is not subject to forfeiture under sections 609.531 to 609.5316.

For the purposes of this section, THC is removed from Schedule I contained in section 152.02, subdivision 2, and inserted in Schedule II contained in section 152.02, subdivision 3.

Subd. 7. Citation. This section may be cited as the "THC Therapeutic Research Act."

152.22 DEFINITIONS.

Subdivision 1. **Applicability.** For purposes of sections 152.22 to 152.37, the terms defined in this section have the meanings given them.

Subd. 2. Commissioner. "Commissioner" means the commissioner of health.

Subd. 3. **Disqualifying felony offense.** "Disqualifying felony offense" means a violation of a state or federal controlled substance law that is a felony under Minnesota law, or would be a felony if committed in Minnesota, regardless of the sentence imposed, unless the commissioner determines that the person's conviction was for the medical use of cannabis or assisting with the medical use of cannabis.

Subd. 4. **Health care practitioner.** "Health care practitioner" means a Minnesota licensed doctor of medicine, a Minnesota licensed physician assistant, or a Minnesota licensed advanced practice registered nurse who has the primary responsibility for the care and treatment of the qualifying medical condition of a person diagnosed with a qualifying medical condition.

Subd. 5. **Health records.** "Health records" means health records as defined in section 144.291, subdivision 2, paragraph (c).

Subd. 5a. **Hemp.** "Hemp" has the meaning given to industrial hemp in section 18K.02, subdivision 3.

Subd. 5b. **Hemp grower.** "Hemp grower" means a person licensed by the commissioner of agriculture under chapter 18K to grow hemp for commercial purposes.

Subd. 6. **Medical cannabis.** (a) "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of:

(1) liquid, including, but not limited to, oil;

(2) pill;

(3) vaporized delivery method with use of liquid or oil;

(4) combustion with use of dried raw cannabis; or

(5) any other method approved by the commissioner.

(b) This definition includes any part of the genus cannabis plant prior to being processed into a form allowed under paragraph (a), that is possessed by a person while that person is engaged in employment duties necessary to carry out a requirement under sections 152.22 to 152.37 for a registered manufacturer or a laboratory under contract with a registered manufacturer. This definition also includes any hemp acquired by a manufacturer by a hemp grower as permitted under section 152.29, subdivision 1, paragraph (b).

Subd. 7. **Medical cannabis manufacturer.** "Medical cannabis manufacturer" or "manufacturer" means an entity registered by the commissioner to cultivate, acquire, manufacture, possess, prepare, transfer, transport, supply, or dispense medical cannabis, delivery devices, or related supplies and educational materials.

Subd. 8. **Medical cannabis product.** "Medical cannabis product" means any delivery device or related supplies and educational materials used in the administration of medical cannabis for a patient with a qualifying medical condition enrolled in the registry program.

Subd. 9. **Patient.** "Patient" means a Minnesota resident who has been diagnosed with a qualifying medical condition by a health care practitioner and who has otherwise met any other requirements for patients under sections 152.22 to 152.37 to participate in the registry program under sections 152.22 to 152.37.

Subd. 10. **Patient registry number.** "Patient registry number" means a unique identification number assigned by the commissioner to a patient enrolled in the registry program.

Subd. 11. **Registered designated caregiver.** "Registered designated caregiver" means a person who:

(1) is at least 18 years old;

(2) does not have a conviction for a disqualifying felony offense;

(3) has been approved by the commissioner to assist a patient who requires assistance in administering medical cannabis or obtaining medical cannabis from a distribution facility; and

(4) is authorized by the commissioner to assist the patient with the use of medical cannabis.

Subd. 12. **Registry program.** "Registry program" means the patient registry established in sections 152.22 to 152.37.

Subd. 13. **Registry verification.** "Registry verification" means the verification provided by the commissioner that a patient is enrolled in the registry program and that includes the patient's name, registry number, and, if applicable, the name of the patient's registered designated caregiver or parent, legal guardian, or spouse.

Subd. 14. **Qualifying medical condition.** "Qualifying medical condition" means a diagnosis of any of the following conditions:

(1) cancer, if the underlying condition or treatment produces one or more of the following:

(i) severe or chronic pain;

(ii) nausea or severe vomiting; or

(iii) cachexia or severe wasting;

(2) glaucoma;

(3) human immunodeficiency virus or acquired immune deficiency syndrome;

- (4) Tourette's syndrome;
- (5) amyotrophic lateral sclerosis;
- (6) seizures, including those characteristic of epilepsy;
- (7) severe and persistent muscle spasms, including those characteristic of multiple sclerosis;
- (8) inflammatory bowel disease, including Crohn's disease;

(9) terminal illness, with a probable life expectancy of under one year, if the illness or its treatment produces one or more of the following:

(i) severe or chronic pain;

- (ii) nausea or severe vomiting; or
- (iii) cachexia or severe wasting; or

(10) any other medical condition or its treatment approved by the commissioner.

152.23 LIMITATIONS.

(a) Nothing in sections 152.22 to 152.37 permits any person to engage in and does not prevent the imposition of any civil, criminal, or other penalties for:

(1) undertaking any task under the influence of medical cannabis that would constitute negligence or professional malpractice;

- (2) possessing or engaging in the use of medical cannabis:
- (i) on a school bus or van;
- (ii) on the grounds of any preschool or primary or secondary school;
- (iii) in any correctional facility; or
- (iv) on the grounds of any child care facility or home day care;
- (3) vaporizing or combusting medical cannabis pursuant to section 152.22, subdivision 6:
- (i) on any form of public transportation;

(ii) where the vapor would be inhaled by a nonpatient minor child or where the smoke would be inhaled by a minor child; or

(iii) in any public place, including any indoor or outdoor area used by or open to the general public or a place of employment as defined under section 144.413, subdivision 1b; and

(4) operating, navigating, or being in actual physical control of any motor vehicle, aircraft, train, or motorboat, or working on transportation property, equipment, or facilities while under the influence of medical cannabis.

(b) Nothing in sections 152.22 to 152.37 require the medical assistance and MinnesotaCare programs to reimburse an enrollee or a provider for costs associated with the medical use of cannabis. Medical assistance and MinnesotaCare shall continue to provide coverage for all services related to treatment of an enrollee's qualifying medical condition if the service is covered under chapter 256B or 256L.

152.24 FEDERALLY APPROVED CLINICAL TRIALS.

The commissioner may prohibit enrollment of a patient in the registry program if the patient is simultaneously enrolled in a federally approved clinical trial for the treatment of a qualifying medical condition with medical cannabis. The commissioner shall provide information to all patients enrolled in the registry program on the existence of federally approved clinical trials for the treatment of the patient's qualifying medical condition with medical cannabis as an alternative to enrollment in the patient registry program.

152.25 COMMISSIONER DUTIES.

Subdivision 1. **Medical cannabis manufacturer registration.** (a) The commissioner shall register two in-state manufacturers for the production of all medical cannabis within the state. A registration agreement between the commissioner and a manufacturer is nontransferable. The commissioner shall register new manufacturers or reregister the existing manufacturers by December

1 every two years, using the factors described in this subdivision. The commissioner shall accept applications after December 1, 2014, if one of the manufacturers registered before December 1, 2014, ceases to be registered as a manufacturer. The commissioner's determination that no manufacturer exists to fulfill the duties under sections 152.22 to 152.37 is subject to judicial review in Ramsey County District Court. Data submitted during the application process are private data on individuals or nonpublic data as defined in section 13.02 until the manufacturer is registered under this section. Data on a manufacturer that is registered are public data, unless the data are trade secret or security information under section 13.37.

(b) As a condition for registration, a manufacturer must agree to:

(1) begin supplying medical cannabis to patients by July 1, 2015; and

(2) comply with all requirements under sections 152.22 to 152.37.

(c) The commissioner shall consider the following factors when determining which manufacturer to register:

(1) the technical expertise of the manufacturer in cultivating medical cannabis and converting the medical cannabis into an acceptable delivery method under section 152.22, subdivision 6;

(2) the qualifications of the manufacturer's employees;

(3) the long-term financial stability of the manufacturer;

(4) the ability to provide appropriate security measures on the premises of the manufacturer;

(5) whether the manufacturer has demonstrated an ability to meet the medical cannabis production needs required by sections 152.22 to 152.37; and

(6) the manufacturer's projection and ongoing assessment of fees on patients with a qualifying medical condition.

(d) If an officer, director, or controlling person of the manufacturer pleads or is found guilty of intentionally diverting medical cannabis to a person other than allowed by law under section 152.33, subdivision 1, the commissioner may decide not to renew the registration of the manufacturer, provided the violation occurred while the person was an officer, director, or controlling person of the manufacturer.

(e) The commissioner shall require each medical cannabis manufacturer to contract with an independent laboratory to test medical cannabis produced by the manufacturer. The commissioner shall approve the laboratory chosen by each manufacturer and require that the laboratory report testing results to the manufacturer in a manner determined by the commissioner.

Subd. 1a. **Revocation or nonrenewal of a medical cannabis manufacturer registration.** If the commissioner intends to revoke or not renew a registration issued under this section, the commissioner must first notify in writing the manufacturer against whom the action is to be taken and provide the manufacturer with an opportunity to request a hearing under the contested case provisions of chapter 14. If the manufacturer does not request a hearing by notifying the commissioner in writing within 20 days after receipt of the notice of proposed action, the commissioner may proceed with the action without a hearing. For revocations, the registration of a manufacturer is considered revoked on the date specified in the commissioner's written notice of revocation.

Subd. 1b. **Temporary suspension proceedings.** The commissioner may institute proceedings to temporarily suspend the registration of a medical cannabis manufacturer for a period of up to 90 days by notifying the manufacturer in writing if any action by an employee, agent, officer, director, or controlling person of the manufacturer:

(1) violates any of the requirements of sections 152.21 to 152.37 or the rules adopted thereunder;

(2) permits, aids, or abets the commission of any violation of state law at the manufacturer's location for cultivation, harvesting, manufacturing, packaging, and processing or at any site for distribution of medical cannabis;

(3) performs any act contrary to the welfare of a registered patient or registered designated caregiver; or

(4) obtains, or attempts to obtain, a registration by fraudulent means or misrepresentation.

Subd. 1c. **Notice to patients.** Upon the revocation or nonrenewal of a manufacturer's registration under subdivision 1a or implementation of an enforcement action under subdivision 1b that may affect the ability of a registered patient, registered designated caregiver, or a registered patient's parent, legal guardian, or spouse to obtain medical cannabis from the manufacturer subject to the enforcement action, the commissioner shall notify in writing each registered patient and the patient's registered designated caregiver or registered patient's parent, legal guardian, or spouse about the outcome of the proceeding and information regarding alternative registered manufacturers. This notice must be provided two or more business days prior to the effective date of the revocation, nonrenewal, or other enforcement action.

Subd. 2. **Range of compounds and dosages; report.** The commissioner shall review and publicly report the existing medical and scientific literature regarding the range of recommended dosages for each qualifying condition and the range of chemical compositions of any plant of the genus cannabis that will likely be medically beneficial for each of the qualifying medical conditions. The commissioner shall make this information available to patients with qualifying medical conditions beginning December 1, 2014, and update the information annually. The commissioner may consult with the independent laboratory under contract with the manufacturer or other experts in reporting the range of recommended dosages for each qualifying medical condition, the range of chemical compositions that will likely be medically beneficial, and any risks of noncannabis drug interactions. The commissioner shall consult with each manufacturer on an annual basis on medical cannabis offered by the manufacturer. The list of medical cannabis offered by a manufacturer shall be published on the Department of Health website.

Subd. 3. **Deadlines.** The commissioner shall adopt rules necessary for the manufacturer to begin distribution of medical cannabis to patients under the registry program by July 1, 2015, and have notice of proposed rules published in the State Register prior to January 1, 2015.

Subd. 4. **Reports.** (a) The commissioner shall provide regular updates to the task force on medical cannabis therapeutic research and to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services, public safety, judiciary, and civil law regarding: (1) any changes in federal law or regulatory restrictions regarding the use of medical cannabis or hemp; and (2) the market demand and supply in this state for products made from hemp that can be used for medicinal purposes.

(b) The commissioner may submit medical research based on the data collected under sections 152.22 to 152.37 to any federal agency with regulatory or enforcement authority over medical cannabis to demonstrate the effectiveness of medical cannabis for treating a qualifying medical condition.

152.26 RULEMAKING.

(a) The commissioner may adopt rules to implement sections 152.22 to 152.37. Rules for which notice is published in the State Register before January 1, 2015, may be adopted using the process in section 14.389.

(b) The commissioner may adopt or amend rules, using the procedure in section 14.386, paragraph (a), to implement the addition of dried raw cannabis as an allowable form of medical cannabis under section 152.22, subdivision 6, paragraph (a), clause (4). Section 14.386, paragraph (b), does not apply to these rules.

152.261 RULES; ADVERSE INCIDENTS.

(a) The commissioner of health shall adopt rules to establish requirements for reporting incidents when individuals who are not authorized to possess medical cannabis under sections 152.22 to 152.37 are found in possession of medical cannabis. The rules must identify professionals required to report, the information they are required to report, and actions the reporter must take to secure the medical cannabis.

(b) The commissioner of health shall adopt rules to establish requirements for law enforcement officials and health care professionals to report incidents involving an overdose of medical cannabis to the commissioner of health.

(c) Rules must include the method by which the commissioner will collect and tabulate reports of unauthorized possession and overdose.

152.27 PATIENT REGISTRY PROGRAM ESTABLISHED.

Subdivision 1. **Patient registry program; establishment.** (a) The commissioner shall establish a patient registry program to evaluate data on patient demographics, effective treatment options,

clinical outcomes, and quality-of-life outcomes for the purpose of reporting on the benefits, risks, and outcomes regarding patients with a qualifying medical condition engaged in the therapeutic use of medical cannabis.

(b) The establishment of the registry program shall not be construed or interpreted to condone or promote the illicit recreational use of marijuana.

Subd. 2. Commissioner duties. (a) The commissioner shall:

(1) give notice of the program to health care practitioners in the state who are eligible to serve as health care practitioners and explain the purposes and requirements of the program;

(2) allow each health care practitioner who meets or agrees to meet the program's requirements and who requests to participate, to be included in the registry program to collect data for the patient registry;

(3) provide explanatory information and assistance to each health care practitioner in understanding the nature of therapeutic use of medical cannabis within program requirements;

(4) create and provide a certification to be used by a health care practitioner for the practitioner to certify whether a patient has been diagnosed with a qualifying medical condition and include in the certification an option for the practitioner to certify whether the patient, in the health care practitioner's medical opinion, is developmentally or physically disabled and, as a result of that disability, the patient requires assistance in administering medical cannabis or obtaining medical cannabis from a distribution facility;

(5) supervise the participation of the health care practitioner in conducting patient treatment and health records reporting in a manner that ensures stringent security and record-keeping requirements and that prevents the unauthorized release of private data on individuals as defined by section 13.02;

(6) develop safety criteria for patients with a qualifying medical condition as a requirement of the patient's participation in the program, to prevent the patient from undertaking any task under the influence of medical cannabis that would constitute negligence or professional malpractice on the part of the patient; and

(7) conduct research and studies based on data from health records submitted to the registry program and submit reports on intermediate or final research results to the legislature and major scientific journals. The commissioner may contract with a third party to complete the requirements of this clause. Any reports submitted must comply with section 152.28, subdivision 2.

(b) The commissioner may add a delivery method under section 152.22, subdivision 6, or add, remove, or modify a qualifying medical condition under section 152.22, subdivision 14, upon a petition from a member of the public or the task force on medical cannabis therapeutic research or as directed by law. The commissioner shall evaluate all petitions to add a qualifying medical condition or to remove or modify an existing qualifying medical condition submitted by the task force on medical cannabis therapeutic research or as directed by law and may make the addition, removal, or modification if the commissioner determines the addition, removal, or modification is warranted based on the best available evidence and research. If the commissioner wishes to add a delivery method under section 152.22, subdivision 6, or add or remove a qualifying medical condition under section 152.22, subdivision 14, the commissioner must notify the chairs and ranking minority members of the legislative policy committees having jurisdiction over health and public safety of the addition or removal and the reasons for its addition or removal, including any written comments received by the commissioner from the public and any guidance received from the task force on medical cannabis research, by January 15 of the year in which the commissioner wishes to make the change. The change shall be effective on August 1 of that year, unless the legislature by law provides otherwise.

Subd. 3. **Patient application.** (a) The commissioner shall develop a patient application for enrollment into the registry program. The application shall be available to the patient and given to health care practitioners in the state who are eligible to serve as health care practitioners. The application must include:

(1) the name, mailing address, and date of birth of the patient;

(2) the name, mailing address, and telephone number of the patient's health care practitioner;

(3) the name, mailing address, and date of birth of the patient's designated caregiver, if any, or the patient's parent, legal guardian, or spouse if the parent, legal guardian, or spouse will be acting as a caregiver;

(4) a copy of the certification from the patient's health care practitioner that is dated within 90 days prior to submitting the application that certifies that the patient has been diagnosed with a qualifying medical condition; and

(5) all other signed affidavits and enrollment forms required by the commissioner under sections 152.22 to 152.37, including, but not limited to, the disclosure form required under paragraph (c).

(b) The commissioner shall require a patient to resubmit a copy of the certification from the patient's health care practitioner on a yearly basis and shall require that the recertification be dated within 90 days of submission.

