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SENATE STATE OF MINNESOTA

NINETY-THIRD SESSION

## S.F. No. 73

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

DATE	D-PG	ÓFFICIAL STATUS
01/09/2023	111	Introduction and first reading
		Referred to Judiciary and Public Safety
01/11/2023	146	Author added Boldon
01/26/2023	394a	Comm report: Amended, No recommendation, re-referred to Commerce and Consumer Protection
01/27/2023	454a	Comm report: To pass as amended and re-refer to Jobs and Economic Development
02/01/2023	549	Comm report: To pass and re-referred to State and Local Government and Veterans
02/02/2023	606	Withdrawn and re-referred to Agriculture, Broadband, and Rural Development
02/08/2023	697a	Comm report: To pass as amended and re-refer to Environment, Climate, and Legacy
	699	Rule 12.10: report of votes in committee
02/13/2023	783	Comm report: To pass and re-referred to Transportation
02/16/2023	830a	
03/01/2023		Comm report: To pass as amended and re-refer to Human Services

## 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; prohibiting the use or possession of 1.11 cannabis flower and cannabinoid products on a street or highway; establishing 1.12 expungement procedures for certain individuals; establishing labor standards for 1.13 the use of cannabis by employees and testing of employees; providing for the 1.14 temporary regulation of certain edible cannabinoid products; providing for 1.15 professional licensing protections; amending the scheduling of marijuana and 1.16 1.17 tetrahydrocannabinols; classifying data; making miscellaneous cannabis-related changes and additions; making clarifying and technical changes; appropriating 1.18 money; amending Minnesota Statutes 2022, sections 13.411, by adding a 1.19 subdivision; 13.871, by adding a subdivision; 16B.2975, subdivision 8; 34A.01, 1.20 subdivision 4; 144.99, subdivision 1; 151.72; 152.01, by adding subdivisions; 1.21 152.02, subdivisions 2, 4; 152.021, subdivision 2; 152.022, subdivisions 1, 2; 1.22 152.023, subdivisions 1, 2; 152.024, subdivision 1; 152.025, subdivisions 1, 2; 1.23 181.938, subdivision 2; 181.950, subdivisions 2, 4, 5, 8, 13, by adding a 1.24 subdivision; 181.951, by adding subdivisions; 181.952, by adding a subdivision; 1.25 181.953; 181.954; 181.955; 181.957, subdivision 1; 244.05, subdivision 2; 245C.08, 1.26 subdivision 1; 256.01, subdivision 18c; 256B.0625, subdivision 13d; 256D.024, 1.27 1.28 subdivisions 1, 3; 256J.26, subdivisions 1, 3; 273.13, subdivision 24; 275.025, subdivision 2; 290.0132, subdivision 29; 290.0134, subdivision 19; 297A.61, 1.29 subdivision 3; 297A.67, subdivisions 2, 7; 297A.70, subdivisions 2, 18; 297A.99, 1.30 by adding a subdivision; 297D.01; 297D.04; 297D.06; 297D.07; 297D.08; 1.31 297D.085; 297D.09, subdivision 1a; 297D.10; 297D.11; 340A.412, subdivision 1.32 14; 609.135, subdivision 1; 609.5311, subdivision 1; 609.5314, subdivision 1; 1.33 609.5316, subdivision 2; 609A.01; 609A.03, subdivisions 5, 9; 609B.425, 1.34 subdivision 2; 609B.435, subdivision 2; 624.712, by adding subdivisions; 624.713, 1.35 subdivision 1; 624.714, subdivision 6; 624.7142, subdivision 1; 624.7151; 1.36 proposing coding for new law in Minnesota Statutes, chapters 3; 116J; 116L; 120B; 1.37 144; 152; 169A; 289A; 295; 340A; 609A; 624; proposing coding for new law as 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 2.13 2.14	151.72; 152 5b, 6, 7, 8, 9 1c, 2, 3, 4; 1 subdivisions subdivisions 4770.0300; 4 4770.1100; 4 4770.2400; 4 4770.2400; 4 4770.4005; 4	.027, subdivision 9, 10, 11, 12, 13, 52.26; 152.261; 51, 2, 3; 152.29, 51, 2, 3; 152.33, s 51, 1a, 2, 3, 4, 5; 1 4770.0400; 4770. 4770.1200; 4770. 4770.1800; 4770. 4770.2700; 4770. 4770.4007; 4770. 4770.4015; 4770	IS 3, 4; 152.21; 14; 152.23; 152 152.27, subdivi subdivisions 1, 1a 52.37; Minnesot 0500; 4770.0600 1300; 4770.1400 1900; 4770.2000 2800; 4770.4000 4008; 4770.4000 .4016; 4770.400	Ainnesota Statutes 201 152.22, subdivisions .24; 152.25, subdivisions sions 1, 2, 3, 4, 5, 6, 7 2, 3, 3a, 4; 152.30; 15 a, 2, 3, 4, 5, 6; 152.34; ta Rules, parts 4770.01 0; 4770.0800; 4770.09 0; 4770.1460; 4770.15 0; 4770.2100; 4770.22 0; 4770.4002; 4770.40 9; 4770.4010; 4770.40 17; 4770.4018; 4770.40	1, 2, 3, 4, 5, 5a, ions 1, 1a, 1b, 7; 152.28, 52.31; 152.32, 152.35; 152.36, 100; 4770.0200; 000; 4770.1000; 500; 4770.1600; 200; 4770.2300; 003; 4770.4004; 012; 4770.4013; 4030.
2.15			ARTICLE		
2.16		REGULATI	ON OF ADUL	T-USE CANNABIS	
2.17	Section 1. [342	2.01] DEFINITI(	ONS.		
2.18	Subdivision 1	l. Terms. For the	purposes of thi	s chapter, the followi	ng terms have the
2.19	meanings given t	them.			
2.20	Subd. 2. Adu	llt-use cannabin	oid product. "A	Adult-use cannabinoid	l product" means a
2.21	cannabinoid proc	duct that is appro	ved for sale by	the office or is substa	ntially similar to a
2.22	product approved	d by the office. A	dult-use cannabi	inoid product includes	s edible cannabinoid
2.23	products but doe	s not include me	dical cannabino	id products.	
2.24	Subd. 3. Adu	llt-use cannabis	<u>concentrate.</u> "A	Adult-use cannabis co	ncentrate" means
2.25	cannabis concent	trate that is appro	oved for sale by	the office or is substa	ntially similar to a
2.26	product approved	d by the office. A	dult-use cannab	is concentrate does no	t include artificially
2.27	derived cannabin	noids.			
2.28	<u>Subd. 4.</u> Adu	llt-use cannabis	flower. "Adult-	use cannabis flower"	means cannabis
2.29	flower that is app	proved for sale by	the office or is s	substantially similar to	a product approved
2.30	by the office. Ad	lult-use cannabis	flower does not	include medical can	nabis flower, hemp
2.31	plant parts, or he	emp-derived cons	umer products.		
2.32	Subd. 5. Adv	ertisement. "Ad	vertisement" me	eans any written or or	al statement,
2.33	illustration, or de	epiction that is in	tended to promo	ote sales of cannabis f	lower, cannabinoid
2.34	products, lower p	potency edible pr	oducts, hemp-d	erived consumer prod	lucts, or sales at a
2.35	specific cannabis	business and inc	ludes any newsp	oaper, radio, internet a	nd electronic media,
2.36	or television prop	motion; the distri	bution of fliers	and circulars; and the	display of window
2.37	and interior signs	s in a cannabis b	ısiness. Adverti	sement does not inclu	ide a fixed outdoor
2.38	sign that meets the	he requirements	n section 342.6	6, subdivision 2, para	graph (b).

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Subd. 6. Artificially derived cannabinoid. "Artificially derived cannab	oinoid" means a
cannabinoid extracted from a cannabis plant, cannabis flower, hemp plant, o	or hemp plant
parts with a chemical makeup that is changed after extraction to create a different	ent cannabinoid
or other chemical compound by applying a catalyst other than heat or light.	Artificially
derived cannabinoid includes but is not limited to any tetrahydrocannabinol	l created from
cannabidiol but does not include cannabis concentrate, cannabinoid products, o	r hemp-derived
consumer products.	
Subd. 7. Batch. "Batch" means:	
(1) a specific quantity of cannabis plants that are cultivated from the same	ne seed or plant
stock, are cultivated together, are intended to be harvested together, and rece	ive an identical
propagation and cultivation treatment; or	
(2) a specific quantity of a specific cannabinoid product, lower potency	edible product,
artificially derived cannabinoid, or hemp-derived consumer product that is	manufactured
at the same time and using the same methods, equipment, and ingredients the	hat is uniform
and intended to meet specifications for identity, strength, purity, and compo	sition, and that
is manufactured, packaged, and labeled according to a single batch product	ion record
executed and documented during the same cycle of manufacture and produce	ced by a
continuous process.	
Subd. 8. Batch number. "Batch number" means a unique numeric or al	phanumeric
identifier assigned to a batch of cannabis flower or a batch of cannabinoid p	product, lower
potency edible product, artificially derived cannabinoid, or hemp-derived con	sumer product.
Subd. 9. Bona fide labor organization. "Bona fide labor organization"	means a labor
union that represents or is actively seeking to represent cannabis workers.	
Subd. 10. Cannabinoid. "Cannabinoid" means any of the chemical const	ituents of hemp
plants or cannabis plants that are naturally occurring, biologically active, ar	nd 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	e process of
extracting cannabis concentrate from cannabis plants or cannabis flower usin	ng water, lipids,
gases, solvents, or other chemicals or chemical processes, but does not inclu	ude the process
of extracting concentrate from hemp plants or hemp plant parts or the proce	ess of creating
artificially derived cannabinoids.	
Subd. 12. Cannabinoid product. (a) "Cannabinoid product" means any o	f the following:

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4.1	<u>(1)</u> canna	bis concentrate;				
4.2	(2) a prod	uct infused with canna	abinoids, includ	ing but not limited to t	etrahydrocannabinol,	
4.3	<u> </u>	derived from cannabi			<u> </u>	
4.4	(3) any other product that contains cannabis concentrate; or					
4.5	<u>(4) a proc</u>	luct infused with arti	ficially derived	cannabinoids.		
4.6	(b) Canna	abinoid product inclu	des adult-use c	annabinoid products,	including but not	
4.7	limited to ed	ible 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 <b>e.</b> "Cannabino	id profile" means the	amounts of each	
4.11	cannabinoid	that the office require	es to be identif	ied in testing and labe	ling, including but	
4.12	not limited to	o 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	erived cannabinoid, o	r a hemp-deriv	ed consumer product	, expressed as	
4.15	percentages r	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 pack	age.	
4.17	<u>Subd. 14.</u>	<u>Cannabis business.</u>	"Cannabis bus	iness" means any of th	e following licensed	
4.18	under this ch	apter:				
4.19	<u>(1) canna</u>	bis cultivator;				
4.20	<u>(2) canna</u>	bis manufacturer;				
4.21	<u>(3) canna</u>	bis retailer;				
4.22	(4) canna	bis wholesaler;				
4.23	(5) canna	bis transporter;				
4.24	(6) canna	bis testing facility;				
4.25	<u>(7) canna</u>	bis microbusiness;				
4.26	<u>(8) canna</u>	bis event organizer;				
4.27	<u>(9) canna</u>	bis delivery service;				
4.28	<u>(10) lowe</u>	er potency edible retain	<u>iler;</u>			
4.29	<u>(11) medi</u>	ical cannabis cultivate	or;			
4.30	<u>(12) med</u>	ical cannabis process	or; and			