(c) The commissioner shall develop a disclosure form and require, as a condition of enrollment, all patients to sign a copy of the disclosure. The disclosure must include:

(1) a statement that, notwithstanding any law to the contrary, the commissioner, or an employee of any state agency, may not be held civilly or criminally liable for any injury, loss of property, personal injury, or death caused by any act or omission while acting within the scope of office or employment under sections 152.22 to 152.37; and

(2) the patient's acknowledgment that enrollment in the patient registry program is conditional on the patient's agreement to meet all of the requirements of sections 152.22 to 152.37.

Subd. 4. **Registered designated caregiver.** (a) The commissioner shall register a designated caregiver for a patient if the patient requires assistance in administering medical cannabis or obtaining medical cannabis from a distribution facility and the caregiver has agreed, in writing, to be the patient's designated caregiver. As a condition of registration as a designated caregiver, the commissioner shall require the person to:

(1) be at least 18 years of age;

(2) agree to only possess the patient's medical cannabis for purposes of assisting the patient; and

(3) agree that if the application is approved, the person will not be a registered designated caregiver for more than six registered patients at one time. Patients who reside in the same residence shall count as one patient.

(b) The commissioner shall conduct a criminal background check on the designated caregiver prior to registration to ensure that the person does not have a conviction for a disqualifying felony offense. Any cost of the background check shall be paid by the person seeking registration as a designated caregiver. A designated caregiver must have the criminal background check renewed every two years.

(c) Nothing in sections 152.22 to 152.37 shall be construed to prevent a person registered as a designated caregiver from also being enrolled in the registry program as a patient and possessing and using medical cannabis as a patient.

Subd. 5. **Parents, legal guardians, and spouses.** A parent, legal guardian, or spouse of a patient may act as the caregiver to the patient without having to register as a designated caregiver. The parent, legal guardian, or spouse shall follow all of the requirements of parents, legal guardians, and spouses listed in sections 152.22 to 152.37. Nothing in sections 152.22 to 152.37 limits any legal authority a parent, legal guardian, or spouse may have for the patient under any other law.

Subd. 6. **Patient enrollment.** (a) After receipt of a patient's application, application fees, and signed disclosure, the commissioner shall enroll the patient in the registry program and issue the patient and patient's registered designated caregiver or parent, legal guardian, or spouse, if applicable, a registry verification. The commissioner shall approve or deny a patient's application for participation in the registry program within 30 days after the commissioner receives the patient's application and application fee. The commissioner may approve applications up to 60 days after the receipt of a patient's application and application fees until January 1, 2016. A patient's enrollment in the registry program shall only be denied if the patient:

(1) does not have certification from a health care practitioner that the patient has been diagnosed with a qualifying medical condition;

(2) has not signed and returned the disclosure form required under subdivision 3, paragraph (c), to the commissioner;

(3) does not provide the information required;

(4) has previously been removed from the registry program for violations of section 152.30 or 152.33; or

(5) provides false information.

(b) The commissioner shall give written notice to a patient of the reason for denying enrollment in the registry program.

(c) Denial of enrollment into the registry program is considered a final decision of the commissioner and is subject to judicial review under the Administrative Procedure Act pursuant to chapter 14.

(d) A patient's enrollment in the registry program may only be revoked upon the death of the patient or if a patient violates a requirement under section 152.30 or 152.33.

(e) The commissioner shall develop a registry verification to provide to the patient, the health care practitioner identified in the patient's application, and to the manufacturer. The registry verification shall include:

(1) the patient's name and date of birth;

(2) the patient registry number assigned to the patient; and

(3) the name and date of birth of the patient's registered designated caregiver, if any, or the name of the patient's parent, legal guardian, or spouse if the parent, legal guardian, or spouse will be acting as a caregiver.

Subd. 7. Notice requirements. Patients and registered designated caregivers shall notify the commissioner of any address or name change within 30 days of the change having occurred. A patient or registered designated caregiver is subject to a \$100 fine for failure to notify the commissioner of the change.

152.28 HEALTH CARE PRACTITIONER DUTIES.

Subdivision 1. **Health care practitioner duties.** (a) Prior to a patient's enrollment in the registry program, a health care practitioner shall:

(1) determine, in the health care practitioner's medical judgment, whether a patient suffers from a qualifying medical condition, and, if so determined, provide the patient with a certification of that diagnosis;

(2) advise patients, registered designated caregivers, and parents, legal guardians, or spouses who are acting as caregivers of the existence of any nonprofit patient support groups or organizations;

(3) provide explanatory information from the commissioner to patients with qualifying medical conditions, including disclosure to all patients about the experimental nature of therapeutic use of medical cannabis; the possible risks, benefits, and side effects of the proposed treatment; the application and other materials from the commissioner; and provide patients with the Tennessen warning as required by section 13.04, subdivision 2; and

(4) agree to continue treatment of the patient's qualifying medical condition and report medical findings to the commissioner.

(b) Upon notification from the commissioner of the patient's enrollment in the registry program, the health care practitioner shall:

(1) participate in the patient registry reporting system under the guidance and supervision of the commissioner;

(2) report health records of the patient throughout the ongoing treatment of the patient to the commissioner in a manner determined by the commissioner and in accordance with subdivision 2;

(3) determine, on a yearly basis, if the patient continues to suffer from a qualifying medical condition and, if so, issue the patient a new certification of that diagnosis; and

(4) otherwise comply with all requirements developed by the commissioner.

(c) A health care practitioner may conduct a patient assessment to issue a recertification as required under paragraph (b), clause (3), via telehealth, as defined in section 62A.673, subdivision 2.

(d) Nothing in this section requires a health care practitioner to participate in the registry program.

Subd. 2. **Data.** Data collected on patients by a health care practitioner and reported to the patient registry are health records under section 144.291, and are private data on individuals under section 13.02, but may be used or reported in an aggregated, nonidentifiable form as part of a scientific, peer-reviewed publication of research conducted under section 152.25 or in the creation of summary data, as defined in section 13.02, subdivision 19.

Subd. 3. Advertising restrictions. (a) A health care practitioner shall not publish or cause to be published any advertisement that:

(1) contains false or misleading statements about medical cannabis or about the medical cannabis registry program;

(2) uses colloquial terms to refer to medical cannabis, such as pot, weed, or grass;

(3) states or implies the health care practitioner is endorsed by the Department of Health or by the medical cannabis registry program;

(4) includes images of cannabis in its plant or leaf form or of cannabis-smoking paraphernalia; or

(5) contains medical symbols that could reasonably be confused with symbols of established medical associations or groups.

(b) A health care practitioner found by the commissioner to have violated this subdivision is prohibited from certifying that patients have a qualifying medical condition for purposes of patient participation in the registry program. The commissioner's decision that a health care practitioner has violated this subdivision is a final decision of the commissioner and is not subject to the contested case procedures in chapter 14.

152.29 MANUFACTURER OF MEDICAL CANNABIS DUTIES.

Subdivision 1. **Manufacturer; requirements.** (a) A manufacturer may operate eight distribution facilities, which may include the manufacturer's single location for cultivation, harvesting, manufacturing, packaging, and processing but is not required to include that location. The commissioner shall designate the geographical service areas to be served by each manufacturer based on geographical need throughout the state to improve patient access. A manufacturer shall not have more than two distribution facilities in each geographical service area assigned to the manufacturer by the commissioner. A manufacturer shall operate only one location where all cultivation, harvesting, manufacturing, packaging, and processing of medical cannabis shall be conducted. This location may be one of the manufacturer's distribution facility sites. The additional distribution facilities may dispense medical cannabis and medical cannabis products but may not contain any medical cannabis in a form other than those forms allowed under section 152.22, subdivision 6, and the manufacturer shall not conduct any cultivation, harvesting, manufacturing, packaging, or processing at the other distribution facility sites. Any distribution facility operated by the manufacturer is subject to all of the requirements applying to the manufacturer under sections 152.22 to 152.37, including, but not limited to, security and distribution requirements.

(b) A manufacturer may acquire hemp grown in this state from a hemp grower, and may acquire hemp products produced by a hemp processor. A manufacturer may manufacture or process hemp and hemp products into an allowable form of medical cannabis under section 152.22, subdivision 6. Hemp and hemp products acquired by a manufacturer under this paragraph are subject to the same quality control program, security and testing requirements, and other requirements that apply to medical cannabis under sections 152.22 to 152.37 and Minnesota Rules, chapter 4770.

(c) A medical cannabis manufacturer shall contract with a laboratory approved by the commissioner, subject to any additional requirements set by the commissioner, for purposes of testing medical cannabis manufactured or hemp or hemp products acquired by the medical cannabis manufacturer as to content, contamination, and consistency to verify the medical cannabis meets the requirements of section 152.22, subdivision 6. The cost of laboratory testing shall be paid by the manufacturer.

(d) The operating documents of a manufacturer must include:

(1) procedures for the oversight of the manufacturer and procedures to ensure accurate record keeping;

(2) procedures for the implementation of appropriate security measures to deter and prevent the theft of medical cannabis and unauthorized entrance into areas containing medical cannabis; and

(3) procedures for the delivery and transportation of hemp between hemp growers and manufacturers and for the delivery and transportation of hemp products between hemp processors and manufacturers.

(e) A manufacturer shall implement security requirements, including requirements for the delivery and transportation of hemp and hemp products, protection of each location by a fully operational security alarm system, facility access controls, perimeter intrusion detection systems, and a personnel identification system.

(f) A manufacturer shall not share office space with, refer patients to a health care practitioner, or have any financial relationship with a health care practitioner.

(g) A manufacturer shall not permit any person to consume medical cannabis on the property of the manufacturer.

(h) A manufacturer is subject to reasonable inspection by the commissioner.

(i) For purposes of sections 152.22 to 152.37, a medical cannabis manufacturer is not subject to the Board of Pharmacy licensure or regulatory requirements under chapter 151.

(j) A medical cannabis manufacturer may not employ any person who is under 21 years of age or who has been convicted of a disqualifying felony offense. An employee of a medical cannabis manufacturer must submit a completed criminal history records check consent form, a full set of classifiable fingerprints, and the required fees for submission to the Bureau of Criminal Apprehension before an employee may begin working with the manufacturer. The bureau must conduct a Minnesota criminal history records check and the superintendent is authorized to exchange the fingerprints with the Federal Bureau of Investigation to obtain the applicant's national criminal history records information. The bureau shall return the results of the Minnesota and federal criminal history records checks to the commissioner.

(k) A manufacturer may not operate in any location, whether for distribution or cultivation, harvesting, manufacturing, packaging, or processing, within 1,000 feet of a public or private school existing before the date of the manufacturer's registration with the commissioner.

(1) A manufacturer shall comply with reasonable restrictions set by the commissioner relating to signage, marketing, display, and advertising of medical cannabis.

(m) Before a manufacturer acquires hemp from a hemp grower or hemp products from a hemp processor, the manufacturer must verify that the hemp grower or hemp processor has a valid license issued by the commissioner of agriculture under chapter 18K.

(n) Until a state-centralized, seed-to-sale system is implemented that can track a specific medical cannabis plant from cultivation through testing and point of sale, the commissioner shall conduct at least one unannounced inspection per year of each manufacturer that includes inspection of:

(1) business operations;

(2) physical locations of the manufacturer's manufacturing facility and distribution facilities;

(3) financial information and inventory documentation, including laboratory testing results; and

(4) physical and electronic security alarm systems.

Subd. 2. **Manufacturer; production.** (a) A manufacturer of medical cannabis shall provide a reliable and ongoing supply of all medical cannabis needed for the registry program through cultivation by the manufacturer and through the purchase of hemp from hemp growers.

(b) All cultivation, harvesting, manufacturing, packaging, and processing of medical cannabis must take place in an enclosed, locked facility at a physical address provided to the commissioner during the registration process.

(c) A manufacturer must process and prepare any medical cannabis plant material or hemp plant material into a form allowable under section 152.22, subdivision 6, prior to distribution of any medical cannabis.

Subd. 3. **Manufacturer; distribution.** (a) A manufacturer shall require that employees licensed as pharmacists pursuant to chapter 151 be the only employees to give final approval for the distribution of medical cannabis to a patient. A manufacturer may transport medical cannabis or medical cannabis products that have been cultivated, harvested, manufactured, packaged, and processed by that manufacturer to another registered manufacturer for the other manufacturer to distribute.

(b) A manufacturer may distribute medical cannabis products, whether or not the products have been manufactured by that manufacturer.

(c) Prior to distribution of any medical cannabis, the manufacturer shall:

(1) verify that the manufacturer has received the registry verification from the commissioner for that individual patient;

(2) verify that the person requesting the distribution of medical cannabis is the patient, the patient's registered designated caregiver, or the patient's parent, legal guardian, or spouse listed in the registry verification using the procedures described in section 152.11, subdivision 2d;

(3) assign a tracking number to any medical cannabis distributed from the manufacturer;

(4) ensure that any employee of the manufacturer licensed as a pharmacist pursuant to chapter 151 has consulted with the patient to determine the proper dosage for the individual patient after reviewing the ranges of chemical compositions of the medical cannabis and the ranges of proper dosages reported by the commissioner. For purposes of this clause, a consultation may be conducted remotely by secure videoconference, telephone, or other remote means, so long as the employee providing the consultation is able to confirm the identity of the patient and the consultation adheres to patient privacy requirements that apply to health care services delivered through telehealth. A pharmacist consultation under this clause is not required when a manufacturer is distributing medical cannabis to a patient according to a patient-specific dosage plan established with that manufacturer and is not modifying the dosage or product being distributed under that plan and the medical cannabis is distributed by a pharmacy technician;

(5) properly package medical cannabis in compliance with the United States Poison Prevention Packing Act regarding child-resistant packaging and exemptions for packaging for elderly patients, and label distributed medical cannabis with a list of all active ingredients and individually identifying information, including:

(i) the patient's name and date of birth;

(ii) the name and date of birth of the patient's registered designated caregiver or, if listed on the registry verification, the name of the patient's parent or legal guardian, if applicable;

(iii) the patient's registry identification number;

(iv) the chemical composition of the medical cannabis; and

(v) the dosage; and

(6) ensure that the medical cannabis distributed contains a maximum of a 90-day supply of the dosage determined for that patient.

(d) A manufacturer shall require any employee of the manufacturer who is transporting medical cannabis or medical cannabis products to a distribution facility or to another registered manufacturer to carry identification showing that the person is an employee of the manufacturer.

(e) A manufacturer shall distribute medical cannabis in dried raw cannabis form only to a patient age 21 or older, or to the registered designated caregiver, parent, legal guardian, or spouse of a patient age 21 or older.

Subd. 3a. **Transportation of medical cannabis; staffing.** (a) A medical cannabis manufacturer may staff a transport motor vehicle with only one employee if the medical cannabis manufacturer is transporting medical cannabis to either a certified laboratory for the purpose of testing or a facility for the purpose of disposal. If the medical cannabis manufacturer is transporting medical cannabis for any other purpose or destination, the transport motor vehicle must be staffed with a minimum of two employees as required by rules adopted by the commissioner.

(b) Notwithstanding paragraph (a), a medical cannabis manufacturer that is only transporting hemp for any purpose may staff the transport motor vehicle with only one employee.

Subd. 4. **Report.** Each manufacturer shall report to the commissioner on a monthly basis the following information on each individual patient for the month prior to the report:

(1) the amount and dosages of medical cannabis distributed;

(2) the chemical composition of the medical cannabis; and

(3) the tracking number assigned to any medical cannabis distributed.

152.30 PATIENT DUTIES.

(a) A patient shall apply to the commissioner for enrollment in the registry program by submitting an application as required in section 152.27 and an annual registration fee as determined under section 152.35.

(b) As a condition of continued enrollment, patients shall agree to:

(1) continue to receive regularly scheduled treatment for their qualifying medical condition from their health care practitioner; and

(2) report changes in their qualifying medical condition to their health care practitioner.

(c) A patient shall only receive medical cannabis from a registered manufacturer but is not required to receive medical cannabis products from only a registered manufacturer.

152.31 DATA PRACTICES.

(a) Government data in patient files maintained by the commissioner and the health care practitioner, and data submitted to or by a medical cannabis manufacturer, are private data on individuals, as defined in section 13.02, subdivision 12, or nonpublic data, as defined in section 13.02, subdivision 9, but may be used for purposes of complying with chapter 13 and complying with a request from the legislative auditor or the state auditor in the performance of official duties. The provisions of section 13.05, subdivision 11, apply to a registration agreement entered between the commissioner and a medical cannabis manufacturer under section 152.25.

(b) Not public data maintained by the commissioner may not be used for any purpose not provided for in sections 152.22 to 152.37, and may not be combined or linked in any manner with any other list, dataset, or database.

(c) The commissioner may execute data sharing arrangements with the commissioner of agriculture to verify licensing, inspection, and compliance information related to hemp growers and hemp processors under chapter 18K.

152.32 PROTECTIONS FOR REGISTRY PROGRAM PARTICIPATION.

Subdivision 1. **Presumption.** (a) There is a presumption that a patient enrolled in the registry program under sections 152.22 to 152.37 is engaged in the authorized use of medical cannabis.

(b) The presumption may be rebutted by evidence that conduct related to use of medical cannabis was not for the purpose of treating or alleviating the patient's qualifying medical condition or symptoms associated with the patient's qualifying medical condition.

Subd. 2. Criminal and civil protections. (a) Subject to section 152.23, the following are not violations under this chapter:

(1) use or possession of medical cannabis or medical cannabis products by a patient enrolled in the registry program, or possession by a registered designated caregiver or the parent, legal guardian, or spouse of a patient if the parent, legal guardian, or spouse is listed on the registry verification;

(2) possession, dosage determination, or sale of medical cannabis or medical cannabis products by a medical cannabis manufacturer, employees of a manufacturer, a laboratory conducting testing on medical cannabis, or employees of the laboratory; and

(3) possession of medical cannabis or medical cannabis products by any person while carrying out the duties required under sections 152.22 to 152.37.

(b) Medical cannabis obtained and distributed pursuant to sections 152.22 to 152.37 and associated property is not subject to forfeiture under sections 609.531 to 609.5316.

(c) The commissioner, the commissioner's staff, the commissioner's agents or contractors, and any health care practitioner are not subject to any civil or disciplinary penalties by the Board of

Medical Practice, the Board of Nursing, or by any business, occupational, or professional licensing board or entity, solely for the participation in the registry program under sections 152.22 to 152.37. A pharmacist licensed under chapter 151 is not subject to any civil or disciplinary penalties by the Board of Pharmacy when acting in accordance with the provisions of sections 152.22 to 152.37. Nothing in this section affects a professional licensing board from taking action in response to violations of any other section of law.

(d) Notwithstanding any law to the contrary, the commissioner, the governor of Minnesota, or an employee of any state agency may not be held civilly or criminally liable for any injury, loss of property, personal injury, or death caused by any act or omission while acting within the scope of office or employment under sections 152.22 to 152.37.

(e) Federal, state, and local law enforcement authorities are prohibited from accessing the patient registry under sections 152.22 to 152.37 except when acting pursuant to a valid search warrant.

(f) Notwithstanding any law to the contrary, neither the commissioner nor a public employee may release data or information about an individual contained in any report, document, or registry created under sections 152.22 to 152.37 or any information obtained about a patient participating in the program, except as provided in sections 152.22 to 152.37.

(g) No information contained in a report, document, or registry or obtained from a patient under sections 152.22 to 152.37 may be admitted as evidence in a criminal proceeding unless independently obtained or in connection with a proceeding involving a violation of sections 152.22 to 152.37.

(h) Notwithstanding section 13.09, any person who violates paragraph (e) or (f) is guilty of a gross misdemeanor.

(i) An attorney may not be subject to disciplinary action by the Minnesota Supreme Court or professional responsibility board for providing legal assistance to prospective or registered manufacturers or others related to activity that is no longer subject to criminal penalties under state law pursuant to sections 152.22 to 152.37.

(j) Possession of a registry verification or application for enrollment in the program by a person entitled to possess or apply for enrollment in the registry program does not constitute probable cause or reasonable suspicion, nor shall it be used to support a search of the person or property of the person possessing or applying for the registry verification, or otherwise subject the person or property of the person to inspection by any governmental agency.

Subd. 3. **Discrimination prohibited.** (a) No school or landlord may refuse to enroll or lease to and may not otherwise penalize a person solely for the person's status as a patient enrolled in the registry program under sections 152.22 to 152.37, unless failing to do so would violate federal law or regulations or cause the school or landlord to lose a monetary or licensing-related benefit under federal law or regulations.

(b) For the purposes of medical care, including organ transplants, a registry program enrollee's use of medical cannabis under sections 152.22 to 152.37 is considered the equivalent of the authorized use of any other medication used at the discretion of a physician, advanced practice registered nurse, or physician assistant and does not constitute the use of an illicit substance or otherwise disqualify a patient from needed medical care.

(c) Unless a failure to do so would violate federal law or regulations or cause an employer to lose a monetary or licensing-related benefit under federal law or regulations, an employer may not discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person, if the discrimination is based upon either of the following:

(1) the person's status as a patient enrolled in the registry program under sections 152.22 to 152.37; or

(2) a patient's positive drug test for cannabis components or metabolites, unless the patient used, possessed, or was impaired by medical cannabis on the premises of the place of employment or during the hours of employment.

(d) An employee who is required to undergo employer drug testing pursuant to section 181.953 may present verification of enrollment in the patient registry as part of the employee's explanation under section 181.953, subdivision 6.

(e) A person shall not be denied custody of a minor child or visitation rights or parenting time with a minor child solely based on the person's status as a patient enrolled in the registry program under sections 152.22 to 152.37. There shall be no presumption of neglect or child endangerment

for conduct allowed under sections 152.22 to 152.37, unless the person's behavior is such that it creates an unreasonable danger to the safety of the minor as established by clear and convincing evidence.

152.33 VIOLATIONS.

Subdivision 1. **Intentional diversion; criminal penalty.** In addition to any other applicable penalty in law, a manufacturer or an agent of a manufacturer who intentionally transfers medical cannabis to a person other than another registered manufacturer, a patient, a registered designated caregiver or, if listed on the registry verification, a parent, legal guardian, or spouse of a patient is guilty of a felony punishable by imprisonment for not more than two years or by payment of a fine of not more than \$3,000, or both. A person convicted under this subdivision may not continue to be affiliated with the manufacturer and is disqualified from further participation under sections 152.22 to 152.37.

Subd. 1a. **Intentional diversion outside the state; penalties.** (a) In addition to any other applicable penalty in law, the commissioner may levy a fine of \$250,000 against a manufacturer and may immediately initiate proceedings to revoke the manufacturer's registration, using the procedure in section 152.25, if:

(1) an officer, director, or controlling person of the manufacturer pleads or is found guilty under subdivision 1 of intentionally transferring medical cannabis, while the person was an officer, director, or controlling person of the manufacturer, to a person other than allowed by law; and

(2) in intentionally transferring medical cannabis to a person other than allowed by law, the officer, director, or controlling person transported or directed the transport of medical cannabis outside of Minnesota.

(b) All fines collected under this subdivision shall be deposited in the state government special revenue fund.

Subd. 2. Diversion by patient, registered designated caregiver, parent, legal guardian, or patient's spouse; criminal penalty. In addition to any other applicable penalty in law, a patient, registered designated caregiver or, if listed on the registry verification, a parent, legal guardian, or spouse of a patient who intentionally sells or otherwise transfers medical cannabis to a person other than a patient, designated registered caregiver or, if listed on the registry verification, a parent, legal guardian, or spouse of a patient is guilty of a felony punishable by imprisonment for not more than two years or by payment of a fine of not more than \$3,000, or both.

Subd. 3. False statement; criminal penalty. A person who intentionally makes a false statement to a law enforcement official about any fact or circumstance relating to the medical use of cannabis to avoid arrest or prosecution is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or by payment of a fine of not more than \$1,000, or both. The penalty is in addition to any other penalties that may apply for making a false statement or for the possession, cultivation, or sale of cannabis not protected by sections 152.22 to 152.37. If a person convicted of violating this subdivision is a patient or a registered designated caregiver, the person is disqualified from further participation under sections 152.22 to 152.37.

Subd. 4. **Submission of false records; criminal penalty.** A person who knowingly submits false records or documentation required by the commissioner to register as a manufacturer of medical cannabis under sections 152.22 to 152.37 is guilty of a felony and may be sentenced to imprisonment for not more than two years or by payment of a fine of not more than \$3,000, or both.

Subd. 5. Violation by health care practitioner; criminal penalty. A health care practitioner who knowingly refers patients to a manufacturer or to a designated caregiver, who advertises as a manufacturer, or who issues certifications while holding a financial interest in a manufacturer is guilty of a misdemeanor and may be sentenced to imprisonment for not more than 90 days or by payment of a fine of not more than \$1,000, or both.

Subd. 6. Other violations; civil penalty. A manufacturer shall be fined up to \$1,000 for any violation of sections 152.22 to 152.37, or the regulations issued pursuant to them, where no penalty has been specified. This penalty is in addition to any other applicable penalties in law.

152.34 HEALTH CARE FACILITIES.

(a) Health care facilities licensed under chapter 144A, hospice providers licensed under chapter 144A, boarding care homes or supervised living facilities licensed under section 144.50, assisted living facilities, facilities owned, controlled, managed, or under common control with hospitals licensed under chapter 144, and other health facilities licensed by the commissioner of health, may

adopt reasonable restrictions on the use of medical cannabis by a patient enrolled in the registry program who resides at or is actively receiving treatment or care at the facility. The restrictions may include a provision that the facility will not store or maintain the patient's supply of medical cannabis, that the facility is not responsible for providing the medical cannabis for patients, and that medical cannabis be used only in a place specified by the facility.

(b) Any employee or agent of a facility listed in this section or a person licensed under chapter 144E is not subject to violations under this chapter for possession of medical cannabis while carrying out employment duties, including providing or supervising care to a registered patient, or distribution of medical cannabis to a registered patient who resides at or is actively receiving treatment or care at the facility with which the employee or agent is affiliated. Nothing in this section shall require the facilities to adopt such restrictions and no facility shall unreasonably limit a patient's access to or use of medical cannabis to the extent that use is authorized by the patient under sections 152.22 to 152.37.

152.35 FEES; DEPOSIT OF REVENUE.

(a) The commissioner shall collect an enrollment fee of \$200 from patients enrolled under this section. If the patient provides evidence of receiving Social Security disability insurance (SSDI), Supplemental Security Income (SSI), veterans disability, or railroad disability payments, or being enrolled in medical assistance or MinnesotaCare, then the fee shall be \$50. For purposes of this section:

(1) a patient is considered to receive SSDI if the patient was receiving SSDI at the time the patient was transitioned to retirement benefits by the United States Social Security Administration; and

(2) veterans disability payments include VA dependency and indemnity compensation.

Unless a patient provides evidence of receiving payments from or participating in one of the programs specifically listed in this paragraph, the commissioner of health must collect the \$200 enrollment fee from a patient to enroll the patient in the registry program. The fees shall be payable annually and are due on the anniversary date of the patient's enrollment. The fee amount shall be deposited in the state treasury and credited to the state government special revenue fund.

(b) The commissioner shall collect an application fee of \$20,000 from each entity submitting an application for registration as a medical cannabis manufacturer. Revenue from the fee shall be deposited in the state treasury and credited to the state government special revenue fund.

(c) The commissioner shall establish and collect an annual fee from a medical cannabis manufacturer equal to the cost of regulating and inspecting the manufacturer in that year. Revenue from the fee amount shall be deposited in the state treasury and credited to the state government special revenue fund.

(d) A medical cannabis manufacturer may charge patients enrolled in the registry program a reasonable fee for costs associated with the operations of the manufacturer. The manufacturer may establish a sliding scale of patient fees based upon a patient's household income and may accept private donations to reduce patient fees.

152.36 IMPACT ASSESSMENT OF MEDICAL CANNABIS THERAPEUTIC RESEARCH.

Subdivision 1. Task force on medical cannabis therapeutic research. (a) A 23-member task force on medical cannabis therapeutic research is created to conduct an impact assessment of medical cannabis therapeutic research. The task force shall consist of the following members:

(1) two members of the house of representatives, one selected by the speaker of the house, the other selected by the minority leader;

(2) two members of the senate, one selected by the majority leader, the other selected by the minority leader;

(3) four members representing consumers or patients enrolled in the registry program, including at least two parents of patients under age 18;

(4) four members representing health care providers, including one licensed pharmacist;

(5) four members representing law enforcement, one from the Minnesota Chiefs of Police Association, one from the Minnesota Sheriff's Association, one from the Minnesota Police and Peace Officers Association, and one from the Minnesota County Attorneys Association;

(6) four members representing substance use disorder treatment providers; and

(7) the commissioners of health, human services, and public safety.

(b) Task force members listed under paragraph (a), clauses (3), (4), (5), and (6), shall be appointed by the governor under the appointment process in section 15.0597. Members shall serve on the task force at the pleasure of the appointing authority. All members must be appointed by July 15, 2014, and the commissioner of health shall convene the first meeting of the task force by August 1, 2014.

(c) There shall be two cochairs of the task force chosen from the members listed under paragraph (a). One cochair shall be selected by the speaker of the house and the other cochair shall be selected by the majority leader of the senate. The authority to convene meetings shall alternate between the cochairs.

(d) Members of the task force other than those in paragraph (a), clauses (1), (2), and (7), shall receive expenses as provided in section 15.059, subdivision 6.

Subd. 1a. Administration. The commissioner of health shall provide administrative and technical support to the task force.

Subd. 2. **Impact assessment.** The task force shall hold hearings to evaluate the impact of the use of medical cannabis and hemp and Minnesota's activities involving medical cannabis and hemp, including, but not limited to:

(1) program design and implementation;

- (2) the impact on the health care provider community;
- (3) patient experiences;
- (4) the impact on the incidence of substance abuse;
- (5) access to and quality of medical cannabis, hemp, and medical cannabis products;
- (6) the impact on law enforcement and prosecutions;
- (7) public awareness and perception; and
- (8) any unintended consequences.

Subd. 3. **Cost assessment.** By January 15 of each year, beginning January 15, 2015, and ending January 15, 2019, the commissioners of state departments impacted by the medical cannabis therapeutic research study shall report to the cochairs of the task force on the costs incurred by each department on implementing sections 152.22 to 152.37. The reports must compare actual costs to the estimated costs of implementing these sections and must be submitted to the task force on medical cannabis therapeutic research.

Subd. 4. **Reports to the legislature.** (a) The cochairs of the task force shall submit the following reports to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over health and human services, public safety, judiciary, and civil law:

(1) by February 1, 2015, a report on the design and implementation of the registry program; and every two years thereafter, a complete impact assessment report; and

(2) upon receipt of a cost assessment from a commissioner of a state agency, the completed cost assessment.

(b) The task force may make recommendations to the legislature on whether to add or remove conditions from the list of qualifying medical conditions.

Subd. 5. No expiration. The task force on medical cannabis therapeutic research does not expire.

152.37 FINANCIAL EXAMINATIONS; PRICING REVIEWS.

Subdivision 1. **Financial records.** A medical cannabis manufacturer shall maintain detailed financial records in a manner and format approved by the commissioner, and shall keep all records updated and accessible to the commissioner when requested.

Subd. 2. Certified annual audit. A medical cannabis manufacturer shall submit the results of an annual certified financial audit to the commissioner no later than May 1 of each year for the calendar year beginning January 2015. The annual audit shall be conducted by an independent certified public accountant and the costs of the audit are the responsibility of the medical cannabis manufacturer. Results of the audit shall be provided to the medical cannabis manufacturer and the

commissioner. The commissioner may also require another audit of the medical cannabis manufacturer by a certified public accountant chosen by the commissioner with the costs of the audit paid by the medical cannabis manufacturer.

Subd. 3. **Power to examine.** (a) The commissioner or designee may examine the business affairs and conditions of any medical cannabis manufacturer, including but not limited to a review of the financing, budgets, revenues, sales, and pricing.

(b) An examination may cover the medical cannabis manufacturer's business affairs, practices, and conditions including but not limited to a review of the financing, budgets, revenues, sales, and pricing. The commissioner shall determine the nature and scope of each examination and in doing so shall take into account all available relevant factors concerning the financial and business affairs, practices, and conditions of the examinee. The costs incurred by the department in conducting an examination shall be paid for by the medical cannabis manufacturer.

(c) When making an examination under this section, the commissioner may retain attorneys, appraisers, independent economists, independent certified public accountants, or other professionals and specialists as designees. A certified public accountant retained by the commissioner may not be the same certified public accountant providing the certified annual audit in subdivision 2.

(d) The commissioner shall make a report of an examination conducted under this section and provide a copy to the medical cannabis manufacturer. The commissioner shall then post a copy of the report on the department's website. All working papers, recorded information, documents, and copies produced by, obtained by, or disclosed to the commissioner or any other person in the course of an examination, other than the information contained in any commissioner official report, made under this section are private data on individuals or nonpublic data, as defined in section 13.02.

4770.0100 APPLICABILITY AND PURPOSE.

Parts 4770.0200 to 4770.2700 establish the criteria and procedures to be used by the commissioner for the registration and oversight of a medical cannabis manufacturer.

4770.0200 **DEFINITIONS.**

Subpart 1. Scope. The terms used in this chapter have the meanings given them in this part.

Subp. 2. Acceptable performance or acceptable results. "Acceptable performance" or "acceptable results" means analytical test results generated by a laboratory using methods as specified in part 4770.2000 that are acceptable and allowed by the approved provider.

Subp. 3. **Approval.** "Approval" means acknowledgment by the commissioner that a laboratory has the policies, personnel, validation procedures, and practices to produce reliable data in the analysis of analytes and contaminants described in part 4770.1900.

Subp. 4. **Approved provider.** "Approved provider" means a provider of performance testing samples that the commissioner has determined:

A. provides an adequate volume of samples to perform statistically valid analyses;

B. calculates the number of standard deviations of the mean allowed using the results of all laboratories submitting test results after the exclusion of outlying values; and

C. allows a range of standard deviations of the mean no less stringent than the range allowed by the general requirements for the competency of reference material producers in ISO Guide 34.

Subp. 5. Audit. "Audit" means a financial review by an independent certified public accountant that includes select scope engagement or other methods of review that analyze operational or compliance issues.

Subp. 5a. Audit sample. "Audit sample" means a representative sample necessary to complete audit testing of plant material, a dried raw cannabis batch, or a dried raw cannabis finished good collected for audit testing under part 4770.3035.