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5.1	(13) medical	cannabis retailer.			
5.2	Subd 15 Co	annabis concentrate.	(a) "Cannabis con	acontrato" moor	26.
5.2	<u>Subu. 15. Ca</u>	annabis concentrate.			<u>15.</u>
5.3	(1) the extraction	cts and resins of a can	nabis plant or can	nabis flower;	
5.4	(2) the extract	ets or resins of a cannab	ois plant or cannab	is flower that ar	re refined to increase
5.5	the presence of	targeted cannabinoids	; or		
5.6	(3) a product	that is produced by ref	fining extracts or r	esins of a cannal	bis plant or cannabis
5.7	flower and is int	tended to be consumed	d by combustion of	or vaporization	of the product and
5.8	inhalation of sm	oke, aerosol, or vapor	from the product		
5.9	(b) Cannabis	s concentrate does not	include industrial	hemp, artificia	lly derived
5.10	cannabinoids, or	r hemp-derived consur	mer products.		
5.11	<u>Subd. 16.</u> Ca	annabis flower. "Cann	abis flower" mean	ns the harvested	flower, bud, leaves,
5.12	and stems of a c	annabis plant. Cannab	ois flower include	s adult-use canr	nabis flower and
5.13	medical cannabi	s flower. Cannabis flo	wer does not inclu	ude cannabis se	ed, industrial hemp,
5.14	or hemp-derived	l consumer products.			
5.15	<u>Subd. 17.</u> Ca	annabis industry. "Ca	annabis industry"	means every ite	em, product, person,
5.16	process, action,	business, or other thir	ng subject to regul	ation under this	s chapter.
5.17	<u>Subd. 18.</u> Ca	annabis paraphernal	<b>ia.</b> "Cannabis par	aphernalia" mea	ans all equipment,
5.18	products, and m	aterials of any kind th	at are knowingly	or intentionally	used primarily in:
5.19	(1) manufact	turing cannabinoid pro	oducts;		
5.20	(2) ingesting	, inhaling, or otherwise	e introducing cann	abis flower or ca	annabinoid products
5.21	into the human	body; and			
5.22	(3) testing the	e strength, effectivenes	ss, or purity of can	nabis flower, ca	nnabinoid products,
5.23	or hemp-derived	l consumer products.			
5.24	<u>Subd. 19.</u> Ca	annabis plant. "Canna	abis plant" means	all parts of the	plant of the genus
5.25	Cannabis that is	growing or has not be	een harvested and	has a delta-9 te	trahydrocannabinol
5.26	concentration of	f more than 0.3 percen	t on a dry weight	basis.	
5.27	<u>Subd. 20.</u> Ca	annabis prohibition.	"Cannabis prohibi	ition" means the	e system of state and
5.28	federal laws that	t prevented establishm	nent of a legal man	rket and instead	l established petty
5.29	offenses and crin	ninal offenses punisha	ble by fines, impri	sonment, or bot	h for the cultivation,
5.30	possession, and	sale of all parts of the	plant of any specie	es of the genus	Cannabis, including
5.31	all agronomical	varieties, whether gro	wing or not; the s	eeds thereof; th	e resin extracted

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6.1	from any pa	art of such plant; and	every compound	l, manufacture, salt, d	erivative, mixture,
6.2	or preparati	ion of such plant, its s	eeds, or resin.		
6.3	Subd. 2	1. Cannabis seed. <u>"</u> C	annabis seed" m	eans the viable seed of	of the plant of the
6.4	genus Cann	abis that is reasonably	y expected to gro	ow into a cannabis pla	ant. Cannabis seed
6.5	does not inc	clude hemp seed.			
6.6	Subd. 22	2. <u>Cannabis worker.</u>	"Cannabis work	er" means any individ	dual employed by a
6.7	cannabis bu	siness and any indivi	dual who is a co	ntractor of a cannabis	business whose
6.8	scope of wo	ork involves the handli	ing of cannabis p	lants, cannabis flower	; artificially derived
6.9	cannabinoio	ds, or cannabinoid pro	oducts.		
6.10	<u>Subd. 2</u> .	3. Child-resistant. "C	Child-resistant" r	neans packaging that	meets the poison
6.11	prevention	packaging standards i	n Code of Feder	al Regulations, title 1	6, section 1700.15.
6.12	Subd. 24	4. Cooperative. "Coo	perative" means	an association condu	cting business on a
6.13	cooperative	e plan that is organized	d or is subject to	chapter 308A or 308	<u>B.</u>
6.14	Subd. 2	5. Council. "Council"	means the Can	nabis Advisory Counc	<u>xil.</u>
6.15	<u>Subd. 20</u>	6. Cultivation. "Cultiv	vation" means an	y activity involving th	e planting, growing,
6.16	harvesting,	drying, curing, gradir	ng, or trimming o	of cannabis plants, car	mabis flower, hemp
6.17	plants, or h	emp plant parts.			
6.18	Subd. 2	7. Division of Medica	al Cannabis. "D	ivision of Medical Ca	annabis" means a
6.19	division ho	used in the Office of (	Cannabis Manag	ement that operates the	ne medical cannabis
6.20	program.				
6.21	Subd. 28	8. Division of Social E	<b>Equity</b> "Division	of Social Equity" mea	ns a division housed
6.22	in the Offic	e of Cannabis Manag	ement that prom	otes development, sta	bility, and safety in
6.23	communitie	es that have experienc	ed a disproportion	onate, negative impac	t from cannabis
6.24	prohibition	and usage.			
6.25	Subd. 2	9. <mark>Edible cannabino</mark> i	<b>d product.</b> "Edi	ble cannabinoid prod	uct" means any
6.26	product that	t is intended to be eat	en or consumed	as a beverage by hum	ans; contains a
6.27	<u>cannabinoi</u>	d, including an artific	ially derived can	nabinoid, in combina	tion with food
6.28	ingredients	; is not a drug; and is	a type of produc	t approved for sale by	the office, or is
6.29	substantiall	y similar to a product a	approved by the o	office including but no	t limited to products
6.30	that resemb	le nonalcoholic bever	ages, candy, and	baked goods. Edible c	annabinoid product
6.31	includes lov	wer potency edible pr	oducts.		
6.32	Subd. 3	0. Health care practi	tioner. "Health	care practitioner" mea	uns a
6.33	Minnesota-	licensed doctor of me	dicine, a Minnes	sota-licensed physicia	n assistant acting

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7.1	within the scc	ope of authorized prac	ctice, or a Minnes	sota-licensed advance	ed practice registered
7.2	nurse who ha	s the primary respons	sibility for the ca	re and treatment of th	e qualifying medical
7.3	condition of a	an individual diagno	sed with a quali	fying medical condit	ion.
7.4	Subd. 31.	Health record. "He	ealth record" has	the meaning given i	n section 144.291,
7.5	subdivision 2	· · ·			
7.6	<u>Subd. 32.</u>	Hemp concentrate	<u>. (a) "Hemp con</u>	centrate" means:	
7.7	(1) the ex	tracts and resins of a	hemp plant or h	emp plant parts;	
7.8	(2) the ext	tracts or resins of a h	emp plant or her	mp plant parts that ar	e refined to increase
7.9	the presence	of targeted cannabin	oids; or		
7.10	<u>(3) a prod</u>	uct that is produced	by refining extra	acts or resins of a her	mp plant or hemp
7.11	plant parts an	id is intended to be c	onsumed by cor	nbustion or vaporiza	tion of the product
7.12	and inhalation	n of smoke, aerosol,	or vapor from the	ne product.	
7.13	(b) Hemp	concentrate does not	include artificia	lly derived cannabing	oids or hemp-derived
7.14	consumer pro	oducts.			
7.15	Subd. 33.	Hemp-derived con	sumer product.	(a) "Hemp-derived	consumer product"
7.16	means a prod	luct intended for hun	nan or animal co	nsumption that:	
7.17	(1) consis	ts of hemp plant par	ts;		
7.18	<u>(2) is herr</u>	np concentrate; or			
7.19	(3) contai	ns hemp concentrate	<u>.</u>		
7.20	(b) Hemp	-derived consumer p	product includes	hemp-derived topica	l products, but does
7.21	not include e	dible cannabinoid pr	oducts, artificial	ly derived cannabing	oids, hemp fiber
7.22	products, or l	nemp grain.			
7.23	Subd. 34.	Hemp-derived top	ical product. "H	lemp-derived topical	product" means a
7.24	product inten	ded for human or an	imal consumption	on that contains hem	p concentrate and is
7.25	intended for a	application externall	y to a part of the	body of a human or	animal.
7.26	Subd. 35.	Hemp fiber produc	<b>t.</b> "Hemp fiber p	roduct" means an inte	ermediate or finished
7.27	product made	e from the fiber of he	emp plant parts t	hat is not intended for	or human or animal
7.28	consumption.	. Hemp fiber product	includes but is n	ot limited to cordage.	, paper, fuel, textiles,
7.29	bedding, insu	lation, construction	materials, comp	ost materials, and ind	dustrial materials.

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8.1	Subd. 36	6. Hemp grain. "Hem	np grain" means	the harvested seeds c	of the hemp plant
8.2		consumption as a fo			
8.3	pressed or e	extracted from harvest	ted hemp seeds.		
8.4	Subd. 37	7. Hemp plant. "Hem	np plant" means a	ll parts of the plant of	f the genus Cannabis
8.5	that is grow	ing or has not been h	arvested and has	a delta-9 tetrahydroc	cannabinol
8.6	concentratio	on of no more than 0.2	3 percent on a dr	y weight basis.	
8.7	<u>Subd. 38</u>	<u> Hemp plant parts.</u>	"Hemp plant par	rts" means any part of	f the harvested hemp
8.8	plant, includ	ling the flower, bud,	leaves, stems, an	d stalk, but does not	include derivatives,
8.9	extracts, car	nnabinoids, isomers, a	acids, salts, and s	salts of isomers that a	are separated from
8.10	the plant. He	emp plant parts does	not include hem	p fiber products, hem	np grain, or hemp
8.11	seed.				
8.12	<u>Subd. 39</u>	9. Hemp seed. "Hemp	o seed" means th	e viable seed of the p	plant of the genus
8.13	Cannabis the	at is intended to be pl	lanted and is reas	sonably expected to g	grow into a hemp
8.14	plant. Hemp	seed does not includ	le cannabis seed	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	<b>binoid.</b> "Intoxic	ating cannabinoid" n	neans a cannabinoid,
8.18	including an	n artificially derived c	cannabinoid, that	when introduced int	o the human body
8.19	impairs the c	central nervous syster	n or impairs the l	numan audio, visual,	or mental processes.
8.20	Intoxicating	cannabinoid include	s but is not limit	ed to any tetrahydroc	annabinol.
8.21	<u>Subd. 42</u>	2. Labor peace agree	ement. "Labor pe	eace agreement" mea	ns an agreement
8.22	between a ca	annabis business and	a bona fide labo	r organization that p	rotects the state's
8.23	interests by,	at minimum, prohibi	ting the labor or	ganization from enga	nging in picketing,
8.24	work stoppa	iges, or boycotts again	nst the cannabis b	ousiness. This type of	agreement shall not
8.25	mandate a p	articular method of el	lection or certific	cation of the bona fide	e labor organization.
8.26	Subd. 43	3. License holder. <u>"L</u>	icense holder" m	eans a person, coope	erative, or business
8.27	that holds an	ny of the following lie	censes:		
8.28	<u>(1) canna</u>	abis cultivator;			
8.29	<u>(2)</u> canna	abis manufacturer;			
8.30	<u>(3) canna</u>	abis retailer;			
8.31	<u>(4) canna</u>	abis wholesaler;			
8.32	<u>(5)</u> canna	abis transporter;			

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9.1	(6) cannabis t	esting facility;			
9.2	(7) cannabis 1	nicrobusiness;			
9.3	(8) cannabis e	event organizer;			
9.4	(9) cannabis o	lelivery service;			
9.5	<u>(10) lower po</u>	tency edible retail	er;		
9.6	(11) medical	cannabis cultivator	••• <u>•</u>		
9.7	(12) medical	cannabis processo	r; o <u>r</u>		
9.8	(13) medical	cannabis retailer.			
9.9	<u>Subd. 44.</u> Lo	cal unit of govern	ment. "Local	unit of government" n	neans a home rule
9.10	charter or statuto	ry city, county, tov	vn, or other po	olitical subdivision.	
9.11	<u>Subd. 45.</u> Lov	wer potency edibl	e product. "L	ower potency edible p	product" means any
9.12	product that:				
9.13	(1) is intended	d to be eaten or co	nsumed as a b	everage by humans;	
9.14	(2) contains a	cannabinoid, inclu	ding an artific	ially derived cannabin	oid, in combination
9.15	with food ingred	ients;			
9.16	(3) is not a dr	ug;			
9.17	(4) is package	ed in servings that	contain no mo	ore than five milligram	s of delta-9
9.18	tetrahydrocannab	pinol per serving, 2	5 milligrams	of cannabidiol per serv	ving, 25 milligrams
9.19	of cannabigerol p	er serving, or any	combination o	f those cannabinoids th	hat does not exceed
9.20	the identified am	ounts;			
9.21	(5) does not c	ontain more than a	a combined to	tal of 0.5 milligrams o	f all other
9.22	cannabinoids;				
9.23	<u>(6) does not c</u>	ontain an artificial	ly derived can	nnabinoid other than d	elta-9
9.24	tetrahydrocannab	binol; and			
9.25	<u>(7) is a type o</u>	f product approve	d for sale by t	he office or is substant	ially similar to a
9.26	product approved	l by the office, inc	luding but not	limited to products th	at resemble
9.27	nonalcoholic bev	erages, candy, and	baked goods	<u>.</u>	
9.28	<u>Subd. 46.</u> Ma	trix barcode. "Ma	atrix barcode"	means a code that stor	res data in a
9.29	two-dimensional	array of geometric	cally shaped d	ark and light cells cap	able of being read
9.30	by the camera on	a smartphone or c	other mobile d	evice.	

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10.1	Subd. 47. Medical cannab	inoid product. (a)	"Medical cannabinoid r	product" means a
10.2	cannabinoid product provided	to a patient enrolled	d in the registry program	n; a registered
10.3	designated caregiver; or a pare	ent, legal guardian,	or spouse of an enrolled	patient, by a
10.4	cannabis retailer or medical can	nabis retailer to trea	t or alleviate the sympton	ns of a qualifying
10.5	medical condition. A medical	cannabinoid produc	t must be in the form of	<u>f:</u>
10.6	(1) liquid, including but no	t limited to oil;		
10.7	<u>(2) pill;</u>			
10.8	(3) liquid or oil for use with	h a vaporized delive	ery method;	
10.9	(4) water-soluble cannabino	id multiparticulate,	including granules, powe	ler, and sprinkles;
10.10	(5) orally dissolvable produ	uct, including lozen	ges, gum, mints, buccal	tablets, and
10.11	sublingual tablets;			
10.12	(6) edible products in the f	orm of gummies an	d chews;	
10.13	(7) topical formulation; or			
10.14	(8) any allowable form or c	lelivery method app	proved by the office.	
10.15	(b) Medical cannabinoid pr	oduct does not incl	ude adult-use cannabin	oid products.
10.16	Subd. 48. Medical cannab	is business. "Medi	cal cannabis business" r	neans an entity
10.17	licensed under this chapter to e	engage in one or mo	ore of the following:	
10.18	(1) the cultivation of canna	bis plants for medic	cal cannabis flower;	
10.19	(2) the manufacture of med	lical cannabinoid pi	oducts; and	
10.20	(3) the retail sale of medica	al cannabis flower a	nd medical cannabinoic	l products.
10.21	Subd. 49. Medical cannab	is flower. "Medical	cannabis flower" means	s cannabis flower
10.22	provided to a patient enrolled i	n the registry progr	am; a registered designa	ated caregiver; or
10.23	a parent, legal guardian, or spo	ouse of an enrolled	patient by a cannabis re-	tailer or medical
10.24	cannabis business to treat or al	leviate the symptor	ns of a qualifying medi	cal condition.
10.25	Medical cannabis flower does	not include adult-u	se cannabis flower or he	emp-derived
10.26	consumer products.			
10.27	Subd. 50. Medical cannab	is paraphernalia.	"Medical cannabis paraj	phernalia" means
10.28	a delivery device, related supp	ly, or educational n	naterial used by a patien	t enrolled in the
10.29	registry program to administer	medical cannabis a	und medical cannabinoio	d products.
10.30	Subd. 51. Nonintoxicating	<mark>g cannabinoid.</mark> "No	nintoxicating cannabing	oid" means a
10.31	cannabinoid that when introdu	ced into the human	body does not impair th	e 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 any artificially derived cannabinoid.

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 <u>billboards; advertisements on benches; advertisements at transit stations or transit shelters;</u>

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

11.9 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 Subd. 56. 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	(10) post-traumatic stress disorder;							
12.3	(11) Tourett	e's syndrome;						
12.4	<u>(12)</u> amyotr	ophic lateral sclerosis;						
12.5	(13) seizure	s, including those char	acteristic of epile	psy;				
12.6	(14) severe	and persistent muscle	spasms, including	those characteristi	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	(17) obsessi	ve-compulsive disorde	er;					
12.11	<u>(18) sickle c</u>	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 pro	oduces one or more of	the following:					
12.14	(i) severe or	chronic pain;						
12.15	(ii) nausea c	or severe vomiting; or						
12.16	(iii) cachexi	a or severe wasting; or	• -					
12.17	(20) any oth	er medical condition of	or its treatment ap	proved by the offic	<u>e.</u>			
12.18	<u>Subd. 57.</u> <b>R</b>	egistered designated	caregiver. "Regis	stered designated ca	aregiver" 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	al offense accordi	ng to section 342.20	0, 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	n a cannabis			
12.24	retailer or medi	cal cannabis retailer an	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> . <b>R</b>	egistry or registry pr	<b>ogram.</b> <u>"Re</u> gistry	" or "registry prog	ram" means the			
12.29	patient registry	established under this	chapter listing pa	tients authorized to	obtain medical			

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13.1	cannabis flow	ver, medical cannabi	noid products, an	nd medical cannabis	paraphernalia from
13.2	cannabis reta	ilers and medical ca	nnabis retailers a	nd administer medic	al cannabis flower
13.3	and medical of	cannabinoid product	<u>s.</u>		
13.4	Subd. 59.	Registry verificatio	on. "Registry veri	fication" means the v	erification provided
13.5	by the Division	on of Medical Canna	abis that a patien	t is enrolled in the re	gistry program and
13.6	that includes	the patient's name, p	atient registry nu	mber, and, if applica	ble, the name of the
13.7	patient's regis	stered designated car	regiver or parent.	, legal guardian, or sp	oouse.
13.8	Subd. 60.	Restricted area. "R	Restricted area" n	neans an area where	cannabis flower or
13.9	cannabinoid j	products are cultivat	ed, manufactured	l, or stored by a canr	nabis business.
13.10	Subd. 61.	Statewide monitor	<b>ing system.</b> "Sta	tewide monitoring sy	ystem" means the
13.11	system for in	tegrated cannabis tra	cking, inventory	, and verification est	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	l but is not extracted
13.15	or derived from	om cannabis plants, o	cannabis flower,	hemp plants, or hem	p plant parts and is
13.16	instead create	ed or produced by ch	emical or bioche	emical synthesis.	
13.17	Subd. 63.	Veteran. "Veteran"	means an individ	dual who satisfies the	e requirements in
13.18	section 197.4	<u>47.</u>			
13.19	Subd. 64.	Visiting designated	<b>l caregiver.</b> "Vis	iting designated care	giver" means an
13.20	individual wh	no is authorized unde	er a visiting patie	nt's jurisdiction of re	sidence to assist the
13.21	visiting patien	nt with the use of me	dical cannabis fl	ower and medical ca	nnabinoid products.
13.22	To be conside	ered a visiting design	nated caregiver, t	he individual must p	ossess a valid
13.23	verification c	ard or its equivalent	that is issued by	the visiting patient's	jurisdiction of
13.24	residence and	l that verifies that the	e individual is aut	thorized to assist the	visiting patient with
13.25	the administra	ation of medical can	nabis flower and	medical cannabinoic	l products under the
13.26	laws or regula	ations of the visiting	g 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	who possesses a vali	d registration ver	rification card or its o	equivalent that is
13.29	issued under	the laws or regulation	ons of another sta	te, district, common	wealth, or territory
13.30	of the United	States verifying that	t the individual is	s enrolled in or autho	orized to participate
13.31	in that jurisdi	ction's medical cann	abis or medical 1	marijuana program.	
13.32	Subd. 66.	Volatile solvent. "V	Volatile solvent" 1	neans any solvent th	at is or produces a
13.33	<u>flammable ga</u>	as or vapor that, whe	n present in the a	air in sufficient quant	tities, will create

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14.1	explosive or i	gnitable mixtures. Volat	tile solvent in	cludes but is not limite	d to butane, hexane,
14.2	and propane.				
14.3	Sec. 2. [342	2.02] OFFICE OF CA	NNABIS M	ANAGEMENT.	
14.4	Subdivisio	on 1. <mark>Establishment.</mark> T	The Office of	Cannabis Managemen	t is created with the
14.5	-	uties established by lav			icy, and exercising
14.6	its regulatory	authority over the cam	nabis industr	y, the office must:	
14.7	<u>(1) promo</u>	te the public health and	l welfare;		
14.8	(2) protec	t public safety;			
14.9	(3) elimin	ate the illicit market fo	r cannabis fl	ower and cannabinoid	products;
14.10	<u>(4) meet t</u>	he market demand for o	cannabis flov	wer and cannabinoid p	roducts;
14.11	<u>(5) promo</u>	te a craft industry for c	annabis flov	ver and cannabinoid pr	oducts; and
14.12	(6) priorit	ize growth and recover	y in commu	nities that have experie	enced a
14.13	disproportion	ate, negative impact fro	om cannabis	prohibition.	
14.14	<u>Subd. 2.</u>	Powers and duties. The	e office has t	he following powers a	nd duties:
14.15	(1) to deve	elop, maintain, and enfo	orce an organ	nized system of regulat	ion for the cannabis
14.16	industry;				
14.17	(2) to establish	blish programming, serv	vices, and no	tification to protect, ma	iintain, and improve
14.18	the health of	citizens;			
14.19	(3) to prev	vent unauthorized acces	ss to cannabi	s flower, cannabinoid	products, and
14.20	hemp-derived	l consumer products by	v individuals	under 21 years of age	<u>,</u>
14.21	<u>(</u> 4) to esta	blish and regularly upd	late standard	s for product testing, p	backaging, and
14.22	labeling;				
14.23	(5) to prov	note economic growth	with an emp	bhasis on growth in are	as that experienced
14.24	a disproportio	onate, negative impact	from cannab	is prohibition;	
14.25	<u>(6) to issu</u>	e and renew licenses;			
14.26	(7) to requ	aire fingerprints from in	ndividuals de	etermined to be subjec	t to fingerprinting,
14.27	including the	submission of fingerpr	rints to the F	ederal Bureau of Inves	tigation where
14.28	required by la	aw and to obtain crimin	al conviction	n data for individuals s	seeking a license
14.29	from the offic	e on the individual's be	ehalf or as a	cooperative member o	r director, manager,
14.30	or general par	rtner of a business entit	<u>y;</u>		

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15.1	(8) to re	eceive reports required	by this chapter	and inspect the premise	es, records, books,
15.2				compliance with all ap	
15.3	rules;				
15.4	(9) to au	athorize the use of unma	arked motor vel	nicles to conduct seizure	s or investigations
15.5	pursuant to	the office's authority;			
15.6	(10) to i	impose and collect civi	l and administr	ative penalties as provid	ed in this chapter;
15.7	(11) to r	ublish such informatio	n as may be dee	emed necessary for the w	velfare of cannabis
15.8		cannabis workers, and	-		
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 can	nabis flower, cannabinoi	d products, and
15.12	the cannabi	is industry;			
15.13	(14) to j	provide reports as requ	ired by law;		
15.14	<u>(15) to e</u>	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 cannabi	is microbusinesses
15.16	with an end	lorsement to sell canna	bis flower and	cannabinoid products to	customers; and
15.17	<u>(16) to </u>	exercise other powers a	and authority a	nd perform other duties	required by law.
15.18	Subd. 3	. <u>Medical cannabis p</u>	rogram. The po	owers and duties of the l	Department of
15.19	Health with	respect to the medical	cannabis progra	m under Minnesota Statu	ites 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 or	ffice and the commissio	ner of agriculture
15.23	shall enter	into interagency agree	ments to ensure	that edible cannabinoid	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	A and associated rules.	
15.26	<u>(b)</u> The	office may cooperate a	and enter into or	ther agreements with the	commissioner of
15.27	agriculture	and may cooperate and	d enter into agr	eements with the comm	issioners and
15.28	directors of	f other state agencies an	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.	