Subp. 6. Batch.

A. "Batch" means a specific quantity of medical cannabis, including a set of plants of the same variety of medical cannabis that have been grown, harvested, and processed together and exposed to substantially similar conditions throughout cultivation and processing, that:

(1) is uniform and intended to meet specifications for identity, strength, purity, and composition; and

(2) is produced according to a single batch production record executed and documented during the same cycle of manufacture.

B. A batch of dried raw cannabis may not exceed 80 pounds.

Subp. 7. **Batch number.** "Batch number" means a unique numeric or alphanumeric identifier assigned to a batch by a manufacturing facility when the batch is first planted. The batch number must contain the manufacturing facility number and a sequence to allow for inventory and traceability.

Subp. 7a. **Batch sample.** "Batch sample" means a representative sample taken from a batch of dried raw cannabis prior to laboratory testing.

Subp. 8. **Biosecurity.** "Biosecurity" means a set of preventative measures designed to reduce the risk of transmission of:

A. infectious diseases in crops;

- B. quarantined pests;
- C. invasive alien species; and
- D. living modified organisms.

Subp. 8a. CBD. "CBD" means the compound cannabidiol, CAS number 13956-29-1.

Subp. 8b. CBDA. "CBDA" means cannabidiolic acid, CAS number 1244-58-2.

Subp. 9. Certified financial audit. "Certified financial audit" means the annual financial audit required under Minnesota Statutes, section 152.37, subdivision 2.

Subp. 9a. Chemical composition. "Chemical composition" means the distribution of individual components within a final formulation or finished good. This includes active ingredients, inactive ingredients, and other ingredients. Active ingredients include cannabinoids used to define a finished good in the registered products list. The concentration of each active ingredient may be given either in terms of milligram per milliliter (mg/mL) for liquids and milligram per gram (mg/g) for solids or in terms of mass fraction (weight percentage).

Subp. 10. **Commissioner.** "Commissioner" means the commissioner of the Department of Health or the commissioner's designee.

Subp. 10a. **Crop input.** "Crop input" means a substance other than water that is applied to or used in the cultivation of a cannabis plant for pest control, plant health, or growth management. Crop input includes pesticides, fungicides, plant regulators, fertilizers, and other agricultural chemicals regulated by the Minnesota Department of Agriculture.

Subp. 11. **Disqualifying felony offense.** "Disqualifying felony offense" has the meaning given in Minnesota Statutes, section 152.22, subdivision 3.

Subp. 12. **Distribute or distribution.** "Distribute" or "distribution" means the delivery of medical cannabis to a patient, the patient's parent or legal guardian, or the patient's registered caregiver that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a patient who is participating in the registry program and who is authorized to receive medical cannabis.

Subp. 13. **Distribution facility.** "Distribution facility" means any building or grounds of a medical cannabis manufacturer where the sale and distribution of medical cannabis and medical cannabis products are authorized.

Subp. 14. **Diversion.** "Diversion" means the intentional transfer of medical cannabis to a person other than a patient, the patient's designated registered caregiver, or the patient's parent or legal guardian if the parent or legal guardian is listed on the registry verification.

Subp. 14a. **Dried raw cannabis.** "Dried raw cannabis" means the dried leaves and flowers of the mature cannabis plant. Dried raw cannabis includes pre-rolled cannabis as long as the pre-roll consists of only dried cannabis leaves and flowers, an unflavored rolling paper, and a filter or tip. Dried raw cannabis does not include the cannabis seeds, seedlings, stems, stalks, roots, or any part of the immature cannabis plant.

Subp. 15. Field of testing. "Field of testing" means the combination of product type and analyte for which a laboratory has applied or received approval by the commissioner.

Subp. 16. **Financial interest.** "Financial interest" means any actual or future right to ownership, investment, or compensation arrangement in a medical cannabis manufacturer with another person, either directly or indirectly, through business, investment, or spouse, parent, or child relationship. Financial interest does not include ownership of investment securities in a publicly held corporation that is traded on a national exchange or over-the-counter market, provided the investment securities held by the person or the person's spouse, parent, or child, in the aggregate, do not exceed one percent ownership in the medical cannabis manufacturer.

Subp. 16a. **Finished good.** "Finished good" means either an extract formulation that has been packaged and labeled for delivery to a medical cannabis distribution facility for distribution to patients or dried raw cannabis that has been packaged and labeled for delivery to a medical cannabis distribution facility.

Subp. 16b. Flower. "Flower" means the flower of the cannabis plant.

Subp. 17. **Health care practitioner.** "Health care practitioner" has the meaning given in Minnesota Statutes, section 152.22, subdivision 4.

Subp. 17a. **Immature plant.** "Immature plant" means a nonflowering cannabis plant that is no taller than eight inches and no wider than eight inches produced from a cutting, clipping, or seedling and is in a cultivation container.

Subp. 18. **Inspection.** "Inspection" means an on-site evaluation of laboratory facilities, records, personnel, equipment, methodology, and quality assurance practices by the commissioner for compliance with this chapter.

Subp. 19. International Standards Organization or ISO. The "International Standards Organization" or "ISO" means an independent, nongovernmental membership organization and the largest developer of voluntary international standards.

Subp. 19a. Labeling. "Labeling" means all labels and other written, printed, or graphic matter on a packaged finished good or any container or wrapper accompanying the packaged finished good.

Subp. 20. Laboratory managing agent. "Laboratory managing agent" means a person, as defined in Minnesota Statutes, section 326.71, subdivision 8, who is legally authorized to direct the activities of the laboratory and commit sufficient resources to comply with parts 4770.1900 to 4770.2400.

Subp. 21. **Laboratory.** "Laboratory" means a fixed-based or mobile structure, a person, corporation, or other entity, including a government or tribal entity, that examines, analyzes, or tests samples.

Subp. 22. Laboratory owner. "Laboratory owner" means a person who:

A. is a sole proprietor of a laboratory;

B. holds a partnership interest in a laboratory; or

C. owns five percent or more of the shares in a corporation that owns a laboratory.

Subp. 23. Laboratory technical manager. "Laboratory technical manager" means a person who is scientifically responsible to ensure the achievement and maintenance of quality and analytical standards or practice and who is in a supervisory, lead worker, or similarly named position within an organization.

Subp. 24. **Manufacturing or manufacture.** "Manufacturing" or "manufacture" means the planting, cultivation, growing, and harvesting of cannabis and the process of converting harvested cannabis plant material into medical cannabis.

Subp. 25. **Manufacturing facility.** "Manufacturing facility" means any secured building, space, grounds, and physical structure of a medical cannabis manufacturer for the cultivation, harvesting, packaging, and processing of medical cannabis and where access is restricted to designated employees of a medical cannabis manufacturer and escorted visitors.

Subp. 26. **Medical cannabis.** "Medical cannabis" has the meaning given in Minnesota Statutes, section 152.22, subdivision 6.

Subp. 26a. **Medical cannabis brand name.** "Medical cannabis brand name" means the name under which a medical cannabis concentrate, a medical cannabis concentrate formulation, or a dried raw cannabis product is marketed and distributed.

Subp. 26b. **Medical cannabis concentrate.** "Medical cannabis concentrate" means a specific subset of medical cannabis that is produced by extracting cannabinoids from plant material. Categories of medical cannabis concentrate include products created using water-based, solvent-based, heat-based, or pressure-based extraction methods. Medical cannabis concentrate includes medical cannabis concentrate intended for use with a vaporizer delivery device or pressurized dose inhaler.

Subp. 26c. **Medical cannabis concentrate formulation.** "Medical cannabis concentrate formulation" means a liquid, including oil, a pill, or any other formulation type approved by the commissioner under Minnesota Statutes, sections 152.22, subdivision 6, paragraph (a), and 152.27, subdivision 2, paragraph (b), infused with medical cannabis and other ingredients that will be packaged into a finished good without further change and is intended for use or consumption other than by smoking. Medical cannabis concentrate formulation includes oral suspensions, tinctures, lotions, ointments, and any other medical cannabis delivery method approved by the commissioner.

Subp. 27. **Medical cannabis manufacturer or manufacturer.** "Medical cannabis manufacturer" or "manufacturer" has the meaning given in Minnesota Statutes, section 152.22, subdivision 7.

Subp. 28. **Medical cannabis product.** "Medical cannabis product" has the meaning given in Minnesota Statutes, section 152.22, subdivision 8.

Subp. 29. Medical cannabis waste. "Medical cannabis waste" means medical cannabis that is returned, damaged, defective, expired, or contaminated.

Subp. 30. **Parent or legal guardian.** "Parent or legal guardian" has the meaning given in Minnesota Statutes, section 152.27, subdivision 5.

Subp. 31. **Patient.** "Patient" has the meaning given in Minnesota Statutes, section 152.22, subdivision 9.

Subp. 32. **Plant material.** "Plant material" means any cannabis plant, cutting, trimming, or clone that has roots or that is cultivated with the intention of growing roots.

Subp. 33. **Plant material waste.** "Plant material waste" means plant material that is not used in the production of medical cannabis in a form allowable under Minnesota Statutes, section 152.22, subdivision 6.

Subp. 33a. **Plant regulator.** "Plant regulator" has the meaning given in Minnesota Statutes, section 18B.01, subdivision 20.

Subp. 33b. **Pre-roll.** "Pre-roll" means any combination of flower, shake, or leaf rolled in unflavored paper and intended to be smoked.

Subp. 34. Production or produce. "Production" or "produce" means:

A. cultivating or harvesting plant material;

- B. processing or manufacturing; or
- C. packaging of medical cannabis.

Subp. 35. **Proficiency testing sample or PT sample.** "Proficiency testing sample" or "PT sample" means a sample obtained from an approved provider to evaluate the ability of a laboratory to produce an analytical test result meeting the definition of acceptable performance. The concentration of the analyte in the sample is unknown to the laboratory at the time of analysis.

Subp. 36. **Registered designated caregiver.** "Registered designated caregiver" has the meaning given in Minnesota Statutes, section 152.22, subdivision 11.

Subp. 36a. **Registered finished goods list.** "Registered finished goods list" means the official list maintained by the commissioner of finished goods permitted to be dispensed within the registry. The manufacturer must provide the commissioner the finished good's

chemical composition, the total volume or weight of each active ingredient, storage instructions, and estimated expiration date. If a finished good will be dispensed in an amount larger than one unit or dose, the manufacturer must specify the volume or weight and chemical composition that constitutes a single dose.

Subp. 37. **Registry program.** "Registry program" has the meaning given in Minnesota Statutes, section 152.22, subdivision 12.

Subp. 38. **Registry verification.** "Registry verification" has the meaning given in Minnesota Statutes, section 152.22, subdivision 13.

Subp. 38a. **Remediation.** "Remediation" means any process that removes or reduces the level of contaminants in a batch of dried raw cannabis flower and trim, either through extraction of oils or other means.

Subp. 39. **Restricted access area.** "Restricted access area" means a building, room, or other contiguous area on the premises where plant material is grown, cultivated, harvested, stored, packaged, or processed for sale under control of the medical cannabis manufacturer, and where no person under the age of 21 is permitted.

Subp. 39a. **Rinsate.** "Rinsate" means a dilute mixture of a crop input or crop inputs with water, solvents, oils, commercial rinsing agents, or other substances that is produced by or results from the cleaning of crop input application equipment or containers.

Subp. 39b. **Shake.** "Shake" means pieces of a cannabis flower that were once part of larger buds.

Subp. 40. **Sufficient cause to believe.** "Sufficient cause to believe" means grounds asserted in good faith that are not arbitrary, irrational, unreasonable, or irrelevant and that make the proposition asserted more likely than not, provided the grounds are based on at least one of the following sources:

A. facts or statements supplied by a patient, the patient's parent or legal guardian, the patient's designated registered caregiver, or an employee or agent of a medical cannabis manufacturer;

B. reports from an approved laboratory that indicate concerns with the chemical or bacterial composition of the medical cannabis;

C. financial records of a medical cannabis manufacturer;

- D. police records;
- E. court documents; or

F. facts of which the commissioner or the commissioner's employees have personal knowledge.

Subp. 41. THC. "THC" means tetrahydrocannabinol, CAS number 1972-08-3.

Subp. 42. THCA. "THCA" means tetrahydrocannabinolic acid, CAS number 23978-85-0.

Subp. 43. **Total cannabinoid content.** "Total cannabinoid content" means the combined target values by weight of all cannabinoids defining a finished good in the registered finished goods list, not including cannabinoids present only in trace amounts.

Subp. 44. **Total CBD content.** "Total CBD content" means the sum of the amount of CBD and 87.7 percent of the detectable amount of CBDA present in the product or plant material.

Subp. 45. **Total THC content.** "Total THC content" means the sum of the amount of THC and 87.7 percent of the detectable amount of THCA present in the product or plant material.

Subp. 46. Water activity. "Water activity" or " a_w " means a measure of the free moisture in usable cannabis and is the quotient of the water vapor pressure of the substance divided by the vapor pressure of pure water at the same temperature.

4770.0300 DUTIES OF COMMISSIONER.

Subpart 1. **Interagency agreements.** The commissioner may enter into any interagency agreements with other state agencies for technical services or other assistance related to the regulatory or inspection duties of a medical cannabis manufacturer and the registry program.

Subp. 2. Notice to law enforcement. If the commissioner has sufficient cause to believe that there is a threat to public safety, then the commissioner must notify local law enforcement agencies of any conditions that pose a threat to public safety, including:

A. loss or theft of medical cannabis or plant material;

B. diversion or potential diversion of medical cannabis or plant material; or

C. unauthorized access to the patient registry.

Subp. 3. **Inspection of medical cannabis manufacturer.** A medical cannabis manufacturer is subject to reasonable inspection by the commissioner under Minnesota Statutes, section 152.29, subdivision 1. For purposes of this part, "reasonable inspection" means unannounced inspections by the commissioner of all:

A. aspects of the business operations;

B. physical locations of the medical cannabis manufacturer, its manufacturing facility, and distribution facilities;

C. financial information and inventory documentation; and

D. physical and electronic security alarm systems.

Subp. 4. **Fees.** Any fees collected by the commissioner under Minnesota Statutes, section 152.35, are not refundable.

Subp. 5. Patient costs; pricing.

A. A medical cannabis manufacturer must follow the requirements under Minnesota Statutes, section 152.35, paragraph (d), in establishing a reasonable fee.

B. The commissioner may annually review price costing by a medical cannabis manufacturer.

4770.0400 MEDICAL CANNABIS MANUFACTURER; OPERATIONS.

Subpart 1. **Operating documents.** Under Minnesota Statutes, section 152.29, subdivision 1, the operating documents of a medical cannabis manufacturer must describe operational and management practices, including:

A. record keeping;

B. security measures to deter and prevent theft of medical cannabis;

C. unauthorized entrance into areas containing medical cannabis;

D. types and quantities of medical cannabis products that are produced at the manufacturing facility;

E. methods of planting, harvesting, drying, and storage of medical cannabis;

F. estimated quantity of all crop inputs used in production;

G. estimated quantity of waste material to be generated;

H. disposal methods for all waste materials;

I. employee training methods for the specific phases of production;

J. biosecurity measures used in production and in manufacturing;

K. strategies for reconciling discrepancies in plant material or medical cannabis;

L. sampling strategy and quality testing for labeling purposes;

M. medical cannabis packaging and labeling procedures;

N. procedures for the mandatory and voluntary recall of medical cannabis;

O. plans for responding to a security breach at a manufacturing or distribution facility, or while medical cannabis is in transit to a manufacturing or distribution facility;

P. business continuity plan;

Q. records relating to all transport activities; and

R. other information requested by the commissioner.

Subp. 2. Prohibited activities.

A. A person may not own and operate a manufacturing facility unless the person is registered as a medical cannabis manufacturer by the commissioner under Minnesota Statutes, section 152.25.

B. A medical cannabis manufacturer and its employees, agents, or owners may not:

(1) cultivate, produce, or manufacture medical cannabis in any location except in those areas designated for those activities in the registration agreement;

(2) sell or distribute medical cannabis or medical cannabis products from any location except its distribution facilities;

(3) produce or manufacture medical cannabis for use outside of Minnesota;

- (4) sell or distribute medical cannabis to any person other than a registered:
 - (a) patient;
 - (b) parent or legal guardian; or
 - (c) designated registered caregiver;

(5) deliver or transport medical cannabis to any location except the manufacturer's production facility or distribution facilities, a waste-to-energy facility, another manufacturer's distribution facilities, a testing laboratory approved by the commissioner, and a laboratory selected by the commissioner to conduct audit testing under part 4770.3035;

(6) sell medical cannabis that is not packaged and labeled in accordance with part 4770.0850; or

(7) permit the consumption of medical cannabis at a distribution facility.

Subp. 3. **Criminal background checks.** A medical cannabis manufacturer is prohibited from employing any person who has a disqualifying felony offense as shown by a Minnesota criminal history background check or a federal criminal history background check performed by the Bureau of Criminal Apprehension under Minnesota Statutes, section 152.29, subdivision 1.