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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 and usage in order to promote economic development, provide
16.28	services to prevent violence, support early intervention programs for youth and families,
16.29	and promote 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	Subd. 9.	Compliance with fe	<b>deral law.</b> Nothi	ng in this chapter sha	all be construed to
17.2	allow canna	bis to be transported	outside of the sta	te unless explicitly au	thorized by federal
17.3	law.				
17.4	<b>EFFEC</b>	TIVE DATE. This se	ection is effective	e July 1, 2023, except	t for subdivision 3,
17.5	which is eff	fective January 1, 202	<u>4.</u>		
17.6	Sec. 3. <b>[3</b> 4	42.03] CANNABIS A	ADVISORY CO	UNCIL.	
17.7	Subdivis	sion 1. Membership.	(a) The Cannabi	s Advisory Council is	s created consisting
17.8	of the follow	wing members:			
17.9	(1) the d	lirector of the Office of	of Cannabis Man	agement or a designe	<u>e;</u>
17.10	(2) the c	commissioner of empl	oyment and ecor	nomic development of	r a designee;
17.11	(3) the c	commissioner of rever	ue or a designee	<u>2</u>	
17.12	(4) the c	commissioner of healt	h or a designee;		
17.13	(5) the c	commissioner of publi	c safety or a desi	gnee;	
17.14	<u>(6) the c</u>	commissioner of huma	nn rights or a des	ignee;	
17.15	<u>(7) the c</u>	commissioner of labor	or a designee;		
17.16	<u>(8)</u> the c	commissioner of agric	ulture or a design	nee;	
17.17	<u>(9) the c</u>	commissioner of the P	ollution Control	Agency or a designed	<del>;</del>
17.18	<u>(10) the</u>	superintendent of the	Bureau of Crim	inal Apprehension or	a designee;
17.19	<u>(11) the</u>	colonel of the State P	atrol or a design	ee;	
17.20	<u>(12) the</u>	director of the Office	of Traffic Safety	in the Department o	f Public Safety or a
17.21	designee;				
17.22	<u>(13) a re</u>	presentative from the	League of Minn	esota Cities appointe	d by the league;
17.23	<u>(14) a re</u>	presentative from the	Association of M	Minnesota Counties a	ppointed by the
17.24	association;	<u>.</u>			
17.25	<u>(15) an e</u>	expert in minority bus	iness developme	ent appointed by the g	governor;
17.26	(16) an o	expert in economic de	evelopment strate	egies for under-resour	ced communities
17.27	appointed b	y the governor;			
17.28	<u>(17) an o</u>	expert in farming or re	epresenting the in	nterests of farmers ap	pointed by the
17.29	governor;				

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18.1	<u>(18) an exper</u>	t representing the	e interests of can	nabis workers appoint	ed by the governor;		
18.2	(19) an exper	t representing the	e interests of em	ployers appointed by	the governor;		
18.3	(20) an exper	t in municipal la	w enforcement v	vith advanced training	g in impairment		
18.4	detection and eva	aluation appointe	ed by the governo	or;			
18.5	<u>(21) an exper</u>	t in social welfar	e or social justic	e appointed by the go	overnor;		
18.6	<u>(22)</u> an exper	t in criminal just	ice reform to mit	igate the disproportio	nate impact of drug		
18.7	prosecutions on o	communities of c	color appointed b	by the governor;			
18.8	(23) an exper	t in the prevention	on and treatment	of substance use disc	orders appointed by		
18.9	the governor;						
18.10	<u>(24) an exper</u>	t in minority bus	iness ownership	appointed by the gov	vernor;		
18.11	(25) an exper	t in women-own	ed businesses ap	pointed by the govern	nor;		
18.12	(26) an exper	t in cannabis reta	ailing appointed	by the governor;			
18.13	(27) an expert in cannabis product manufacturing appointed by the governor;						
18.14	<u>(28)</u> an exper	t in laboratory sc	eiences and toxic	ology appointed by the	he governor;		
18.15	(29) an exper	t in providing leg	gal services to ca	nnabis businesses ap	pointed by the		
18.16	governor;						
18.17	(30) an exper	t in cannabis cul	tivation appointe	ed by the governor;			
18.18	<u>(31) two patie</u>	ent advocates, one	e who is a patient	enrolled in the medica	al cannabis program		
18.19	and one patient w	vith experience i	n the mental hea	lth system or substan	ce use disorder		
18.20	treatment system	appointed by th	e governor;				
18.21	<u>(32)</u> a veterar	n appointed by th	e governor; and				
18.22	(33) one men	nber of each of th	ne following fede	erally recognized Trib	bes, designated by		
18.23	the elected Triba	l president or cha	airperson of the g	governing bodies of:			
18.24	(i) the Fond d	lu Lac Band;					
18.25	(ii) the Grand	l Portage Band;					
18.26	(iii) the Mille	Lacs Band;					
18.27	(iv) the White	e Earth Band;					
18.28	(v) the Bois F	Forte Band;					
18.29	(vi) the Leech	n Lake Band;					

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19.1	(vii) the	Red Lake Nation;						
19.2	(viii) the Upper Sioux Community;							
19.3	(ix) the	Lower Sioux Indian Co	ommunity;					
19.4	$(\mathbf{x})$ the S	Shakopee Mdewakantor	n Sioux Comr	nunity; and				
19.5	(xi) the	Prairie Island Indian C	ommunity.					
19.6	<u>(b) Whi</u>	le serving on the Canna	abis Advisory	Council and within tw	o years after			
19.7	terminating	service, a council mem	iber shall not s	erve as a lobbyist, as de	fined under section			
19.8	<u>10A.01, sub</u>	odivision 21.						
19.9	Subd. 2.	Terms; compensation	; removal; va	cancy; expiration. The	membership terms,			
19.10	compensati	on, removal of member	rs appointed b	y the governor, and fill	ing of vacancies of			
19.11	members ar	e provided in section 1	5.059.					
19.12	Subd. 3.	Officers; meetings. (a	a) The director	r of the Office of Cann	abis Management			
19.13	or the director's designee must chair the Cannabis Advisory Council. The advisory council							
19.14	must elect a vice-chair and may elect other officers as necessary.							
19.15	(b) The	advisory council shall	meet quarterly	or upon the call of the	e chair.			
19.16	<u>(c) Meet</u>	tings of the advisory co	ouncil are subj	ect to chapter 13D.				
19.17	Subd. 4.	Duties. (a) The duties	of the advisor	ry council shall include	<u>::</u>			
19.18	<u>(1) revie</u>	ewing national cannabi	s policy;					
19.19	<u>(2)</u> exan	nining the effectiveness	s of state cann	abis policy;				
19.20	<u>(3) revie</u>	ewing developments in	the cannabis i	ndustry;				
19.21	<u>(</u> 4) revie	ewing developments in	the study of c	annabis flower and car	nabinoid products;			
19.22	<u>(5)</u> takin	ng public testimony; an	d					
19.23	<u>(6) maki</u>	ing recommendations t	o the Office of	f Cannabis Managemen	<u>nt.</u>			
19.24	<u>(b)</u> At it	s discretion, the adviso	ory council ma	y examine other related	d issues consistent			
19.25	with this see	ction.						
19.26	Sec. 4. <b>[3</b> 4	42.04] STUDIES; RE	PORTS.					
19.27	<u>(a) The</u>	office shall conduct a s	tudy to detern	nine the expected size a	and growth of the			

19.28 regulated cannabis industry, including an estimate of the demand for cannabis flower and

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20.1	cannabinoid r	products, the number	and geographic d	listribution of cannabi	s businesses needed
20.2				from residents of oth	
20.3	(b) The of	fice shall conduct a	study to determi	ne the size of the illic	it cannabis market,
20.4	<u> </u>		-	abinoid products in the	
20.5	of citations is	sued and arrests ma	de for cannabis o	ffenses, and the subar	reas, such as census
20.6	tracts or neig	hborhoods, that exp	erience a disprop	ortionately large amo	ount of cannabis
20.7	enforcement.				
20.8	<u>(c)</u> The of	fice shall conduct a	study on impaire	ed driving to determin	ne the number of
20.9	accidents inv	olving one or more	drivers who adm	itted to using cannabi	s flower or
20.10	cannabinoid j	products or who test	ed positive for ca	annabis or tetrahydro	cannabinol, the
20.11	number of arr	ests of individuals for	or impaired driving	ng in which the indivi	dual tested positive
20.12	for cannabis of	or tetrahydrocannab	inol, and the num	ber of convictions fo	or driving under the
20.13	influence of c	annabis flower, can	nabinoid product	s, or tetrahydrocanna	lbinol.
20.14	(d) The of	fice shall provide p	reliminary report	s on the studies cond	ucted pursuant to
20.15	paragraphs (a	to (c) to the legisla	ature by January	15, 2024, and shall p	rovide final reports
20.16	to the legislat	ure by January 15, 2	2025. The reports	may be consolidated	into a single report
20.17	by the office.				
20.18	(e) The of	fice shall conduct a	study on the stat	e's mental health syst	em and substance
20.19	use disorder t	reatment system to	determine the rat	es at which individua	ils access those
20.20	systems. At a	minimum, the repo	rt shall include in	nformation about the	number of people
20.21	admitted to en	mergency rooms for	treatment of a m	ental illness or subst	ance use disorder,
20.22	ordered by a	court to participate i	in mental health o	or substance use prog	ramming, and who
20.23	voluntarily ag	greed to accept ment	tal health or subs	tance use treatment o	r admission to a
20.24	state-operated	l treatment program	or treatment fac	ility. The report must	include summary
20.25	data disaggre	gated by the month c	of admission or or	der; age, race, and sez	x of the individuals;
20.26	whether the a	dmission or order w	vas for a mental i	llness or substance us	se disorder; and, to
20.27	the extent kno	own, the substance of	of abuse that resu	lted in the admission	or order. Data must
20.28	be obtained, r	etained, and reported	d in a way that pro	events the unauthorize	ed release of private
20.29	data on indivi	duals as defined in s	ection 13.02. The	office shall submit th	e report by January
20.30	<u>15, 2027, and</u>	the report may be c	combined with th	e annual report subm	itted by the office.
20.31	<u>(f)</u> The of	fice shall submit an	annual report to	the legislature by Jan	uary 15, 2024, and
20.32	each January	15 thereafter. The an	nual report shall i	nclude but not be limit	ted to the following:
20.33	(1) the sta	tus of the regulated	cannabis industr	<u>y;</u>	
20.34	(2) the sta	tus of the illicit cam	nahis market <sup>.</sup>		

## 20.34 (2) the status of the illicit cannabis market;

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21.1	(3) the	number of accidents, a	rrests, and convi	ctions involving drive	ers who admitted to
21.2	using canr	abis flower or cannabi	noid products or	who tested positive f	or cannabis or
21.3	<u>tetrahydro</u>	cannabinol;			
21.4	(4) the	change in potency, if ar	ny, of cannabis fl	ower and cannabinoic	l products available
21.5	through th	e regulated market;			
21.6	(5) pro	gress on providing oppo	ortunities to indiv	viduals and communit	ies that experienced
21.7	a dispropo	rtionate, negative impa	ct from cannabis	s prohibition, includin	g but not limited to
21.8	providing	relief from criminal co	nvictions and in	creasing economic op	portunities;
21.9	<u>(6) the</u>	status of racial and geo	ographic diversit	y in the cannabis indu	<u>ıstry;</u>
21.10	<u>(7) pro</u>	posed legislative chang	ges;		
21.11	<u>(8) info</u>	ormation on the adverse	effects of secon	d-hand smoke from a	ny cannabis flower,
21.12	<u>cannabino</u>	id products, and hemp-	derived consum	er products that are co	onsumed by
21.13	<u>combustio</u>	n or vaporization of the	e product and inl	nalation of smoke, aer	osol, or vapor from
21.14	the produc	et; and			
21.15	<u>(9) rec</u>	ommendations for leve	ls of funding for	<u>.</u>	
21.16	<u>(i) a co</u>	ordinated education pro	ogram to address	and raise public awar	reness about the top
21.17	three adve	rse health effects, as de	termined by the	commissioner of heat	lth, associated with
21.18	the use of	cannabis flower or can	nabinoid produc	ts by individuals unde	er 21 years of age;
21.19	<u>(ii) a co</u>	pordinated education pr	ogram to educate	e pregnant women, bre	eastfeeding women,
21.20	and wome	n who may become pre	gnant on the adv	erse health effects of c	cannabis flower and
21.21	<u>cannabino</u>	id products;			
21.22	<u>(iii) tra</u>	ining, technical assistar	nce, and educatio	onal materials for hom	e visiting programs
21.23	and Tribal	home visiting program	s regarding safe	and unsafe use of car	nnabis flower and
21.24	cannabino	id products in homes w	vith infants and y	oung children;	
21.25	<u>(iv) mo</u>	odel programs to educat	te middle school	and high school stud	ents on the health
21.26	effects on	children and adolescen	ts of the use of c	annabis flower, canna	abinoid products,
21.27	and other	intoxicating or controll	ed substances;		
21.28	<u>(v)</u> gra	nts issued through the (	CanTrain, CanN	avigate, CanStartup, a	and CanGrow
21.29	programs;				
21.30	(vi) gra	ants to organizations for	r community de	velopment in social ec	quity communities
21.31	through th	e CanRenew program;			

22.1 (vii) training	of peace officers a	nd law enforcer	nent agencies on chang	ges to laws involving
<u> </u>	-		-derived consumer pro	
22.3 <u>impact on search</u>	nes and seizures;			
22.4 (viii) training	g of peace officer	s to increase the	e number of drug recog	gnition experts;
22.5 (ix) training of	of peace officers	on the cultural u	uses of sage and disting	guishing use of sage
$\frac{1}{22.6} \qquad \frac{1}{100} \text{ from the use of c}$	cannabis flower, i	ncluding wheth	er the Board of Peace	Officer Standards
22.7 and Training sho	ould approve or d	evelop training	materials;	
(x) the retirement of (x) the retirement o	ment and replace	ment of drug de	etection dogs; and	
22.9 <u>(xi) the Depa</u>	rtment of Humar	Services and c	county social service a	gencies to address
22.10 <u>any increase in d</u>	lemand for servic	es.		
22.11 (g) In develop	ping the recomme	ended funding le	evels under paragraph	(f), clause (9), items
22.12 (vii) to (xi), the o	office shall consu	lt with local lav	w enforcement agencie	es, the Minnesota
22.13 Chiefs of Police	Association, the l	Minnesota Sher	iff's Association, the L	eague of Minnesota
22.14 <u>Cities, the Assoc</u>	ciation of Minnes	ota Counties, a	nd county social service	ces agencies.
22.15 Sec. 5. [342.05	5] STATEWIDE	MONITORIN	G SYSTEM.	
22.16 Subdivision	1. Statewide mo	nitoring. The o	ffice must contract wit	h an outside vendor
22.17 to establish a sta	tewide monitorin	g system for in	tegrated cannabis tracl	king, inventory, and
22.18 verification to tra	ck all cannabis pla	ants, cannabis fl	ower, cannabinoid proc	lucts, and artificially
22.19 derived cannabin	oids from seed, in	nmature plant, o	or creation until dispose	al or sale to a patient
22.20 <u>or customer.</u>				
22.21 Subd. 2. Dat	a submission rec	<b>uirements.</b> Th	e monitoring system n	nust allow cannabis
22.22 <u>businesses to sub</u>	omit monitoring o	lata to the offic	e through the use of m	nonitoring system
22.23 software commo	only used within t	he cannabis inc	lustry and may also pe	ermit cannabis
22.24 businesses to sub	omit monitoring o	lata through ma	anual data entry with a	pproval from the
22.25 <u>office.</u>				
22.24 See 6 12.42.04			E EL OWED BDODI	
22.26 Sec. 6. [342.06 22.27 CANNABINOI		JF CANNADI	<u>S FLOWER, PRODU</u>	JC15, AND
		-	s flower, cannabinoid	
22.29 <u>hemp-derived co</u>	onsumer products	other than hem	p-derived topical proc	ducts for retail sale.
22.30 (b) The office	e shall not approv	ve any cannabir	oid product or hemp-o	derived consumer
22.31 product that:				

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23.1	<u>(1) is or ap</u>	pears to be a lollip	op or ice cream;		
23.2	(2) bears th	e likeness or conta	ains characteristics	of a real or fictional	l person, animal, or
23.3	fruit;				
23.4	(3) is mode	led after a type or	brand of products	primarily consumed	1 by or marketed to
23.4	children;		brand of products	primarity consumed	
23.6		-		ict; poultry food pro	
23.7		<u>, subdivision 10; o</u>	or a dairy product as	s defined in section 3	52D.01, subdivision
23.8	<u>7;</u>				
23.9	(5) contains	s a synthetic canna	abinoid;		
23.10	<u>(6) is made</u>	by applying a canr	nabinoid, including	but not limited to ar	n artificially derived
23.11	cannabinoid, to	a finished food p	product that does no	ot contain cannabing	oids and is sold to
23.12	consumers, inc	luding but not lim	ited to a candy or	snack food; or	
23.13	(7) if the pr	oduct is an edible	cannabinoid produ	ict, contains an ingr	edient, other than a
23.14	cannabinoid, th	nat is not approved	l by the United Sta	tes Food and Drug	Administration for
23.15	use in food.				
23.16	(c) The offi	ce must not appro	ve any cannabis fl	ower, cannabinoid p	product, or
23.17	hemp-derived	consumer product	that:		
23.18	(1) is intend	ded to be consume	ed by combustion of	or vaporization of the	e product and
23.19	inhalation of si	noke, aerosol, or v	vapor from the pro	duct; and	
23.20	(2) imparts	a taste or smell, o	ther than the taste	or smell of cannabis	s flower, that is
23.21	distinguishable	by an ordinary pe	erson before or dur	ring consumption of	the product.
23.22	(d) The offi	ce may adopt rules	s to limit or prohibi	it ingredients in or ac	dditives to cannabis
23.23	flower, cannab	inoid products, or	hemp-derived con	sumer products to e	nsure compliance
23.24	with the limitation	tions in paragraph	<u>(c).</u>		
23.25			<b>JRAL AND FOO</b>	D SAFETY PRAC'	<u>FICES;</u>
23.26	<u>RULEMAKI</u>	NG.			
23.27	Subdivision	1 1. <b>Plant propag</b>	<mark>ation standards.</mark> I	n consultation with	the commissioner
23.28	of agriculture,	the office by rule	must establish cert	ification, testing, an	d labeling
23.29	requirements for	or the methods use	ed to grow new car	nnabis plants or hem	p plants, including
23.30	but not limited	to growth from se	eed, clone, cutting,	or tissue culture.	

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24.1	Subd. 2.	Agricultural best pr	actices. In cor	sultation with the com	missioner of	
24.2	agriculture a	and representatives from	om the Univers	ity of Minnesota Exte	nsion Service, the	
24.3	office shall	establish best practice	s for:			
24.4	(1) the c	ultivation and prepara	tion of cannab	is plants; and		
24.5	(2) the us	se of pesticides, fertili	zers, soil amer	dments, and plant ame	endments in relation	
24.6	to growing o	cannabis plants.				
24.7	<u>Subd. 3.</u>	Edible cannabinoid	product hand	ler endorsement. (a)	Any person seeking	
24.8	to manufact	ure, process, sell, hand	dle, or store an	edible cannabinoid pr	oduct, other than an	
24.9	edible canna	binoid product that ha	as been placed	in its final packaging,	must first obtain an	
24.10	edible canna	binoid product handle	er endorsemen	<u>t.</u>		
24.11	<u>(b) In co</u>	nsultation with the co	mmissioner of	agriculture, the office	shall establish an	
24.12	edible canna	binoid product handle	er endorsemen	<u>t.</u>		
24.13	<u>(c) The c</u>	office must regulate ec	lible cannabin	oid product handlers a	nd assess penalties	
24.14	in the same	manner provided for f	food handlers u	under chapters 28A, 31	, and 34A and	
24.15	associated rules, with the following exceptions:					
24.16	(1) the of	fice must issue an edil	ole cannabinoi	d product handler endo	rsement, rather than	
24.17	<u>a license;</u>					
24.18	(2) eligib	ility for an edible cann	abinoid produc	et handler endorsement	is limited to persons	
24.19	who possess	s a valid license issued	l by the office;			
24.20	(3) the o	ffice may not charge a	a fee for issuin	g or renewing the endo	orsement;	
24.21	(4) the o	ffice must align the te	rm and renewa	Il period for edible can	nabinoid product	
24.22	handler ende	orsements with the ter	m and renewa	period of the license	issued by the office;	
24.23	and					
24.24	<u>(5)</u> an ed	ible cannabinoid prod	uct must not be	e considered adulterate	d solely because the	
24.25	product cont	ains tetrahydrocannab	inol, cannabis	concentrate, or any oth	er material extracted	
24.26	or derived fi	com a cannabis plant,	cannabis flow	er, hemp plant, or hem	p plant parts.	
24.27	<u>(d) The e</u>	dible cannabinoid pro	duct handler e	ndorsement must proh	ibit the manufacture	
24.28	of edible car	nabinoid products at	the same prem	ises where food is ma	nufactured, except	
24.29	for the limit	ed production of edib	le products pro	duced solely for produ	act development,	
24.30	sampling, or	testing.				