Subp. 4. Conflict of interest; health care practitioner activity restrictions. A medical cannabis manufacturer may not:

A. permit a health care practitioner who certifies qualifying conditions for patients to:

(1) hold a direct or indirect economic interest in the medical cannabis manufacturer;

(2) serve on the board of directors or as an employee of the medical cannabis manufacturer; or

(3) advertise with the medical cannabis manufacturer in any capacity;

B. accept or solicit any form of remuneration from a health care practitioner who certifies qualifying conditions for patients; or

C. offer any form of remuneration from a health care practitioner who certifies qualifying conditions for patients.

4770.0500 MEDICAL CANNABIS MANUFACTURER; QUALITY CONTROL; ASSURANCE PROGRAM.

Subpart 1. **Quality control program.** A medical cannabis manufacturer must develop and implement a written quality assurance program that assesses the chemical and microbiological composition of medical cannabis. Assessment includes a profile of the active ingredients, including shelf life, and the presence of inactive ingredients and contaminants. A medical cannabis manufacturer must use these testing results to determine appropriate storage conditions and expiration dates.

Subp. 2. **Sampling protocols.** A medical cannabis manufacturer must develop and follow written procedures for sampling medical cannabis that require the manufacturer to:

A. conduct sample collection in a manner that provides analytically sound and representative samples;

B. document every sampling event and provide this documentation to the commissioner upon request;

C. describe all sampling and testing plans in written procedures that include the sampling method and the number of units per batch to be tested;

D. ensure that random samples from each batch are:

(1) taken in an amount necessary to conduct the applicable test;

- (2) labeled with the batch unique identifier; and
- (3) submitted for testing; and

E. retain the results from the random samples for at least five years.

Subp. 3. Sampling; testing levels. A medical cannabis manufacturer must:

A. develop acceptance criteria for all potential contaminants based on the levels of metals, microbes, or other contaminants that the manufacturer uses in cultivating and producing medical cannabis. The testing levels are subject to approval by the commissioner;

B. conduct sampling and testing using acceptance criteria that are protective of patient health. The sampling and testing results must ensure that batches of medical cannabis meet allowable health risk limits for contaminants;

C. reject a medical cannabis batch that fails to meet established standards, specifications, and any other relevant quality-control criteria;

D. develop and follow a written procedure for responding to results indicating contamination. The procedure must include destroying contaminated medical cannabis and determining the source of contamination; and

E. retain documentation of test results, assessment, and destruction of medical cannabis for at least five years.

Subp. 4. Quality assurance program; stability testing.

A. The quality assurance program must include procedures for performing stability testing of each product type produced to determine product shelf life that addresses:

(1) sample size and test intervals based on statistical criteria for each attribute examined to ensure valid stability estimates;

(2) storage conditions for samples retained for testing; and

(3) reliable and specific test methods.

B. Stability studies must include:

(1) medical cannabis testing at appropriate intervals;

(2) medical cannabis testing in the same container-closure system in which the drug product is marketed; and

(3) testing medical cannabis for reconstitution at the time of dispensing, as directed in the labeling, and after the samples are reconstituted.

C. If shelf-life studies have not been completed before July 1, 2015, a medical cannabis manufacturer may assign a tentative expiration date, based on any available stability information. The manufacturer must concurrently conduct stability studies to determine the actual product expiration date.

D. After the manufacturer verifies the tentative expiration date, or determines the appropriate expiration date, the medical cannabis manufacturer must include that expiration date on each batch of medical cannabis.

E. Stability testing must be repeated if the manufacturing process or the product's chemical composition is changed.

Subp. 5. Reserve samples.

A. A medical cannabis manufacturer must retain a uniquely labeled reserve sample that represents each batch of medical cannabis and store it under conditions consistent with product labeling. The reserve sample must be stored in the same immediate container-closure system in which the medical cannabis is marketed, or in one that has similar characteristics. The reserve sample must consist of at least twice the quantity necessary to perform all the required tests.

B. A medical cannabis manufacturer must retain the reserve for at least one year following the batch's expiration date.

Subp. 6. **Retesting.** If the commissioner deems that public health may be at risk, the commissioner may require the manufacturer to retest any sample of plant material or medical cannabis.

4770.0600 LOCATION; DISTANCE FROM SCHOOL.

Under Minnesota Statutes, section 152.29, paragraph (j), a medical cannabis manufacturer may not operate within 1,000 feet of an existing public or private school. The medical cannabis manufacturer must measure the distance between the closest point of the manufacturing or distribution facility property lines to the closest point of the school's property lines.

For purposes of this part, "public or private school" means any property operated by a school district, charter school, or accredited nonpublic school for elementary, middle, or secondary school, or secondary vocation center purposes.

"Accredited nonpublic school" means any nonpublic school accredited by an accrediting agency recognized by the Minnesota nonpublic education council under Minnesota Statutes, section 123B.445, excluding home schools.

4770.0800 ADVERTISING AND MARKETING.

Subpart 1. **Permitted marketing and advertising activities.** A medical cannabis manufacturer may:

A. display the manufacturer's business name and logo on medical cannabis labels, signs, website, and informational material provided to patients. The name or logo must not include:

- (1) images of cannabis or cannabis-smoking paraphernalia;
- (2) colloquial references to cannabis;
- (3) names of cannabis plant strains; or

(4) medical symbols that bear a reasonable resemblance to established medical associations. Examples of established medical organizations include the American Medical Association or American Academy of Pediatrics. The use of medical symbols is subject to approval by the commissioner;

- B. display signs on the manufacturing facility and distribution facility; and
- C. maintain a business website that contains the following information:
 - (1) the medical cannabis manufacturer name;
 - (2) the distribution facility location;
 - (3) the contact information;
 - (4) the distribution facility's hours of operation;
 - (5) the medical cannabis products provided;
 - (6) product pricing; and
 - (7) other information as approved by the commissioner.

Subp. 2. Marketing and advertising activities; commissioner approval required.

A. A medical cannabis manufacturer must request and receive the commissioner's written approval before beginning marketing or advertising activities that are not specified in subpart 1.

B. The commissioner has 30 calendar days to approve marketing and advertising activities submitted under this subpart.

Subp. 3. **Inconspicuous display.** A medical cannabis manufacturer must arrange displays of merchandise, interior signs, and other exhibits to prevent public viewing from outside the manufacturing facility and distribution facility.

4770.0900 MONITORING AND SURVEILLANCE REQUIREMENTS.

Subpart 1. **24-hour closed-circuit television.** A medical cannabis manufacturer must operate and maintain in good working order a closed-circuit television (CCTV) surveillance system on all of its premises, which must operate 24 hours per day, seven days per week, and visually record:

A. all phases of production;

B. all areas that might contain plant material and medical cannabis, including all safes and vaults;

- C. all points of entry and exit, including sales areas;
- D. the entrance to the video surveillance room; and

E. any parking lot, which must have appropriate lighting for the normal conditions of the area under surveillance.

Subp. 2. Camera specifications. Cameras must:

A. capture clear and certain identification of any person entering or exiting a manufacturing facility or distribution facility;

B. have the ability to produce a clear, color, still photo either live or from a recording;

C. have an embedded date-and-time stamp on all recordings that must be synchronized and not obscure the picture; and

D. continue to operate during a power outage.

Subp. 3. Video recording specifications.

A. A video recording must export still images in an industry standard image format, including .jpg, .bmp, and .gif.

B. Exported video must be archived in a proprietary format that ensures authentication and guarantees that the recorded image has not been altered.

C. Exported video must also be saved in an industry standard file format that can be played on a standard computer operating system.

D. All recordings must be erased or destroyed before disposal.

Subp. 4. Additional requirements. The manufacturer must maintain all security system equipment and recordings in a secure location to prevent theft, loss, destruction, corruption, and alterations.

Subp. 5. **Retention.** The manufacturer must ensure that 24-hour recordings from all video cameras are:

A. available for viewing by the commissioner upon request;

B. retained for at least 90 calendar days;

C. maintained free of alteration or corruption; and

D. retained longer, as needed, if the manufacturer is given actual notice of a pending criminal, civil, or administrative investigation, or other legal proceeding for which the recording may contain relevant information.

4770.1000 ALARM SYSTEM REQUIREMENTS.

A. A medical cannabis manufacturer must install and maintain a professionally monitored security alarm system that provides intrusion and fire detection of all:

(1) facility entrances and exits;

(2) rooms with exterior windows;

(3) rooms with exterior walls;

(4) roof hatches;

(5) skylights; and

(6) storage rooms.

B. For purposes of this part, a security alarm system means a device or series of devices that summons law enforcement personnel during, or as a result of, an alarm condition. Devices may include:

(1) hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals that emit or transmit a remote or local audio, visual, or electronic signal;

(2) motion detectors;

- (3) pressure switches;
- (4) a duress alarm;
- (5) a panic alarm;
- (6) a holdup alarm;
- (7) an automatic voice dialer; and

(8) a failure notification system that provides an audio, text, or visual notification of any failure in the surveillance system.

C. A manufacturer's security alarm system and all devices must continue to operate during a power outage.

D. The commissioner must have the ability to access a medical cannabis manufacturer's security alarm system.

E. The manufacturer's security alarm system must be inspected and all devices tested annually by a qualified alarm vendor.

4770.1100 TRANSPORTATION OF MEDICAL CANNABIS.

Subpart 1. Transportation of medical cannabis and plant material; when authorized.

A. A medical cannabis manufacturer is authorized to transport medical cannabis:

- (1) from its manufacturing facility to its distribution facilities;
- (2) between its distribution facilities;

(3) from its manufacturing facility to a distribution facility operated by another manufacturer;

(4) from its manufacturing facility to a testing laboratory for testing;

(5) from a testing laboratory to its manufacturing facility or to a waste-to-energy facility;

(6) from its manufacturing facility or distribution facility to a laboratory selected by the commissioner to conduct audit testing under part 4770.3035; and

(7) from its manufacturing facility or distribution facility to a waste-to-energy facility.

B. A medical cannabis manufacturer is authorized to transport plant material waste:

(1) from its manufacturing facility to a waste disposal site; and

(2) when a specific nonroutine transport request from the manufacturer is approved by the commissioner.

Subp. 2. Transporting medical cannabis.

A. A medical cannabis manufacturer must use a manifest system, approved by the commissioner, to track shipping of medical cannabis. The manifest system must include a chain of custody that records:

(1) the name and address of the destination;

(2) the weight, measure, or numerical count and description of each individual package that is part of the shipment, and the total number of individual packages;

(3) the date and time the medical cannabis shipment is placed into the transport vehicle;

(4) the date and time the shipment is accepted at the delivery destination;

(5) the person's identity, and the circumstances, duration, and disposition of any other person who had custody or control of the shipment; and

(6) any handling or storage instructions.

B. Before transporting medical cannabis, a medical cannabis manufacturer must:

(1) complete a manifest on a form approved by the commissioner; and

(2) transmit a copy of the manifest to the manufacturer's distribution facility, a laboratory, or a waste-to-energy facility, as applicable.

C. The manifest must be signed by:

(1) an authorized manufacturer employee when departing the manufacturing facility; and

(2) an authorized employee of the receiving distribution facility, laboratory, or waste-to-energy facility.

D. An authorized employee at the facility receiving medical cannabis must:

(1) verify and document the type and quantity of the transported medical cannabis against the manifest;

(2) return a copy of the signed manifest to the manufacturing facility; and

(3) record the medical cannabis that is received as inventory according to part 4770.1800.

E. A manufacturer must maintain all manifests for at least five years and make them available upon request of the commissioner.

Subp. 3. Transportation of medical cannabis; vehicle requirements.

A. A manufacturer must ensure that:

- (1) all medical cannabis transported on public roadways is:
 - (a) packaged in tamper-evident, bulk containers;
 - (b) transported so it is not visible or recognizable from outside the

vehicle;

(c) transported in a vehicle that does not bear any markings to indicate that the vehicle contains cannabis or bears the name or logo of the manufacturer; and

(d) kept in a compartment of a transporting vehicle that maintains appropriate temperatures and conditions that will protect plant material and medical cannabis against physical, chemical, and microbial contamination or deterioration.

B. Manufacturer employees who are transporting medical cannabis, plant waste, or medical cannabis waste on public roadways must:

(1) travel directly to the destination listed on the transportation manifest;

- (2) document refueling and all other stops in transit, including:
 - (a) the reason for the stop;
 - (b) the duration of the stop;
 - (c) the location of the stop; and
 - (d) all activities of employees exiting the vehicle; and

(3) not wear manufacturer-branded clothing or clothing that identifies the employee as an employee of the manufacturer.

C. If an emergency requires stopping the vehicle, the employee must notify 911 and complete an incident report form provided by the commissioner.

D. Under no circumstance may any person other than a designated manufacturer employee have actual physical control of the motor vehicle that is transporting the medical cannabis.

E. A medical cannabis manufacturer must staff all motor vehicles with a minimum of two employees when transporting medical cannabis between a manufacturing facility and a distribution facility. At least one employee must remain with the motor vehicle at all times that the motor vehicle contains medical cannabis. A single employee may transport medical cannabis to an approved laboratory.

F. Each employee in a transport motor vehicle must have communication access with the medical cannabis manufacturer's personnel, and have the ability to contact law enforcement through the 911 emergency system at all times that the motor vehicle contains medical cannabis.

G. An employee must carry the employee's identification card at all times when transporting or delivering cannabis and, upon request, produce the identification card to the commissioner or to a law enforcement officer acting in the course of official duties.

H. A medical cannabis manufacturer must not leave a vehicle that is transporting medical cannabis unattended overnight.

4770.1200 DISPOSAL OF MEDICAL CANNABIS AND PLANT MATERIAL.

Subpart 1. Medical cannabis take-back. A medical cannabis manufacturer must accept at no charge unused, excess, or contaminated medical cannabis. A manufacturer must:

A. dispose of the returned medical cannabis as provided in subpart 2; and

- B. maintain a written record of disposal that includes:
 - (1) the name of the patient;
 - (2) the date the medical cannabis was returned;
 - (3) the quantity of medical cannabis returned; and
 - (4) the type and batch number of medical cannabis returned.

Subp. 2. Medical cannabis and plant material waste. A medical cannabis manufacturer must store, secure, and manage medical cannabis waste and plant material waste in accordance with all applicable federal, state, and local regulations.

A. The manufacturer must dispose of medical cannabis waste by incineration at a waste-to-energy facility according to federal and state law.

B. The manufacturer must dispose of plant material by composting as follows:

- (1) at the manufacturing facility, according to federal and state law; or
- (2) at an approved composting facility, according to federal and state law.

C. Before transport, the manufacturer must render plant material waste unusable and unrecognizable by grinding and incorporating the waste with a greater quantity of nonconsumable, solid wastes including:

- (1) paper waste;
- (2) cardboard waste;
- (3) food waste;
- (4) yard waste;

(5) vegetative wastes generated from industrial or manufacturing processes that prepare food for human consumption;

- (6) soil; or
- (7) other waste approved by the commissioner.

Subp. 3. Liquid and chemical waste disposal. The medical cannabis manufacturer must dispose of all liquid and chemical product waste generated in the process of cultivating, manufacturing, and distributing medical cannabis in accordance with all applicable federal, state, and local regulations.

Subp. 4. **Waste-tracking requirements.** The medical cannabis manufacturer must use forms provided by the commissioner to maintain accurate and comprehensive records regarding waste material that accounts for, reconciles, and evidences all waste activity related to the disposal of medical cannabis waste and plant material waste.

4770.1300 MANDATORY SIGNAGE.

A. A medical cannabis manufacturer must post a sign in a conspicuous location at each entrance of the manufacturing facility that reads "PERSONS UNDER TWENTY-ONE YEARS OF AGE NOT PERMITTED IN RESTRICTED ACCESS AREAS."

B. A manufacturer must post a sign in a conspicuous location at every entrance to the manufacturing facility and each distribution facility that reads "THESE PREMISES ARE UNDER CONSTANT VIDEO SURVEILLANCE."

4770.1400 PERSONNEL IDENTIFICATION SYSTEM.

Subpart 1. **Identification system.** A medical cannabis manufacturer must use a personnel identification system that controls and monitors individual employee access to restricted access areas within the manufacturing facility and distribution facility and that meets the requirements of this part and part 4770.0700.

Subp. 2. Employee identification card requirement. An employee identification card must contain:

- A. the name of the cardholder;
- B. the date of issuance and expiration;
- C. an alphanumeric identification number that is unique to the cardholder; and
- D. a photographic image of the cardholder.

Subp. 3. Visitor pass required. A visitor must wear a visitor pass issued by the medical cannabis manufacturer that is visible at all times.

Subp. 4. **Employee identification card on person and visible at all times.** A manufacturer's employee must keep the employee's identification card visible at all times when in a manufacturing facility, distribution facility, or vehicle transporting medical cannabis.

Subp. 5. **Termination of employment.** Upon termination of an employee, a medical cannabis manufacturer must obtain and destroy the terminated employee's identification card.

4770.1460 RENEWAL OF REGISTRATION.

Subpart 1. **Application.** A registered manufacturer must submit an application to renew its registration with the commissioner at least six months before its registration term expires. The application must include:

A. any material change in its previous application materials;

B. information about each alleged incident involving theft, loss, or possible diversion of medical cannabis by an employee, agent, or contractor of the manufacturer;

C. the manufacturer's compliance with all relevant state and local laws;

D. information about the manufacturer's ability to continue manufacturing and distributing medical cannabis, including financial viability and ability to ensure adequate supply of medical cannabis; and

E. any other information requested by the commissioner.

Subp. 2. Criteria. The commissioner must use criteria listed in Minnesota Statutes, section 152.25, subdivision 1, paragraph (c), when considering a manufacturer's application to renew its registration.