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25.1	Sec. 8. [342.0	<u>8] ESTABLISHN</u>	MENT OF EN	VIRONMENTAL ST	'ANDARDS.
25.2	Subdivision	1. Water standar	•ds. In consulta	tion with the commissi	oner of the Pollution
25.3	Control Agency	, the office by rule	e must establis	n appropriate water sta	indards for cannabis
25.4	businesses.				
25.5	<u>Subd. 2.</u> En	ergy use. In const	ultation with th	e commissioner of cor	nmerce, the office
25.6	by rule must est	tablish appropriate	e energy standa	rds for cannabis busin	esses.
25.7	<u>Subd. 3.</u> Sol	id waste. In const	ultation with th	e commissioner of the	Pollution Control
25.8	Agency, the off	ice by rule must es	stablish approp	riate solid waste stand	ards for the disposal
25.9	<u>of:</u>				
25.10	(1) cannabis	flower and canna	binoid product	<u>s;</u>	
25.11	(2) packagir	<u>ıg;</u>			
25.12	(3) recyclab	le materials, inclu	ding minimum	requirements for the u	use of recyclable
25.13	materials; and				
25.14	(4) other sol	id waste.			
25.15	<u>Subd. 4.</u> Od	or. The office by r	rule must establ	ish appropriate standar	ds and requirements
25.16	to limit odors p	roduced by cannal	bis businesses.		
25.17	<u>Subd. 5. Ap</u>	plicability; federa	al, state, and lo	<b>cal laws.</b> A cannabis b	usiness must comply
25.18	with all applica	ble federal, state,	and local laws	related to the subjects	of subdivisions 1 to
25.19	<u>4.</u>				
25.20	<u>Subd. 6.</u> <b>Ru</b>	lemaking. (a) The	e office may on	ly adopt a rule under th	nis section if the rule
25.21	is consistent with	th and at least as s	tringent as app	icable state and federa	I laws related to the
25.22	subjects of subc	livisions 1 to 4.			
25.23	(b) The offic	ce must coordinate	e and consult w	ith a department or ag	ency of the state
25.24	regarding the de	evelopment and im	plementation o	f a rule under this secti	on if the department
25.25	or agency has e	xpertise or a regul	latory interest i	n the subject matter of	the rule.
25.26	Sec. 9. <b>[342.0</b>	9] PERSONAL A	ADULT USE (	OF CANNABIS.	
25.27	Subdivision	1. Personal adult	t use, possessio	n, and transportation	of cannabis flower
25.28	and cannabino	o <mark>id products.</mark> (a) A	An individual 2	1 years of age or older	: may:
25.29	<u>(1)</u> use, poss	sess, or transport c	cannabis parapl	nernalia;	
25.30	(2) possess of	or transport two ou	nces or less of a	adult-use cannabis flov	ver in a public place;

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26.1	(3) poss	sess five pounds or less	of adult-use ca	nnabis flower in the	individual's private
26.2	residence;	•			
26.3	<u>(4) poss</u>	sess or transport eight g	grams or less of	adult-use cannabis c	oncentrate;
26.4	<u>(5) poss</u>	sess or transport edible	cannabinoid pr	oducts infused with a	combined total of
26.5	800 milligr	ams or less of tetrahyd	rocannabinol;		
26.6	(6) give	for no remuneration tw	vo ounces or less	of adult-use cannabi	s flower, eight grams
26.7	or less of a	dult-use cannabis conc	entrate, or an ec	lible cannabinoid pro	duct infused with
26.8	800 milligr	ams or less of tetrahyd	rocannabinol to	an individual who is	at least 21 years of
26.9	age; and				
26.10	<u>(</u> 7) use a	adult-use cannabis flov	ver and adult-us	se cannabinoid produ	cts in the following
26.11	locations:				
26.12	<u>(i) a priv</u>	vate residence, includi	ng the individua	l's curtilage or yard;	
26.13	<u>(ii) on p</u>	private property, not ge	nerally accessib	le by the public, unle	ess the individual is
26.14	explicitly p	rohibited from consum	ning cannabis fl	ower or cannabinoid	products on the
26.15	property by	the owner of the prop	erty; or		
26.16	<u>(iii) on t</u>	he premises of an estab	lishment or eve	nt licensed to permit of	on-site consumption.
26.17	<u>(b)</u> Exce	ept as provided in para	graph (c), an in	dividual may not:	
26.18	<u>(1) use,</u>	possess, or transport c	annabis flower	or cannabinoid produ	icts if the individual
26.19	is under 21	years of age;			
26.20	<u>(2) use c</u>	cannabis flower or cann	nabinoid produc	ts in a motor vehicle	as defined in section
26.21	<u>169A.03, st</u>	ubdivision 15;			
26.22	<u>(3) use (</u>	cannabis flower or can	nabinoid produ	cts at any location wh	tere smoking is
26.23	prohibited u	under section 144.414;			
26.24	<u>(4) use c</u>	or possess cannabis flow	wer or cannabin	oid products in a publ	ic school, as defined
26.25	in section 1	20A.05, subdivisions	9, 11, and 13, or	r in a charter school g	overned by chapter
26.26	<u>124E, inclu</u>	ding all facilities, whet	her owned, rent	ed, or leased, and all v	vehicles that a school
26.27	district own	ns, leases, rents, contra	cts for, or contr	ols;	
26.28	<u>(5) use c</u>	or possess cannabis flow	ver or cannabino	oid products in a state	correctional facility;
26.29	<u>(6)</u> oper	ate a motor vehicle wh	ile under the inf	luence of cannabis flo	ower or cannabinoid
26.30	products;				

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27.1	(7) give fo	or no remuneration c	annabis flower	or cannabinoid produ	ucts to an individual
27.2	under 21 year			•	
27.3	(8) give fo	or no remuneration c	annahis flower	or cannabinoid produ	icts as a sample or
27.4		gift if the giver is in			
	<u>.</u>				
27.5		rohibitions under par			
27.6				-	sportation of medical
27.7 27.8		ver or medical canna a parent, legal guard			tered designated
27.8		a parent, legal guard	ian, or spouse of	n a patient.	
27.9	<u> </u>	prietor of a family or			•
27.10		of children cared for			
27.11	•	ne proprietor permits			
27.12					must include posting
27.13	on the premis	ses a conspicuous wr	itten notice and	orally informing par	ents or guardians.
27.14	<u>Subd. 2.</u>	Home cultivation of	cannabis for p	ersonal adult use. U	Jp to eight cannabis
27.15	plants, with n	no more than four bei	ing mature, flow	vering plants may be	grown at a single
27.16	residence, inc	cluding the curtilage	or yard, withou	t a license to cultivat	e cannabis issued
27.17	under this ch	apter provided that c	ultivation takes	place at the primary	residence of an
27.18	individual 21	years of age or older	and in an enclos	sed, locked space that	is not open to public
27.19	view.				
27.20	<u>Subd. 3.</u>	Home extraction of	cannabis conce	entrate by use of vol	atile solvent
27.21	prohibited. N	No person may use a v	volatile solvent t	to separate or extract	cannabis concentrate
27.22	without a can	nabis manufacturer,	cannabis micro	business, or medical	cannabis processor
27.23	license issued	d under this chapter.			
27.24	Subd. 4. S	Sale of cannabis flow	ver and cannal	binoid products pro	hibited. No person
27.25	may sell cann	abis flower or cannal	pinoid products	without a license issu	ed under this chapter
27.26	that authorize	es the sale.			
27.27	<u>Subd. 5.</u> I	mportation of hemr	-derived produ	<b>icts.</b> No person may i	mport lower potency
27.28	edible produc	cts or hemp-derived of	consumer produ	cts, other than hemp	-derived topical
27.29	products, that	t are manufactured o	utside the bound	daries of the state of	Minnesota with the
27.30	intent to sell	the products to consu	umers within the	e state or to any other	r person or business
27.31	that intends to	o sell the products to	consumers with	in the state without a	license issued under
27.32	this chapter the	hat authorizes the im	portation of suc	h products. This sub	division does not
27.33	apply to prod	lucts lawfully purcha	sed for persona	<u>l use.</u>	

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28.1	<u>Subd. 6.</u>	Violations; penaltie	<b>s.</b> (a) In addition	to penalties listed in t	this subdivision, a
28.2	person who	violates the provisior	ns of this chapter	is subject to any appl	icable criminal
28.3	penalty.				
28.4	(b) The	office may assess the	following civil p	enalties on a person v	vho sells cannabis
28.5	flower or ca	annabinoid products w	vithout a license	issued under this chap	oter that authorizes
28.6	the sale:				
28.7	(1) if the	e person sells more tha	an two ounces bu	t not more than eight	ounces of cannabis
28.8	flower, up t	<u>o \$1,000;</u>			
28.9	(2) if the	e person sells more the	an eight ounces l	out not more than one	pound of cannabis
28.10	flower, up t	o \$5,000;			
28.11	(3) if the	e person sells more the	an one pound bu	t not more than five p	ounds of cannabis
28.12	flower, up t	<u>o \$25,000;</u>			
28.13	(4) if the	e person sells more that	an five pounds b	ut not more than 25 pe	ounds of cannabis
28.14	flower, up t	o \$100,000;			
28.15	(5) if the	e person sells more the	an 25 pounds bu	t not more than 50 por	unds of cannabis
28.16	flower, up t	o \$250,000; and			
28.17	(6) if the	e person sells more the	an 50 pounds of	cannabis flower, up to	» \$1,000,000.
28.18	<u>(c)</u> The	office may assess the	following civil p	enalties on a person v	vho sells cannabis
28.19	concentrate	without a license issu	ed under this ch	apter that authorizes t	he sale:
28.20	<u>(1) if the</u>	e person sells more the	an eight grams b	ut not more than 40 g	rams of cannabis
28.21	concentrate	, up to \$1,000 <u>;</u>			
28.22	(2) if the	e person sells more th	an 40 grams but	not more than 80 grar	ns of cannabis
28.23	<u>concentrate</u>	, up to \$5,000;			
28.24	(3) if the	e person sells more the	an 80 grams but	not more than 400 gra	ums of cannabis
28.25	concentrate	, up to \$25,000;			
28.26	(4) if the	e person sells more tha	n 400 grams but	not more than two kilo	ograms of cannabis
28.27	concentrate	, up to \$100,000;			
28.28	(5) if the	e person sells more the	an two kilograms	s but not more than fo	ur kilograms of
28.29	<u>cannabis co</u>	ncentrate, up to \$250,	,000; and		
28.30	<u>(6) if the</u>	person sells more than	n four kilograms o	of cannabis concentrate	e, up to \$1,000,000.

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- 29.1 (d) The office may assess the following civil penalties on a person who imports or sells
- 29.2 products infused with tetrahydrocannabinol without a license issued under this chapter that
- 29.3 <u>authorizes the importation or sale:</u>
- 29.4 (1) if the person imports or sells products infused with a total of more than 800 milligrams
  29.5 but not more than four grams of tetrahydrocannabinol, up to \$1,000;
- 29.6 (2) if the person imports or sells products infused with a total of more than four grams
- 29.7 <u>but not more than eight grams of tetrahydrocannabinol, up to \$5,000;</u>
- 29.8 (3) if the person imports or sells products infused with a total of more than eight grams
- 29.9 but not more than 40 grams of tetrahydrocannabinol, up to \$25,000;
- 29.10 (4) if the person imports or sells products infused with a total of more than 40 grams
- 29.11 but not more than 200 grams of tetrahydrocannabinol, up to \$100,000;
- 29.12 (5) if the person imports or sells products infused with a total of more than 200 grams
- 29.13 but not more than 400 grams of tetrahydrocannabinol, up to \$250,000; and
- 29.14 (6) if the person imports or sells products infused with a total of more than 400 grams
- 29.15 of tetrahydrocannabinol, up to \$1,000,000.
- 29.16 (e) The office may assess a civil penalty of up to \$500 for each plant grown in excess
- 29.17 of the limit on a person who grows more than eight cannabis plants or more than four mature,
- 29.18 flowering plants, without a license to cultivate cannabis issued under this chapter.
- 29.19 Sec. 10. [342.10] LICENSES; TYPES.
- 29.20 The office shall issue the following types of license:
- 29.21 (1) cannabis cultivator, including:
- 29.22 (i) craft cultivator; and
- 29.23 (ii) bulk cultivator;
- 29.24 (2) cannabis manufacturer;
- 29.25 (3) cannabis retailer;
- 29.26 (4) cannabis wholesaler;
- 29.27 (5) cannabis transporter;
- 29.28 (6) cannabis testing facility;
- 29.29 (7) cannabis microbusiness;