Subp. 3. **Notification.** The commissioner must notify the manufacturer of the commissioner's decision to approve or deny the manufacturer's registration application at least 120 days before the expiration of the registration agreement.

4770.1500 CLOSURE OF OPERATIONS; DEREGISTRATION.

Subpart 1. Notice. A medical cannabis manufacturer shall notify the commissioner at least six months before the closure of the manufacturing facility and its distribution facilities.

Subp. 2. **Procedures.** If a medical cannabis manufacturer ceases operation, the commissioner must verify the remaining inventory of the manufacturer and seize all plant material, plant material waste, and medical cannabis. The commissioner must ensure that any plant material, plant material waste, and medical cannabis is destroyed by incineration at a waste-to-energy facility.

4770.1600 RECORD KEEPING; REQUIREMENTS.

A. A medical cannabis manufacturer must maintain for at least five years complete, legible, and current records, including:

(1) the date of each sale or distribution;

(2) the registration number of all patients;

(3) the item number, product name and description, and quantity of medical cannabis sold or otherwise distributed;

(4) records of sale prices of medical cannabis to patients;

(5) the quantity and form of medical cannabis maintained by the manufacturer at the manufacturing facility on a daily basis; and

(6) the amount of plants being grown at the manufacturing facility on a daily

basis.

B. A medical cannabis manufacturer must maintain records that reflect all financial transactions and the financial condition of the business. The following records must be maintained for at least five years and made available for review, upon request of the commissioner:

(1) purchase invoices, bills of lading, transport manifests, sales records, copies of bills of sale, and any supporting documents, to include the items or services purchased, from whom the items were purchased, and the date of purchase;

(2) bank statements and canceled checks for all business accounts;

(3) accounting and tax records;

(4) records of all financial transactions, including contracts and agreements for services performed or services received;

(5) all personnel records;

(6) crop inputs applied to the growing medium, plants, or plant material used in production;

(7) production records;

(8) transportation records;

(9) inventory records;

(10) records of all samples sent to a testing laboratory and the quality assurance test results; and

(11) records of any theft, loss, or other unaccountability of any medical cannabis or plant material.

4770.1700 MEDICAL CANNABIS MANUFACTURER; PRODUCTION REQUIREMENTS.

Subpart 1. Cultivation and processing; generally.

A. Only a registered medical cannabis manufacturer is authorized to produce and manufacture medical cannabis.

B. All phases of production must take place in designated, restricted access areas that are monitored by a surveillance camera system in accordance with part 4770.0900.

C. All areas must be compartmentalized based on function, and employee access must be restricted between compartments.

D. The production process must be designed to limit contamination. Examples of contamination include mold, fungus, bacterial diseases, rot, pests, nonorganic pesticides, and mildew.

E. Each production area must have an open aisle for unobstructed access, observation, and inventory of each plant group.

F. Biosecurity measures must be in effect and documented according to part 4770.0400, subpart 1.

G. The manufacturer must maintain a record at the facility of all crop inputs for at least five years. The record must include the following:

(1) the date of application;

(2) the name of the employee applying the crop input;

(3) the name and description of the crop input that was applied, including the chemical name, product name, and manufacturer, where applicable;

(4) the section, including the square footage, that received the application by batch number;

(5) either the amount or concentration of crop input, or both, that was applied;

- (6) a copy of the label of the crop input applied; and
- (7) the vendor or other origin of the crop input.

H. At the time of planting, all plants must be tracked in a batch process with a unique batch number that must remain with the batch through final packaging.

I. A manufacturer must record any removal of plants from the batch on a record maintained at the manufacturing facility for at least five years.

J. The batch number must be displayed on the label of the medical cannabis.

Subp. 1a. Crop inputs used in cultivation of dried raw cannabis.

A. A manufacturer cultivating plants intended to become dried raw cannabis must follow practices and procedures that minimize the risk of chemical contamination or adulteration of the medical cannabis.

B. A manufacturer may only apply a pesticide in the cultivation of medical cannabis if the pesticide has been:

(1) deemed to be minimum risk by the United States Environmental Protection Agency in accordance with Code of Federal Regulations, title 40, section 152.25 (f), and exempted from United States Code, title 7, section 136 et seq., the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and the pesticide's label does not exclude its use on a genus cannabis plant;

(2) registered with the United States Environmental Protection Agency under section 3 of FIFRA, United States Code, title 7, section 136 et seq., and is labeled for use on medical cannabis or cannabis used for human consumption; or

(3) registered with the United States Environmental Protection Agency under section 3 of FIFRA, United States Code, title 7, section 136 et seq., and:

(a) the active ingredient found in the pesticide is either exempt from the tolerance requirements in Code of Federal Regulations, title 40, part 180, subpart D, or does not require an exemption from the tolerance requirement in Code of Federal Regulations, title 40, part 180, subpart E;

(b) the pesticide product label does not prohibit use within an enclosed structure for the site of application;

(c) the pesticide product label expressly has directions for use on unspecified crops or plants intended for human consumption; and

(d) the pesticide product is used in accordance with all applicable instructions, restrictions, and requirements on the product label.

C. A manufacturer may use rooting hormones or cloning gels only during the propagation phase of the plant life cycle.

D. A manufacturer must store all crop input stocks in their original containers with their original labels intact. The manufacturer must ensure that packaged fertilizers and containers of diluted or prepared fertilizer remain labeled with information as required in Minnesota Statutes, section 18C.215, at all times.

E. The manufacturer must apply, store, and dispose of crop inputs, rinsate, and containers according to label instructions and all other applicable laws and regulations.

F. If an audit sample tested under part 4770.3035 shows the presence of a crop input not permitted under this subpart, the batch and any finished good produced from the batch are adulterated and must be disposed of as medical cannabis waste under part 4770.1200, subpart 2. The use of pesticides not permitted under this part is presumptively classified as a serious violation under Minnesota Statutes, sections 144.989 to 144.993.

Subp. 2. Production of medical cannabis.

A. The commissioner must approve the manufacturer's use of any hydrocarbon-based extraction process. Examples of a hydrocarbon-based extraction process include the use of butane, ethanol, hexane, and isopropyl alcohol.

B. Medical cannabis must be prepared, handled, and stored in compliance with the sanitation requirements in this part.

C. A manufacturer must maintain appropriate temperatures and conditions that will protect plant material and medical cannabis against physical, chemical, and microbial contamination or deterioration of the product or its container.

D. A manufacturer must ensure that the cannabinoid content of the medical cannabis it produces is homogenous.

E. Prior to distributing new finished goods to customers, a manufacturer must obtain the commissioner's approval. The commissioner shall:

(1) for each manufacturer, maintain a registered finished goods list containing packaged product information; and

(2) update the list as needed.

F. The manufacturer must submit a definition of each finished good to the commissioner to include in the registered finished goods list before a batch sample may be tested.

G. Pre-rolls must not contain more than one gram of dried raw cannabis each.

Subp. 3. General sanitation requirements. A manufacturer must take all reasonable measures and precautions to ensure that:

A. any employee who has a communicable disease does not perform any tasks that might contaminate plant material or medical cannabis;

B. hand-washing facilities are:

(1) convenient and furnished with running water at a suitable temperature;

(2) located in all production areas; and

(3) equipped with effective hand-cleaning and sanitizing preparations and sanitary towel service or electronic drying devices;

C. all employees working in direct contact with plant material and medical cannabis must use hygienic practices while on duty, including:

(1) maintaining personal cleanliness; and

(2) washing hands thoroughly in a hand-washing area before starting work and at any other time when the hands may have become soiled or contaminated;

D. litter and waste are routinely removed and the operating systems for waste disposal are routinely inspected;

E. floors, walls, and ceilings are constructed with a surface that can be easily cleaned and maintained in good repair to inhibit microbial growth;

F. lighting is adequate in all areas where plant material and medical cannabis are processed, stored, or sold;

G. screening or other protection against the entry of pests is provided, including that rubbish is disposed of to minimize the development of odor and the potential for the waste becoming an attractant, harborage, or breeding place for pests;

H. any buildings, fixtures, and other facilities are maintained in a sanitary condition;

I. toxic cleaning compounds, sanitizing agents, and other potentially harmful chemicals are identified and stored in a separate location away from plant material and medical cannabis and in accordance with applicable local, state, or federal law;

J. all contact surfaces, utensils, and equipment used in the production of plant material and medical cannabis are maintained in a clean and sanitary condition;

K. the manufacturing facility water supply is sufficient for necessary operations;

L. plumbing size and design meets operational needs and all applicable state and local laws;

M. employees have accessible toilet facilities that are sanitary and in good repair; and

N. plant material and medical cannabis that could support the rapid growth of undesirable microorganisms are isolated to prevent the growth of those microorganisms.

Subp. 4. Storage.

A. A manufacturer must store plant material and medical cannabis during production, transport, and testing to prevent diversion, theft, or loss, including ensuring:

(1) plant material and medical cannabis are returned to a secure location immediately after completion of the process or at the end of the scheduled business day; and

(2) the tanks, vessels, bins, or bulk containers containing plant material or medical cannabis are locked inside a secure area if a process is not completed at the end of a business day.

B. A manufacturer must store all plant material and medical cannabis during production, transport, and testing, and all saleable medical cannabis:

(1) in areas that are maintained in a clean, orderly, and well-ventilated condition; and

(2) in storage areas that are free from infestation by insects, rodents, birds, and other pests of any kind.

C. To prevent degradation, a manufacturer must store all plant material and medical cannabis in production, transport, and testing, and all saleable medical cannabis under conditions that will protect it against physical, chemical, and microbial contamination and deterioration of the product and its container.

D. A manufacturer must maintain a separate secure storage area for medical cannabis that is returned, including medical cannabis that is outdated, damaged, deteriorated, mislabeled, or contaminated, or whose containers or packaging have been opened or breached, until the returned medical cannabis is destroyed. For purposes of this part, a separate, secure storage area includes a container, closet, or room that can be locked or secured.

4770.1800 INVENTORY.

Subpart 1. **Controls and procedures.** A medical cannabis manufacturer must establish inventory controls and procedures for conducting inventory reviews and comprehensive inventories of plant material and medical cannabis to prevent and detect any diversion, theft, or loss in a timely manner.

Subp. 2. **Reliable and ongoing supply.** A medical cannabis manufacturer must provide a reliable and ongoing supply of medical cannabis as required by Minnesota Statutes, section 152.29, subdivision 2.

Subp. 3. **Real-time inventory.** A medical cannabis manufacturer must maintain a real-time record of its inventory of plant material and medical cannabis to include:

A. the date and time of the inventory;

B. a summary of inventory findings, including:

(1) the weight of cannabis seeds by type, strain, and cultivar;

(2) the total count of plants, whether in the flowering, vegetative, or clone phase of growth and organized by room in which the plants are grown;

(3) the batch number, weight or unit count, and strain name associated with each batch at the production facility that has been prepared for testing or is ready for transport to a distribution facility;

(4) the total number of plants that have been harvested but are not yet associated with a batch and every unique plant identifier;

(5) the amount of acquired industrial hemp; and

(6) the amount of medical cannabis, either by weight or units, sold since previous inventory and listed by product name and registry identifier;

C. the names of the employees or employee conducting the inventory; and

D. other information deemed necessary and requested by the commissioner.

Subp. 4. **Waste inventory.** The medical cannabis manufacturer must maintain a real-time record of its inventory of all medical cannabis waste, including damaged, defective, expired, contaminated, recalled, or returned medical cannabis for disposal, and plant material waste for disposal.

Subp. 5. **Reconciliation.** At the close of business each day, a medical cannabis manufacturer must reconcile by conducting a physical inventory of all:

A. plant material at the manufacturing facility and in transit; and

B. medical cannabis at the manufacturing facility, each distribution facility, and in transit.

Subp. 6. **Scales.** All scales used to weigh usable plant material for purposes of this chapter must be certified in accordance with the International Organization for Standardization (ISO), ISO/IEC Standard 17025, which is incorporated by reference.

Subp. 7. **Discrepancies.** If discrepancies are discovered outside of loss standard to the industry due to moisture loss and handling, the manufacturer must investigate the discrepancy and must submit a report of its investigation to the commissioner within seven days. If a discrepancy is due to suspected criminal activity, the manufacturer must notify the commissioner and appropriate law enforcement agencies in writing within 24 hours.

4770.1900 MEDICAL CANNABIS LABORATORY APPROVAL.

Subpart 1. **Commissioner's authority.** The commissioner must approve any medical cannabis laboratory that tests medical cannabis for a registered medical cannabis manufacturer under Minnesota Statutes, section 152.25, subdivision 1, paragraph (d). A medical cannabis laboratory may seek approval to use specific procedures to test the allowable product types and analytes according to parts 4770.1900 to 4770.2400, which specify the commissioner's requirements authorized by Minnesota Statutes, section 152.29, subdivision 1, paragraph (b).

Subp. 2. **Eligibility.** The commissioner may only approve a medical cannabis laboratory that tests under a contract with a medical cannabis manufacturer that can demonstrate its eligibility under this subpart. The laboratory must:

A. operate using proper laboratory equipment under a quality assurance system and test product types for analytes listed in the commissioner's list in subpart 3;

B. test medical cannabis delivered in the product types specified in subpart 4;

C. test accurately for the following elements:

- (1) content, by testing for analytes for a cannabinoid profile;
- (2) contamination, by testing for analytes for:
 - (a) metals;
 - (b) pesticide residues and plant growth regulators;
 - (c) microbiological contaminants and mycotoxins; and
 - (d) residual solvents; and

(3) consistency of medical cannabis by testing for stability.

Subp. 3. Commissioner list of approved cannabis labs.

A. The commissioner must publish a list of approved cannabis laboratories in the State Register and on the department's medical cannabis program website at least annually.

B. The commissioner must provide the following information for each approved laboratory:

- (1) its scope of approval;
- (2) name, telephone number, and e-mail address of primary laboratory contact;

and

(3) physical and mailing address of laboratory.

Subp. 4. Commissioner's approved medical cannabis product types. The commissioner's approved product types include:

- A. liquid, including in oil form;
- B. pill;
- C. vaporized delivery method using liquid or oil;
- D. dried raw cannabis intended to be used or consumed by combustion; and

E. any other method approved by the commissioner under Minnesota Statutes, section 152.27, subdivision 2, paragraph (b).

Subp. 5. Commissioner's analyte list.

A. The commissioner must maintain a list of analytes that laboratories must be able to test for. The analyte categories include:

- (1) cannabinoid profile;
- (2) metals;
- (3) pesticide residues and plant growth regulators;
- (4) microbiological contaminants and mycotoxins; and
- (5) residual solvents.

B. The commissioner must publish the analyte list in the State Register and on the department's medical cannabis program website.

C. The commissioner must review the analyte list and publish a notice of any analyte updates in the State Register and on the department's medical cannabis program website at least every six months.

4770.2000 MEDICAL CANNABIS LABORATORY APPROVAL; APPLICATION AND APPROVAL.

Subpart 1. Application requirements.

A. A laboratory must apply for the commissioner's approval on a form provided by the commissioner.

B. A laboratory must also submit the following items:

(1) a signed and notarized attestation:

(a) declaring any conflict of interest, actual or perceived, relating to its direct or indirect financial interests in any medical cannabis manufacturer form; and

(b) stating that the laboratory is independent from the medical cannabis manufacturers;

(2) the fields of testing it is applying for approval to test;

(3) its quality assurance manual;

(4) its standard operating procedures;

(5) sample handling, receipt, and acceptance procedures and policies;

(6) demonstration of laboratory capability and acceptable performance through a combination of:

(a) existing certificates and approvals;

(b) documented demonstrations of analytical capabilities; and

(c) documented and acceptable proficiency testing samples from an approved provider, where available;

(7) method validation procedures for testing methods; and

(8) the name and educational qualifications of at least one technical manager responsible for the laboratory achieving and maintaining the quality and analytical standards of practice.

C. A mobile laboratory is considered a separate laboratory and is subject to all requirements of parts 4770.1900 to 4770.2300. In addition to the requirements of subpart 1, a mobile laboratory must:

(1) submit a vehicle identification number, license plate number, or other uniquely identifying information to the commissioner when applying for approval; and

(2) designate which fields of testing, equipment, and personnel are associated with the mobile laboratory.

D. The following items are required and must be submitted to the commissioner before December 31, 2022:

(1) a copy of the lab's ISO/IEC 17025:2017 Certificate and Scope of Accreditation; and

(2) a copy of the lab's most recent assessment report, including the scope of the assessment to ensure the evaluation of the medical cannabis fields of testing.

Subp. 2. Application requirements; commissioner's evaluation.

A. The commissioner must evaluate completed applications using the following criteria.

(1) A laboratory must operate formal management systems under the International Organization for Standardization (ISO). The ISO/IEC 17025, *General Requirements for the Competency of Testing and Calibration Laboratories*, includes technical and management system requirements which are incorporated by reference in part 4770.2800.

(2) A laboratory seeking initial or renewal medical cannabis laboratory approval after December 31, 2016, must be accredited to Standard ISO/IEC 17025:2005, which is incorporated by reference.

(3) A laboratory must specify one or more fields of testing for which it seeks approval. A laboratory must be approved for at least one field of testing to test medical cannabis for a medical cannabis manufacturer.

B. The commissioner must approve or deny the application within 60 days of receiving the completed application and any applicable information required under part 4770.2000, subpart 1, and subpart 2.