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30.1	(8) cannabi	s event organizer;			
30.2	<u>(9)</u> cannabi	s delivery service;			
30.3	(10) lower	potency edible retailer;			
30.4	<u>(11) medica</u>	Il cannabis cultivator;			
30.5	<u>(12) medica</u>	al cannabis processor; a	and		
30.6	<u>(13) medica</u>	al cannabis retailer.			
30.7	Sec. 11. <b>[342</b>	.11] LICENSES; FEE	<u>cs.</u>		
30.8	Except for	the application fees aut	horized under sec	ctions 342.12, parag	graph (d), and
30.9		ision 4, the office shall	not charge a fee f	for annual licenses	issued under this
30.10	chapter.				
30.11	Sec. 12. <b>[342</b>	.12] LICENSES; TRA	ANSFERS; ADJ	USTMENTS.	
30.12	(a) License	s issued under this chap	pter may not be tr	ansferred. A new li	icense must be
30.13	obtained when	<u>.</u>			
30.14	(1) the form	n of the licensee's legal	business structur	e converts or chang	ges to a different
30.15	type of legal b	usiness structure;			
30.16	(2) the licer	nsee dissolves, consolid	lates, or merges v	vith another legal o	rganization;
30.17	(3) within t	he previous 24 months	, 50 percent or mo	ore of the licensee	is transferred by
30.18	a single transac	ction or multiple transa	ctions to:		
30.19	(i) another	person or legal organiz	ation; or		
30.20	(ii) a person	n or legal organization	who had less than	a five percent own	nership interest
30.21	in the licensee	at the time of the first	transaction; or		
30.22	(4) any other	er event or combination	n of events that re	sults in a substituti	on, elimination,
30.23	or withdrawal	of the licensee's respon	sibility for the op	eration of the licen	see.
30.24	(b) License	s must be renewed ann	ually.		
30.25	(c) License	holders may petition th	ne office to adjust	the tier of a license	e issued within a
30.26	license categor	y provided that the lice	ense holder meets	all applicable requ	irements.
30.27	(d) The off	ce by rule may permit	relocation of a lic	ensed cannabis bu	siness, adopt
30.28	requirements f	or the submission of a l	license relocation	application, establ	ish standards for
30.29	the approval of	a relocation application	on, and charge a fe	ee not to exceed \$2	50 for reviewing

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31.1	and process	sing applications. Relo	ocation of a licen	sed premises pursuan	t to this paragraph			
31.2	does not ex	tend or otherwise mod	lify the license to	erm of the license sub	ject to relocation.			
31.3	Sec. 13. [342.14] LOCAL CONTROL.							
31.4	(a) A lo	cal unit of governmen	t may not prohib	oit the possession, tran	sportation, or use			
31.5	of cannabis	flower or cannabinoi	d products autho	rized under this chapt	er.			
31.6	<u>(b)</u> A lo	cal unit of governmen	t may not prohib	oit the establishment o	r operation of a			
31.7	<u>cannabis bu</u>	usiness licensed under	this chapter.					
31.8	<u>(c) A loc</u>	cal unit of government	t may adopt reaso	onable restrictions on t	the time, place, and			
31.9	manner of t	he operation of a canna	abis business prov	vided that such restrict	ions do not prohibit			
31.10	the establis	hment or operation of	cannabis busine	sses. A local unit of g	overnment may			
31.11	prohibit the	e operation of a cannab	ois business with	in 1,000 feet of a scho	ool, day care, or the			
31.12	Capitol or C	Capitol grounds.						
31.13	<u>(d)</u> The	office shall work with	local units of go	overnment to develop	model ordinances			
31.14	for reasonal	ble restrictions on the	time, place, and	manner of the operati	on of a cannabis			
31.15	business.							
31.16	<u>(e) If a l</u>	local unit of governme	ent is conducting	studies or has authori	zed a study to be			
31.17	conducted of	or has held or has sche	eduled a hearing	for the purpose of cor	sidering adoption			
31.18	or amendm	ent of reasonable restr	rictions on the tir	ne, place, and manner	of the operation of			
31.19	a cannabis	business, the governin	ng body of the lo	cal unit of governmen	t may adopt an			
31.20	interim ord	inance applicable to a	ll or part of its ju	risdiction for the purp	oose of protecting			
31.21	the planning	g process and the heal	th, safety, and w	elfare of its citizens. E	Before adopting the			
31.22	interim ord	inance, the governing	body must hold	a public hearing. The	interim ordinance			
31.23	may regulat	te, restrict, or prohibit 1	the operation of a	a cannabis business wi	thin the jurisdiction			
31.24	or a portion	thereof until January	1, 2025.					
31.25	<u>(f)</u> With	in 30 days of receivin	g a copy of an a	pplication from the of	fice, a local unit of			
31.26	governmen	t shall certify on a for	m provided by th	ne office whether a pro	posed cannabis			
31.27	business co	mplies with local zon	ing ordinances a	nd, if applicable, whe	ther the proposed			
31.28	business co	mplies with the state	fire code and bui	lding code.				
31.29	<u>(g)</u> Upo	n receipt of an applica	tion for a license	issued under this chap	oter, the office shall			
31.30	contact the	local unit of governm	ent in which the	business would be loo	cated and provide			
31.31	the local un	it of government with	<u>30 days in whi</u> cl	h to provide input on t	he application. The			
31.32	local unit of	f government may pro	vide the office w	rith any additional info	ormation it believes			
31.33	is relevant t	to the office's decision	on whether to is	ssue a license, includi	ng but not limited			

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32.1	to identifyin	ng concerns about the	proposed locatio	n of a cannabis busines	ss or sharing public
32.2		about an applicant.			
32.3	(h) The	office by rule shall est	ablish an exped	ited complaint process	to receive review
32.4	<u> </u>		-	f government about a	
32.5			•	al ordinances or other	
32.6				hall require the office t	
32.7	response to	the complaint within	seven days and	perform any necessary	inspections within
32.8	<u>30 days. No</u>	thing in this paragrap	hs prohibits a lo	cal unit of governmen	t from enforcing a
32.9	local ordina	nce.			
32.10	Sec. 14. [3	342.15] LICENSE A	PPLICATION	AND RENEWAL; FI	EES.
32.11	Subdivis	sion 1. Application; o	contents. (a) The	e office by rule shall e	stablish forms and
32.12	procedures	for the processing of	licenses issued u	under this chapter. At a	<u>minimum, any</u>
32.13	application	to obtain or renew a lic	ense shall includ	le the following inform	ation, if applicable:
32.14	<u>(1) the n</u>	ame, address, and dat	e of birth of the	applicant;	
32.15	(2) the d	isclosure of ownershi	p and control re	quired under paragrap	<u>h (b);</u>
32.16	(3) the d	isclosure of whether	the applicant or,	if the applicant is a bu	siness, any officer,
32.17	director, ma	nager, and general pa	rtner of the busi	ness has ever filed for	bankruptcy;
32.18	<u>(4) the a</u>	ddress and legal prop	erty description	of the business;	
32.19	<u>(5) docu</u>	mentation showing le	gal possession o	of the premises where	the business will
32.20	operate;				
32.21	<u>(6)</u> a dia	gram of the premises	, including a sec	urity drawing;	
32.22	<u>(7) a cop</u>	by of the security plan	<u>;</u>		
32.23	<u>(8) proo</u>	f of trade name regist	ration;		
32.24	<u>(9) a cop</u>	by of the applicant's b	usiness plan sho	wing the expected size	e of the business;
32.25	anticipated	growth; the methods	of record keepin	g; the knowledge and	experience of the
32.26	applicant an	nd any officer, director	r, manager, and	general partner of the	business; the
32.27	environmen	tal plan; and other rel	evant financial	and operational compo	onents;
32.28	<u>(10) an a</u>	attestation signed by a	bona fide labor	organization stating th	at the applicant has
32.29	entered into	a labor peace agreem	nent;		
32.30	(11) cert	ification that the appl	icant will comp	ly with the requiremen	ts of this chapter
32.31		he ownership and ope			•

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33.1	<u>(12) iden</u>	tification of one or mo	ore controlling po	ersons or managerial	employees as agents		
33.2	who shall be responsible for dealing with the office on all matters; and						
33.3	<u>(13)</u> a sta	tement that the applic	ant agrees to resp	oond to the office's su	pplemental requests		
33.4	for informat	ion.					
33.5	<u>(b) An ap</u>	plicant must file and	update as necessa	ary a disclosure of ow	mership and control.		
33.6	The office b	y rule shall establish	the contents and	form of the disclosu	re. At a minimum,		
33.7	the disclosu	re shall include the fo	llowing:				
33.8	<u>(1) the m</u>	anagement structure,	ownership, and	control of the applica	nt or license holder,		
33.9	including the	e name of each coope	rative member, o	officer, director, mana	ager, general partner		
33.10	or business of	entity; the office or po	osition held by e	ach person; each pers	son's percentage		
33.11	ownership in	nterest, if any; and, if	the business has	a parent company, t	he name of each		
33.12	owner, board	d member, and officer	of the parent co	mpany and the owne	r's, board member's,		
33.13	or officer's p	ercentage ownership	interest in the pa	rent company and the	e cannabis business;		
33.14	<u>(2)</u> a state	ement from the applic	cant and, if the a	oplicant is a business	, from every officer,		
33.15	director, mai	nager, and general par	rtner of the busin	ness, indicating whet	her that person has		
33.16	previously he	eld, or currently holds,	, an ownership in	terest in a cannabis bu	siness in Minnesota,		
33.17	any other sta	ate or territory of the	United States, or	any other country;			
33.18	(3) if the	applicant is a corpora	ation, copies of i	ts articles of incorpo	ration and bylaws		
33.19	and any ame	endments to its article	s of incorporation	on or bylaws;			
33.20	<u>(4) copie</u>	s of any partnership ag	greement, operat	ing agreement, or sha	reholder agreement;		
33.21	<u>(5) copie</u>	es of any promissory r	notes, security in	struments, or other s	imilar agreements;		
33.22	<u>(6)</u> expla	nation detailing the f	unding sources u	used to finance the bu	isiness;		
33.23	<u>(</u> 7) a list (	of operating and inves	stment accounts	for the business, inclu	iding any applicable		
33.24	financial ins	titution and account r	number; and				
33.25	<u>(8) a list o</u>	of each outstanding loa	an and financial c	obligation obtained fo	r use in the business,		
33.26	including the	e loan amount, loan te	erms, and name	and address of the cr	editor.		
33.27	<u>(c) An ap</u>	oplication may includ	<u>e:</u>				
33.28	<u>(1) proof</u>	that the applicant is	a social equity a	pplicant;			
33.29	<u>(2) a dive</u>	ersity plan that establ	ishes a goal of d	iversity in ownership	o, management,		
33.30	employment	t, and contracting;					