C. No board member, officer, employee, or other person with a financial interest in a medical cannabis manufacturer may have an interest or voting rights in the laboratory.

D. The commissioner's decision on a laboratory's application is a final agency decision.

Subp. 3. Approval.

A. When granting approval, the commissioner must notify the laboratory and include the following documentation:

(1) a letter acknowledging compliance with approval requirements by the laboratory;

- (2) the scope of approval for the laboratory;
- (3) the logo of the Minnesota Department of Health;
- (4) the name of the laboratory;
- (5) the address of the laboratory; and
- (6) the expiration date of the approval.

B. If a laboratory's scope of approval changes, the commissioner must issue a new document that specifies the revised scope of approval.

C. A laboratory's approval is valid for one year from the date of the commissioner's awarding approval or renewal of approval, unless the commissioner rescinds approval under part 4770.2100.

4770.2100 MEDICAL CANNABIS LABORATORY APPROVAL; INSPECTION AND COMPLIANCE.

Subpart 1. Laboratory inspection and reports.

A. The commissioner may inspect a lab without prior notice at any time during normal business hours to verify compliance with parts 4770.1900 to 4770.2200. The commissioner may inspect:

- (1) approved laboratories; and
- (2) laboratories requesting approval.

B. If the commissioner has sufficient cause to believe that a laboratory's proficiency, execution, or validation of analytical methodologies are deficient, the commissioner may require and a laboratory must obtain third-party validation and ongoing monitoring of the laboratory. The laboratory must pay for all costs associated with the commissioner-ordered third-party validation.

C. An approved laboratory must provide reports to the commissioner regarding chemical compositions, microbial compositions, dosages, and noncannabis drug interactions under Minnesota Statutes, section 152.25, as requested by the commissioner.

D. An approved laboratory must provide reports to the medical cannabis manufacturer on forms provided by the commissioner.

Subp. 2. Laboratory approval requirements.

A. An approved laboratory may not misrepresent its approval on any document or marketing material.

B. A laboratory must make its current approval documentation and corresponding scope of approval available upon the request of:

(1) a client;

(2) the commissioner; or

(3) a regulatory agency.

Subp. 3. Rescinding approval.

A. The commissioner may rescind an approved cannabis laboratory's approval if the commissioner determines the laboratory has failed to:

(1) submit accurate application materials to the commissioner under part 00.

4770.2000;

(2) comply with application requirements under part 4770.2000;

(3) comply with all applicable laws, rules, standards, policies, and procedures;

(4) allow the commissioner or designee to perform physical inspection of

facilities;

(5) submit copies of inspection and corrective reports issued by the approved ISO/IEC 17025 accreditation body, as requested by the commissioner;

(6) provide the medical cannabis manufacturer with timely reports; or

(7) provide the medical cannabis manufacturer with reports compliant with the commissioner's designated test report format.

B. A laboratory must return its approval letter to the commissioner immediately if the commissioner rescinds the laboratory's approval.

C. The commissioner's decision to rescind approval of an approved medical cannabis laboratory is a final agency decision.

4770.2200 MEDICAL CANNABIS LABORATORY APPROVAL; DUTY TO NOTIFY.

Subpart 1. Operational changes.

A. A laboratory must notify the commissioner in writing within 30 days of a change in:

(1) name of the laboratory;

(2) physical location, postal mailing address, or e-mail address of the

laboratory;

- (3) owner of the laboratory;
- (4) name, telephone numbers, or e-mail address of the designated contact

person;

- (5) name of a technical manager;
- (6) major analytical equipment; or
- (7) test methods.

B. A laboratory that notifies the commissioner of an operational change under item A must include in the notice written results of proficiency testing samples or demonstrations of capability analyzed after the reported change.

Subp. 2. Voluntary withdrawal.

A. If a laboratory chooses to withdraw its application for approval or its current approval in total or in part, the laboratory must:

- (1) notify the commissioner in writing; and
- (2) specify the effective date of withdrawal.

B. By the effective date of the withdrawal of approval, in total or in part, the laboratory must:

(1) notify current client manufacturers in writing of its intent to withdraw its approval;

(2) indicate the effective date of the withdrawal; and

(3) submit a copy of each notification to the commissioner.

4770.2300 MEDICAL CANNABIS LABORATORY APPROVAL; APPEAL OF ADMINISTRATIVE DECISION.

A. The commissioner must notify a laboratory in writing the reason for the decision to deny or rescind laboratory approval under part 4770.2100.

B. A laboratory has 30 days from the commissioner's notice of denial or notice of rescinded approval to appeal the decision. A request to appeal must:

(1) be in writing;

(2) indicate the facts the laboratory disputes;

- (3) be signed by the laboratory managing agent; and
- (4) be sent to the commissioner.

C. The commissioner must notify a laboratory of the commissioner's acceptance or denial of an appeal request, in writing, within 60 days of receiving the request. The commissioner's decision is a final agency decision.

4770.2400 MEDICAL CANNABIS LABORATORY APPROVAL; VARIANCES.

The commissioner may grant a variance from parts 4770.1900 to 4770.2200. To request a variance, a laboratory must indicate in writing:

A. the rule part and language for which the variance is sought;

B. reasons for the request;

C. alternate measures that the laboratory will take if the commissioner grants its request for variance;

D. the proposed length of time of the variance; and

E. data that the laboratory will provide to ensure analytical results of equal or better reliability, if applicable.

4770.2700 MEDICAL CANNABIS MANUFACTURER; FINANCIAL EXAMINATIONS; PRICING REVIEWS.

A. A medical cannabis manufacturer must maintain financial records in accordance with generally accepted accounting principles and, upon request, must provide any financial records to the commissioner.

B. The commissioner shall request an additional audit of the medical cannabis manufacturer, of the same time period, if the commissioner finds one or more of the following:

(1) credible evidence or allegations of financial reporting irregularities not revealed in the annual certified financial audit; or

(2) reasonable cause to believe there are operational or compliance concerns involving financing, budgeting, revenues, sales, or pricing.

4770.2800 INCORPORATION BY REFERENCE.

The International Organization for Standardization (ISO), ISO/IEC Standard 17025, is incorporated by reference, is not subject to frequent change, and is made a part of this rule where indicated. ISO/IEC Standard 17025 is published by the International Organization for Standardization, located at 1, ch. de la Voie-Creuse, CP 56, CH-1211 Geneva 20, Switzerland. ISO/IEC Standard 17025 is available in the office of the commissioner of health and can be found online at www.isoiec17025.com or www.iso.org.

4770.4000 APPLICABILITY AND PURPOSE.

Parts 4770.4000 to 4770.4018 establish the criteria and procedures to be used by the commissioner for establishing and overseeing the medical cannabis registry for enrolled patients and their designated caregivers.

4770.4002 **DEFINITIONS.**

Subpart 1. **Applicability.** The terms used in this chapter have the meanings given them in this part and in Minnesota Statutes, sections 152.22 to 152.37.

Subp. 1a. Adverse incident. "Adverse incident" means any negative medical occurrence in a person after using medical cannabis, either physical or psychological, including any harmful reaction, symptom, or disease.

Subp. 2. **DEA Registration Certificate.** "DEA Registration Certificate" means a certificate to prescribe controlled substances issued by the United States Department of Justice's Drug Enforcement Administration.

Subp. 3. **Disqualifying felony offense.** "Disqualifying felony offense" has the meaning given in Minnesota Statutes, section 152.22, subdivision 3.

Subp. 4. **Diversion or diverting.** "Diversion" or "diverting" means the intentional transferring of medical cannabis to a person other than a patient, designated registered caregiver, or a parent or legal guardian of a patient if the parent or legal guardian of a patient is listed on the registry verification.

Subp. 4a. **Diversion involving adverse incidents.** "Diversion involving adverse incidents" means any suspected incident of diversion that results in an adverse incident.

Subp. 5. Evidence-based medicine. "Evidence-based medicine" means documentation of published, peer-reviewed best evidence on research related to the use of medical cannabis, which includes up-to-date information from relevant, valid research about the effects of medical cannabis on different forms of diseases and conditions, its use in health care, the potential for harm from exposure, a clinical assessment of the effectiveness of medical cannabis in an ongoing treatment paradigm, and any other relevant medical information.

Subp. 6. **Financial interest.** "Financial interest" means any actual or future right to ownership, investment, or compensation arrangement with another person, either directly or indirectly, through business, investment, spouse, parent, or child in a medical cannabis manufacturer. Financial interest does not include ownership of investment securities in a publicly held corporation that is traded on a national exchange or over-the-counter market, provided the investment securities held by the person, the person's spouse, parent, or child, in the aggregate, do not exceed one percent ownership in the medical cannabis manufacturer.

Subp. 7. **Good standing.** "Good standing" means a person has a license or registration with a licensing board and is not subject to any restriction or oversight by the licensing board beyond others in the same class.

Subp. 8. **Health care practitioner.** "Health care practitioner" has the meaning given in Minnesota Statutes, section 152.22, subdivision 4.

Subp. 9. **Health record.** "Health record" has the meaning given in Minnesota Statutes, section 144.291, subdivision 2, paragraph (c).

Subp. 10. **Medical cannabis.** "Medical cannabis" has the meaning given in Minnesota Statutes, section 152.22, subdivision 6.

Subp. 11. **Medical cannabis manufacturer or manufacturer.** "Medical cannabis manufacturer" or "manufacturer" has the meaning given in Minnesota Statutes, section 152.22, subdivision 7.

Subp. 12. **Medical relationship.** "Medical relationship" means a treatment or counseling relationship, in the course of which the health care practitioner has completed a full assessment of the patient's medical history and current medical condition.

Subp. 13. Minor. "Minor" means an applicant who is under 18 years of age.

Subp. 14. **Parent or legal guardian.** "Parent or legal guardian" has the meaning given in Minnesota Statutes, section 152.27, subdivision 5.

Subp. 15. **Patient.** "Patient" has the meaning given in Minnesota Statutes, section 152.22, subdivision 9.

Subp. 15a. **Patient advocate.** "Patient advocate" means an individual with a knowledge of medical cannabis who promotes patient interests in safety, privacy, access, and affordability.

Subp. 15b. **Peace officer.** "Peace officer" has the meaning given in Minnesota Statutes, section 626.84, subdivision 1, paragraph (c).

Subp. 16. **Person.** "Person" means an individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, state or political subdivision of a state, or a legal successor, representative, agent, or agency of the person. Person does not include federal government agencies.

Subp. 17. **Qualifying medical condition.** "Qualifying medical condition" has the meaning given in Minnesota Statutes, section 152.22, subdivision 14.

Subp. 18. **Qualifying patent.** "Qualifying patient" means a resident of Minnesota who has been diagnosed by a health care practitioner as having a qualifying medical condition.

Subp. 19. **Registered.** "Registered" means licensed, permitted, or otherwise certified by the commissioner.

Subp. 20. **Registered designated caregiver.** "Registered designated caregiver" has the meaning given in Minnesota Statutes, section 152.22, subdivision 11.

Subp. 21. **Registry program.** "Registry program" has the meaning given in Minnesota Statutes, section 152.22, subdivision 12.

Subp. 22. **Registry verification.** "Registry verification" has the meaning given in Minnesota Statutes, section 152.22, subdivision 13.

Subp. 22a. Serious adverse incident. "Serious adverse incident" means any adverse incident that results in or would lead to one of these outcomes without medical intervention:

A. in-patient hospitalization or additional hospital time for a patient who is already hospitalized;

- B. persistent or significant disability or incapacity;
- C. a life-threatening situation; or
- D. death.

Subp. 23. **Telehealth.** "Telehealth" means the practice of medicine as defined in Minnesota Statutes, section 147.081, subdivision 3, when the health care practitioner is not in the physical presence of the patient.

Subp. 24. **Therapeutic use.** "Therapeutic use" means the acquisition, possession, preparation, use, delivery, transfer, or transportation of medical cannabis or paraphernalia relating to the administration of medical cannabis to treat or alleviate a qualifying patient's qualifying medical condition or symptoms or results of treatment associated with the qualifying patient's qualifying medical condition.

Subp. 25. **Transport.** "Transport" means the movement of medical cannabis products from a manufacturer's distribution site to the residence of a registered qualified patient, or as otherwise provided by law.

Subp. 26. Written certification. "Written certification" means a document signed by a health care practitioner, with whom the patient has established a patient-provider relationship, which states that the patient has a qualifying medical condition and identifies that condition and any other relevant information required by Minnesota Statutes, section 152.28, subdivision 1.

4770.4003 PROCESS FOR ADDING A QUALIFYING MEDICAL CONDITION OR DELIVERY METHOD.

Subpart 1. Condition added by commissioner. The commissioner may periodically revise the list of qualified medical conditions eligible for treatment with medical cannabis.

A. Revisions to the list must reflect:

(1) advances in medical science;

(2) evidence-based medicine and other peer-reviewed research demonstrating treatment efficacy; or

(3) other therapeutic factors that will improve patient care.

B. In determining whether a condition qualifies, the commissioner must consider the adequacy of available evidence that medical cannabis will provide relief and the report of the Medical Cannabis Review Panel established in subpart 3.

Subp. 2. **Requests for adding a condition.** Any person may request the commissioner to add a qualifying medical condition not listed in Minnesota Statutes, section 152.22, subdivision 14, to the list by applying on a form provided by the commissioner. Requests under this subpart will be accepted beginning June 1, 2016.

A. The commissioner shall only accept requests during June and July of each year and will dismiss requests received outside of this period.

B. The commissioner must post notice on the department's medical cannabis website by May 1 each year, announcing the open period for accepting requests and describing the procedure for submitting requests.

C. Each request must be limited to one proposed qualifying medical condition. The commissioner must dismiss a request if it contains multiple proposals.

D. The commissioner must dismiss a request to add a medical condition that has been previously considered and rejected by the commissioner, unless the request contains new scientific evidence or research or describes substantially different symptoms.

E. If the commissioner dismisses a timely request, the commissioner must notify the person making the request of the reason that the request was dismissed.

F. The commissioner must forward the request to the review panel for review unless the request is dismissed.

G. The commissioner must provide the review panel with a review of evidence-based medicine and other peer-reviewed research demonstrating treatment efficacy for the requested condition.

Subp. 3. The Medical Cannabis Review Panel.

A. The commissioner must appoint a Medical Cannabis Review Panel composed of seven members, including at least one medical cannabis patient advocate and two health care practitioners, one with expertise in pediatric medicine.

B. The Medical Cannabis Review Panel must review requests submitted under subpart 2 and report to the commissioner on the public health impacts, including therapeutic factors and known potential risks, of the proposed additional medical conditions.

C. Members serve a three-year term or until a successor is appointed and qualified. If a vacancy occurs, the commissioner must appoint a replacement to complete the original term created by the vacancy.

D. Members may serve multiple terms.

E. Members must not hold a direct or indirect economic interest in a registered medical cannabis manufacturer or serve on the board of directors or as an employee of a registered medical cannabis manufacturer.

F. Members must disclose all potential conflicts of interest having a direct bearing on any subject before the review panel.

Subp. 4. Review panel meetings.

A. The Medical Cannabis Review Panel must meet at least one time per year to:

(1) review requests that the commissioner has received for the approval of proposed qualifying medical conditions;

(2) review the status of those medical conditions for which the commissioner has deferred approval or rejection; and

(3) review new medical and scientific evidence about current qualifying medical conditions.

B. The commissioner must post a notice on the department's medical cannabis website at least 30 calendar days before a review panel meeting. Notice must include the date, time, and location of the meeting, a brief description of the requests received, and information on how public comment will be received, including a deadline, if any.

C. The Medical Cannabis Review Panel must submit a written report to the commissioner by November 1 after conducting the public meeting. The written report must include potential public health benefits and risks of adding or rejecting the proposed qualifying medical condition.

Subp. 5. Commissioner review.

A. Upon receiving the Medical Cannabis Review Panel's report, the commissioner must render a decision by December 1 and must:

(1) approve the request and forward the medical condition as required by item C; or

(2) reject the medical condition.

B. The commissioner must communicate the commissioner's decision to the requesting party along with the reasons for the decision and publish the decision on the department's medical cannabis website by December 1.

C. The commissioner must forward a newly approved qualifying medical condition to the chairs and ranking minority members of the legislative policy committees having jurisdiction over health and public safety by January 15 as required by Minnesota Statutes, section 152.27, subdivision 2. If the legislature does not provide otherwise by law, the commissioner must publish the newly approved qualifying medical condition in the State

Register and on the department's medical cannabis website before its August 1 effective date.

Subp. 6. **Requests for adding a delivery method.** Any person may request that the commissioner add a delivery method not listed in Minnesota Statutes, section 152.22, subdivision 6, to the list by applying on a form provided by the commissioner. Requests under this subpart will be accepted beginning June 1, 2016.

A. The commissioner shall only accept requests during June and July of each year and will dismiss requests received outside of this period.

B. The commissioner must post notice on the department's medical cannabis website by May 1 each year, announcing the open period for accepting requests and describing the procedure for submitting requests.

C. The commissioner must post the request to add a delivery method, along with information about how to submit public comment on the department's medical cannabis website. The commissioner must allow at least 30 days for public comment.

D. Each request must be limited to one proposed delivery method. The commissioner must dismiss a request if it contains multiple proposals.

E. The commissioner must dismiss a request to add a delivery method that has been previously considered and rejected by the commissioner, unless the request contains new scientific evidence or research or describes substantially different therapeutic benefits.

F. If the commissioner dismisses a timely request, the commissioner must notify the person making the request of the reason that the request was dismissed.

G. The commissioner must consider the request and any written comments from the public. The commissioner must render a decision by December 1, and must:

(1) approve the request and forward the delivery method to be added as required by item I; or

(2) reject the delivery method.

H. The commissioner must communicate the commissioner's decision to the requesting party along with the reasons for the decision.

I. The commissioner must forward an approved delivery method to be added to the chairs and ranking minority members of the legislative policy committees having jurisdiction over health and public safety by January 15 as required by Minnesota Statutes, section 152.27, subdivision 2, and if the legislature does not provide otherwise by law, publish the addition in the State Register and on the department's medical cannabis website.

4770.4004 SERIOUS ADVERSE INCIDENT REPORTING.

Subpart 1. Reporting requirements.

A. Persons who must report any serious adverse incident are:

- (1) a registered patient;
- (2) a registered patient's certifying health care practitioner;
- (3) a patient's registered designated caregiver; or

(4) a patient's parent or legal guardian, if the parent or legal guardian is acting as caregiver.

B. Reporters named in item A must report to the manufacturer where the patient's medical cannabis was dispensed within five business days of the reporter's learning of the incident.

C. A peace officer must report any serious adverse incident relating to overdose and any case of diversion involving an adverse incident within five business days of the incident by calling the general telephone number of the Office of Medical Cannabis. If part of an ongoing investigation, the report must be made within 72 hours of the conclusion of the investigation.

Subp. 2. Manufacturer requirements.

A. Each manufacturer must:

(1) maintain a toll-free telephone line, which must be available 24 hours a day, seven days a week, that is staffed by professionals who are health care practitioners or state-licensed pharmacists trained in detecting, assessing, understanding, and preventing adverse effects or any other drug-related problem;

(2) provide a method, approved by the commissioner, for reporting serious adverse incidents online;

(3) monitor manufacturer-sponsored social media pages and websites

routinely;

(4) post instructions for reporting suspected adverse incidents and unauthorized possession on its website; and

(5) make printed instructions for reporting suspected adverse incidents available at all its distribution sites.

B. Each manufacturer must follow up serious adverse incident reports and document all follow-up activities. The manufacturer must continue to follow up reports until the outcome has been established or the subject's condition is stabilized.

C. For adverse incident information collected, the manufacturer must:

(1) document it on a form provided by the commissioner;

(2) classify it using Medical Dictionary for Regulatory Activities (MedDRA) coding; and

(3) store it in a database that complies with general validation principles in the United States Food and Drug Administration's Electronic Records; Electronic Signatures, Code of Federal Regulations, title 21, part 11.

Subp. 3. Manufacturer reports.

A. By the fifth day of every month, a medical cannabis manufacturer must compile and submit to the commissioner all adverse incident reports received in the prior calendar month.

B. Within ten business days of learning of an adverse incident, the manufacturer must report to the commissioner:

(1) any adverse incident that, based on reasonable medical judgment, might have resulted in a serious adverse incident without intervention or medical treatment; or

(2) a case of diversion resulting in an adverse incident.

C. On August 1 of every year beginning in 2016, each manufacturer must submit to the commissioner a report that contains a summary and a critical analysis of all reported adverse incidents reported to the manufacturer over the past July 1 to June 30.

4770.4005 REGISTRY ENROLLMENT APPLICATION FOR QUALIFYING PATIENTS.

Subpart 1. Patient application.

A. A patient or the patient's parent or legal guardian must apply for the registry and sign a disclosure on forms provided by the commissioner that meet the requirements of Minnesota Statutes, section 152.27, subdivision 3.

B. A patient must provide proof of the patient's Minnesota residency. If the patient is a minor, the patient's parent or legal guardian must provide proof of the parent or legal guardian's Minnesota residency. Proof of Minnesota residency can be established with:

(1) a copy of a Minnesota driver's license, learner's permit, or identification card; or

(2) a copy of a state, federal, or tribal government-issued photo identification card and at least one form of other documentation that contains the name and current address of the patient, or the patient's parent or legal guardian and indicates Minnesota residency, such as:

(a) a current residential mortgage, lease, or rental agreement;

(b) state tax documents from the previous calendar year;

(c) a utility bill issued within the previous 90 days of the date of the

application;

(d) a rent or mortgage payment receipt dated less than 90 days before

application;

(e) a Social Security disability insurance statement, Supplemental Security Income benefits statement, or a medical claim or statement of benefits from a private insurance company or governmental agency that is issued less than 90 days before application; or

(f) an affidavit from a person who will act as a designated caregiver for the patient, or a person who is engaged in health services or social services, which states the affiant knows the patient and believes the patient resides in Minnesota.

C. A patient or the patient's parent or legal guardian must submit the nonrefundable annual enrollment fee specified in Minnesota Statutes, section 152.35.

Subp. 2. Application approval.

A. The commissioner must approve an applicant and enroll the patient in the medical cannabis registry if the commissioner determines that the application is complete and no basis for denial exists under Minnesota Statutes, section 152.27, subdivision 6.

B. When a qualifying patient is enrolled in the registry program, the commissioner must:

(1) issue a unique patient registry number; and

(2) notify:

(a) the qualifying patient, designated caregiver, or parent or legal guardian if applicable;

(b) the health care practitioner who completed the patient's written certification of a qualifying condition; and

(c) the registered manufacturers.

4770.4007 DESIGNATED CAREGIVER APPLICATION.

Subpart 1. **Application.** The designated caregiver must apply for registration on the form provided by the commissioner and submit to a background check, as required by Minnesota Statutes, section 152.27, subdivision 4, paragraph (b).

Subp. 2. Application approval. The commissioner must approve an applicant and register the designated caregiver if the commissioner determines that the application is complete and no basis for denial exists under Minnesota Statutes, section 152.27, subdivision 4.

4770.4008 RESPONSIBILITIES OF DESIGNATED CAREGIVERS.

A. A designated caregiver, or the patient's parent or legal guardian if the parent or legal guardian will be acting as a caregiver, must:

(1) notify the commissioner within 30 business days after any change to the information that the registered qualifying patient was previously required to submit to the commissioner, including if the patient becomes an inmate confined in a correctional institution or facility under the supervision of the Department of Corrections;

(2) notify the commissioner promptly by telephone and in writing within ten calendar days following the death of the designated caregiver's registered qualifying patient; and

(3) dispose of all unused medical cannabis using the methods described in part 4770.4012, within ten days of the patient's ceasing to be enrolled in the program for any reason, including death of the patient or product recall.

B. A designated caregiver, or the patient's parent or legal guardian if the parent or legal guardian will be acting as a caregiver, may:

(1) transport a registered qualifying patient to and from a licensed medical cannabis distribution facility;

(2) obtain and transport an adequate supply of medical cannabis from a licensed medical cannabis distribution site on behalf of the registered qualifying patient;

(3) prepare medical cannabis for self-administration by the registered qualifying patient; and

(4) administer medical cannabis to the registered qualifying patient.

C. A designated caregiver, or the patient's parent or legal guardian if the parent or legal guardian will be acting as a caregiver, may not:

(1) consume, by any means, medical cannabis that has been dispensed on behalf of a registered qualifying patient; or

(2) sell, provide, or otherwise divert medical cannabis that has been dispensed for a registered qualifying patient.

4770.4009 REVOCATION OR SUSPENSION OF A QUALIFYING PATIENT OR DESIGNATED CAREGIVER REGISTRATION.

Subpart 1. **Revocation of qualifying patient enrollment.** The commissioner may revoke the registration certificate of a qualifying patient under the provisions of Minnesota Statutes, section 152.27, subdivision 6, paragraph (d).

Subp. 2. Suspension of qualifying patient enrollment. The commissioner must suspend the registration of a qualifying patient under the following circumstances.

A. If the qualifying patient is incarcerated in a correctional institution or facility under the supervision of the Department of Corrections, the registration must be suspended for the term of incarceration.

B. If the qualifying patient provided false, misleading, or incorrect information to the commissioner, the patient's registration must be suspended until the information is corrected and the commissioner makes an eligibility determination.

C. If the qualifying patient, together with the qualifying patient's designated caregiver where applicable, obtains more than a 30-day supply of medical cannabis within a 23-day period and the commissioner has reason to believe the patient is abusing or diverting medical cannabis, the patient's registration must be suspended until the commissioner makes an eligibility determination.

Subp. 3. **Designated caregivers.** The commissioner must revoke the registration of a designated caregiver under the following circumstances:

A. the designated caregiver has a disqualifying felony offense conviction as defined in Minnesota Statutes, section 152.22, subdivision 3; or

B. the designated caregiver, together with the designated caregiver's patient, where applicable, obtains more than a 30-day supply of medical cannabis within a 23-day period and the commissioner has reason to believe the designated caregiver is abusing or diverting medical cannabis.

4770.4010 UNAUTHORIZED POSSESSION OF MEDICAL CANNABIS REPORTING.

A. A licensed peace officer must report to the commissioner any reasonable suspicion of an individual possessing medical cannabis who is not authorized to possess medical cannabis under Minnesota Statutes, sections 152.22 to 152.37. The officer must report the reasonable suspicion within 72 hours by completing a form on the department's medical cannabis website. If part of an ongoing investigation, the report must be made within 72 hours of the investigation's conclusion.

B. A licensed peace officer who reasonably suspects a person who is otherwise authorized to possess medical cannabis has violated a provision of Minnesota Statutes, section 152.23, must report the suspicion by completing a form on the department's medical cannabis website within 15 days of discovery of the occurrence.

4770.4012 DISPOSAL OF MEDICAL CANNABIS BY QUALIFYING PATIENTS AND DESIGNATED CAREGIVERS.

A. A qualifying patient or designated caregiver who is no longer registered with the medical cannabis patient registry must, within ten calendar days after the patient or caregiver ceases to be registered or eligible, dispose of any unused medical cannabis in their possession by one of the following methods by:

(1) depositing it with a medical cannabis distribution site located in Minnesota;

(2) depositing it with a law enforcement agency having local jurisdiction for destruction;

(3) disposing of the medical cannabis at a government recognized drug take-back program located in Minnesota; or

(4) rendering it nonrecoverable consistent with the commissioner's proper disposal instructions, which are available at the department's medical cannabis program website.

B. A qualifying patient or designated caregiver who is no longer registered with the medical cannabis patient registry must not transfer, share, give, sell, or deliver any unused medical cannabis in their possession to any other person, regardless of whether the person is participating in the medical cannabis patient registry program.

4770.4013 ANNUAL FEES.

Each patient application or renewal must be accompanied by the payment of an annual fee. Payment must be made by credit card, bank debit card, cashier's check, or personal check. Annual qualifying patient application fee and reduced fee for patients enrolled in the federal Social Security Disability Income (SSDI), the Supplemental Security Income (SSI) disability, or the medical assistance or MinnesotaCare programs are established in Minnesota Statutes, section 152.35. All fees are nonrefundable.

4770.4014 HEALTH CARE PRACTITIONER REQUIREMENTS.

Subpart 1. **Qualifications.** The commissioner must accept written certifications for the therapeutic use of medical cannabis only from health care practitioners who hold:

A. an active license, in good standing, under Minnesota Statutes, chapter 147, for physicians, under Minnesota Statutes, chapter 147A, for physician assistants, or Minnesota Statutes, sections 148.171 to 148.285, the Minnesota Nurse Practice Act, for advanced practice registered nurses; and

B. a DEA registration certificate.

Subp. 2. **Requirements.** Before issuing a written certification of qualifying condition, a health care practitioner must:

A. have a medical relationship between the health care practitioner and patient with a qualifying condition;

B. assess the patient's medical history and current medical condition, which includes:

(1) an in-person physical examination of the patient appropriate to confirm the diagnosis of a qualifying medical condition. This examination must not be performed by remote means, including telehealth or via the Internet; and

(2) developing a treatment plan for the patient;

C. communicate, as appropriate, with subspecialists also treating the registered patient; and

D. certify that the patient has been diagnosed as having a qualifying medical condition, as defined in Minnesota Statutes, section 152.22, subdivision 14.

Subp. 3. **Duties.** When the certifying health care practitioner receives notice from the commissioner that a qualifying patient has been enrolled in the registry program, the certifying health care practitioner must:

A. participate in the patient registry reporting system as established by the commissioner for each patient for whom the practitioner has written a certification of qualifying condition. A health care practitioner must transmit patient data as required by Minnesota Statutes, section 152.28, subdivision 1, paragraph (b);

B. be available to provide continuing treatment of the patient's qualifying medical condition;

C. maintain health records under part 4770.4017 for all patients for whom the practitioner has issued a written certification that supports the certification of a qualifying medical condition;

D. report health record data as requested by the commissioner under Minnesota Statutes, section 152.28, subdivision 1, paragraph (b);

E. make a copy of the records that support the certification of a qualifying medical condition available to the commissioner, and otherwise provide information to the commissioner upon request about the patient's qualifying medical condition, course of treatment, and pathological outcomes to ensure compliance with the act;

F. annually assess whether the registered qualifying patient continues to suffer from a qualifying medical condition and, if so, issue the patient a new certificate of that diagnosis; and

G. notify the commissioner, in a manner prescribed by the commissioner, in writing within 14 calendar days of learning of the death of a registered patient whose medical condition was certified by the health care practitioner.

4770.4015 WRITTEN CERTIFICATION OF QUALIFYING CONDITION.

A certifying health care practitioner must complete a written certification of a patient's qualifying medical condition on a form provided by the commissioner. The written certification must:

A. acknowledge that the qualifying patient is under the health care practitioner's care, either for the patient's primary care or for the qualifying medical condition;

B. confirm the patient's diagnosis of a qualifying medical condition, as defined in Minnesota Statutes, section 152.22, subdivision 14;

C. state whether a patient is developmentally or physically disabled and, as a result of the disability, is unable to self-administer medication or acquire medical cannabis from a distribution facility and requires a designated caregiver;

D. include any additional information the commissioner requests to assess the effectiveness of medical cannabis in treating the medical condition or symptoms;

E. contain an affirmation that the health care practitioner has:

(1) established a patient-provider relationship;

(2) conducted an in-person physical examination appropriate to confirm the diagnosis; and

(3) reviewed the patient's medical history to confirm the diagnosis within the health care practitioner's professional standards of practice; and

F. include the date the certification of a qualifying medical condition was made.

4770.4016 HEALTH CARE PRACTITIONER PROHIBITIONS.

A health care practitioner who has issued or intends to issue a written certification must not:

A. examine a qualifying patient to issue a written certification at a location where medical cannabis is manufactured, sold, or dispensed;

B. refer a patient to a manufacturer or distributor of medical cannabis;

C. refer a patient to a designated caregiver;

D. issue a written certification for the health care practitioner;

E. hold a financial interest in an enterprise that provides or distributes medical cannabis;

F. directly or indirectly accept, solicit, or receive anything of value from a manufacturer, employee of a manufacturer, or any other person associated with a manufacturing facility;

G. offer a discount or any other thing of value to a qualifying patient who uses or agrees to use a particular designated caregiver, distribution facility, or medical cannabis product; or

H. directly or indirectly benefit from a patient obtaining a written certification. Such prohibition does not prohibit a health care practitioner from charging an appropriate fee for the patient visit.

4770.4017 RECORDS MAINTAINED BY THE CERTIFYING HEALTH CARE PRACTITIONER.

Subpart 1. **Health records maintained.** The health care practitioner must maintain a health record for each patient for whom the health care practitioner has certified a qualifying medical condition. These records need not be maintained separately from the health care practitioner's established records for the ongoing medical relationship with the patient.

Subp. 2. **Contents.** The records must be legible, accurately reflect the patient's evaluation and treatment, and must include the following:

A. the patient's name and dates of visits and treatments;

B. the patient's case history as it relates to the qualifying condition;

C. the patient's health condition as determined by the health care practitioner's examination and assessment;

D. the results of all diagnostic tests and examinations as they relate to the qualifying condition; and any diagnosis resulting from the examination;

E. the patient's plan of care, which must state with specificity the patient's condition, functional level, treatment objectives, medical orders, plans for continuing care, and modifications to that plan; and

F. a list of drugs prescribed, administered and dispensed, and the quantity of the drugs.

Subp. 3. **Retention.** The health care practitioner must keep records for each qualifying patient for at least three years after the last patient visit, or seven years, whichever is greater.

4770.4018 REPORTS.

A participating health care practitioner must report health record data as requested by the commissioner under Minnesota Statutes, 152.28, subdivision 1, paragraph (b).

4770.4030 HEALTH CARE FACILITIES; STORAGE.

Subpart 1. **Storage policy.** A health care facility, as defined in Minnesota Statutes, section 152.34, may adopt policies relating to the secure storage of a registered patient's medical cannabis. Policies may include:

A. secure storage with access limited to authorized personnel; or

B. allowing patients, patients' registered designated caregivers, or patients' parents or legal guardians if listed on the registry verification, to maintain direct possession of the medical cannabis.

Subp. 2. **Return of items.** Upon discharge, transfer, or death of a patient registered to use medical cannabis, the health care facility must return all medical cannabis to the patient or another person authorized to possess it. If the health care facility is unable to return any remaining medical cannabis to the patient or other authorized person, it must destroy the medical cannabis in a manner consistent with instructions posted on the department's medical cannabis website. The transfer or destruction must be recorded in the patient's health record.