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34.1	(3) a descript	tion of the training a	and education	that will be provided to	any employee;
34.2	or	C			
34.3	(4) a copy of	business policies g	overning opera	ations to ensure complia	ance with this
34.4	chapter.	o de line de poneres 5			
24.5		aanta mada hay an ar	ulicent in its s	miliantian including h	ut not limited to
34.5 34.6				pplication, including b be an ongoing material	
34.7		renewing the licens		be an ongoing material	
				• ,• 1 111 •	11 , 1 ,
34.8	<u> </u>	nanaging agents of	•	r association shall be si	gned by at least
34.9					
34.10				nt must submit all requi	red information
34.11	to the office on t	he forms and in the	manner presc	ribed by the office.	
34.12	(b) If the offi	ce receives an appl	ication that fai	ls to provide the require	ed information,
34.13	the office shall i	ssue a deficiency no	otice to the app	licant. The applicant sh	all have ten
34.14	business days fro	om the date of the d	eficiency notic	e to submit the require	d information.
34.15	(c) Failure by	an applicant to sub	mit all required	information will result	in the application
34.16	being rejected.				
34.17	(d) Upon rec	eipt of a completed	application an	d fee, the office shall fo	orward a copy of
34.18	the application t	o the local unit of g	overnment in v	which the business oper	ates or intends to
34.19	operate with a fo	orm for certification	as to whether	a proposed cannabis bu	usiness complies
34.20	with local zonin	g ordinances and, if	applicable, wi	hether the proposed bus	siness complies
34.21	with the state fir	e code and building	code.		
34.22	<u>(e)</u> Within 90	) days of receiving a	a completed ap	plication, the office sha	all issue the
34.23	appropriate licer	nse or send the appl	icant a notice o	of rejection setting forth	specific reasons
34.24	that the office di	d not approve the a	pplication.		
34.25	Subd. 3. Cri	minal history checl	k. <u>A license ap</u>	plicant or, in the case of	a business entity,
34.26	every cooperativ	ve member or direct	or, manager, ai	nd general partner of th	e business entity,
34.27	<u>must submit a co</u>	mpleted criminal his	story records ch	eck consent form, a full	set of classifiable
34.28	fingerprints, and	the required fees to	the office. Up	on receipt of this inform	nation, the office
34.29	must submit the o	completed criminal h	nistory records	check consent form, full	set of classifiable
34.30	fingerprints, and	required fees to the	Bureau of Crin	ninal Apprehension. At	fter receiving this
34.31	information, the	bureau must condu	ct a Minnesota	criminal history record	ds check of the
34.32				nse applicant's fingerpr	
34.33	Federal Bureau	of Investigation to c	btain the appli	icant's national criminal	l history record

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35.1	information. T	'he bureau must rett	ırn the results of	the Minnesota and fede	eral criminal history
35.2	records checks	s to the director to	determine if the	applicant is disqualifie	ed under section
35.3	<u>342.20.</u>				
35.4	Subd. 4. A	pplication; fees. T	he office may c	harge a nonrefundable	fee, not to exceed
35.5			•	g and processing appli	
35.6	Sec. 15. [342	2.16] SOCIAL EQ	UITY APPLIC	CANTS.	
35.7	<u>An individ</u>	ual qualifies as a so	ocial equity app	licant if the individual	is:
35.8	<u>(1) a milita</u>	ary veteran who los	t honorable stat	us due to a cannabis-re	lated offense;
35.9	<u>(2)</u> a reside	ent for the last five	years of one or	more subareas, such as	s census tracts or
35.10	neighborhoods	s, that experienced a	a disproportiona	tely large amount of car	nnabis enforcement
35.11	as determined	by the study condu	ucted by the offi	ce pursuant to section	342.04, paragraph
35.12	(b), and report	ted in the prelimina	ry report, final	report, or both; or	
35.13	<u>(3)</u> a reside	ent for the last five	years of one or	more census tracts who	ere, as reported in
35.14	the most recen	tly completed dece	ennial census pul	olished by the United S	tates Bureau of the
35.15	Census, either				
35.16	(i) the pove	erty rate was 20 pe	rcent or more; o	<u>r</u>	
35.17	(ii) the me	dian family income	e did not exceed	80 percent of statewid	e median family
35.18	income or, if in	n a metropolitan are	ea, did not excee	d the greater of 80 perce	ent of the statewide
35.19	median family	v income or 80 perc	ent of the media	an family income for th	nat metropolitan
35.20	area.				
	~				
35.21	Sec. 16. <u>[34</u> 2	2.17] LICENSE S	ELECTION CI	<u>RITERIA.</u>	
35.22	Subdivisio	<u>n 1.</u> Market stabil	ity. The office sl	nall issue the necessary	number of licenses
35.23	in order to ens	ure the sufficient su	pply of cannabi	s flower and cannabino	id products to meet
35.24	demand, provi	ide market stability	, and limit the sa	ale of unregulated canr	nabis flower and
35.25	cannabinoid p	roducts.			
35.26	<u>Subd. 2.</u> C	raft cultivation p	riority. (a) The o	office shall prioritize is	suance of
35.27	microbusiness	licenses with an en	dorsement to cu	ltivate cannabis flower	and craft cultivator
35.28	licenses.				
35.29	(b) Unless	the office determin	es that the issuar	nce of bulk cultivator li	censes is necessary
35.30	to ensure a suf	fficient supply of ca	annabis flower a	nd cannabinoid produ	cts, the office shall
35.31	not issue a bul	lk cultivator license	e before July 1, 2	2028.	

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36.1	Subd. 3. Vertical integration prohibited; exceptions. (a) Except as otherwise provided
36.2	in this subdivision, the office shall not issue licenses to a single applicant that would result
36.3	in the applicant being vertically integrated in violation of the provisions of this chapter.
36.4	(b) Nothing in this section prohibits or limits the issuance of microbusiness licenses.
36.5	(c) If the office determines that the issuance of multiple licenses resulting in a single
36.6	applicant being vertically integrated is necessary to ensure a sufficient supply of cannabis
36.7	flower and cannabinoid products during the first calendar year in which cannabis flower
36.8	and cannabinoid products are lawfully sold to customers, the office may authorize one or
36.9	more applicants to be fully vertically integrated. Regardless of when the licenses were
36.10	issued, licenses issued under the terms of this paragraph expire one year after the first day
36.11	on which cannabis flower and cannabinoid products are lawfully sold to customers and the
36.12	office may not issue multiple licenses resulting in a single applicant being vertically
36.13	integrated after that date.
36.14	Subd. 4. Application score; license priority. (a) The office shall award points to each
36.15	completed application in the following categories:
36.16	(1) status as a social equity applicant or as an applicant who is substantially similar to
36.17	a social equity applicant as described in paragraph (c);
36.18	(2) status as a veteran applicant;
36.19	(3) security and record keeping;
36.20	(4) employee training plan;
36.21	(5) business plan and financial situation;
36.22	(6) diversity plan;
36.23	(7) labor and employment practices;
36.24	(8) knowledge and experience; and
36.25	(9) environmental plan.
36.26	(b) The office may award additional points to an application if the license holder would
36.27	expand service to an underrepresented market including but not limited to participation in
36.28	the medical cannabis program.
36.29	(c) The office shall establish application materials permitting individual applicants to
36.30	demonstrate the impact that cannabis prohibition has had on that applicant including but
36.31	not limited to the arrest or imprisonment of the applicant or a member of the applicant's

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37.1	immediate	family, and the office	may award poin	ts to such applicants i	in the same manner
37.2	as points a	re awarded to social eq	uity applicants.		
37.3	(d) The	office shall establish p	olicies and guid	elines, which shall be	e made available to
37.4	<u> </u>	regarding the number			
37.5	awarding th	hose points. Status as a	social equity app	licant must account fo	or at least 20 percent
37.6	of the total	available points. In de	termining the nu	mber of points to awa	ard to a cooperative
37.7	or business	s applying as a social e	quity applicant,	the office shall consid	der the number or
37.8	ownership	percentage of cooperat	tive members, or	fficers, directors, mar	nagers, and general
37.9	partners wl	ho qualify as social equ	uity applicants.		
37.10	<u>(e) Con</u>	sistent with the goals i	dentified in sub	livision 1, the office	shall issue licenses
37.11	in each lice	ense category, giving p	riority to applica	ints who receive the l	nighest score under
37.12	paragraphs	(a) and (b). If there ar	e insufficient lic	enses available for er	ntities that receive
37.13	identical so	cores, the office shall u	tilize a lottery to	randomly select lice	nse recipients from
37.14	among those	se entities.			
37.15	Sec. 17. ]	[342.18] INSPECTIO	N; LICENSE V	TOLATIONS; PEN	<u>ALTIES.</u>
37.16	Subdivi	ision 1. Authority to in	<b>spect.</b> (a) In ord	er to carry out the purp	ooses of this chapter,
37.17	the office, u	upon presenting approp	riate credentials	to the owner, operator	r, or agent in charge,
37.18	is authorize	ed to:			
37.19	<u>(1) ente</u>	er any cannabis busines	ss without delay	and at reasonable tim	nes;
37.20	<u>(2) insp</u>	pect and investigate dur	ring regular wor	king hours and at othe	er reasonable times,
37.21	within reas	onable limits and in a r	easonable mann	er, any cannabis busin	ness and all relevant
37.22	conditions,	, equipment, records, a	nd materials the	ein; and	
37.23	<u>(3) que</u>	stion privately any emp	oloyer, owner, oj	perator, agent, or emp	bloyee of a cannabis
37.24	business.				
37.25	(b) An	employer, owner, oper	ator, agent, or er	nployee must not refu	use the office entry
37.26	or otherwis	se deter or prohibit the	office from taki	ng action under parag	graph (a).
37.27	Subd. 2	. Powers of office. (a) l	n making inspec	tions and investigatior	ns under this chapter,
37.28	the office s	hall have the power to	administer oaths	, certify as to official	acts, take and cause
37.29	to be taken	depositions of witnesse	s, issue subpoena	as, and compel the atte	endance of witnesses
37.30	and produc	ction of papers, books,	documents, reco	rds, and testimony. In	n case of failure of
37.31	any person	to comply with any su	ibpoena lawfully	issued, or on the ref	usal of any witness
37.32	to produce	evidence or to testify t	o any matter reg	arding which the pers	son may be lawfully
37.33	interrogate	d, the district court sha	ll, upon applicat	tion of the office, con	npel obedience

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38.1 proceedings for contempt, as in the case of disobedience of the requirements of a subpoena
 38.2 issued by the court or a refusal to testify therein.

38.3 (b) If the office finds probable cause to believe that any cannabis plant, cannabis flower, artificially derived cannabinoid, or cannabinoid product is being distributed in violation of 38.4 38.5 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 38.6 from distribution order, or other appropriate marking providing notice that the cannabis 38.7 plant, cannabis flower, artificially derived cannabinoid, or cannabinoid product is, or is 38.8 suspected of being, distributed in violation of this chapter, and has been detained or 38.9 embargoed, and warning all persons not to remove or dispose of the cannabis plant, cannabis 38.10 flower, artificially derived cannabinoid, or cannabinoid product by sale or otherwise until 38.11 permission for removal or disposal is given by the office or the court. It is unlawful for a 38.12 person to remove or dispose of detained or embargoed cannabis plant, cannabis flower, 38.13 artificially derived cannabinoid, or cannabinoid product by sale or otherwise without the 38.14 office's or a court's permission and each transaction is a separate violation of this section. 38.15 (c) If any cannabis plant, cannabis flower, artificially derived cannabinoid, or cannabinoid 38.16 product has been found by the office to be in violation of this chapter, the office shall petition 38.17 the district court in the county in which the cannabis plant, cannabis flower, artificially 38.18 derived cannabinoid, or cannabinoid product is detained or embargoed for an order and 38.19 decree for the condemnation of the cannabis plant, cannabis flower, artificially derived 38.20 cannabinoid, or cannabinoid product. The office shall release the cannabis plant, cannabis 38.21 flower, artificially derived cannabinoid, or cannabinoid product when this chapter and rules 38.22 adopted under this chapter have been complied with or the cannabis plant, cannabis flower, 38.23 artificially derived cannabinoid, or cannabinoid product is found not to be in violation of 38.24 this chapter or rules adopted under this chapter. 38.25 (d) If the court finds that detained or embargoed cannabis plant, cannabis flower, 38.26 artificially derived cannabinoid, or cannabinoid product is in violation of this chapter or 38.27

<sup>38.28</sup> rules adopted under this chapter, the following remedies are available:

(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
 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
 derived cannabinoid, or cannabinoid product or the claimant's agent; and

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

- 39.31 <u>ownership and operation requirements of this chapter.</u>
- 39.32 (b) Any person may report a suspected violation of a safety or health standard. If upon
   39.33 receipt of such notification the office determines that there are reasonable grounds to believe

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40.1	that such viola	tion or danger exis	ts, the office sh	all make a special insp	pection as soon as
40.2		determine if such d			
40.3	(c) The off	ice shall prioritize	inspections of c	annabis businesses wh	iere there are
40.4	<u> </u>			ses imminent danger to	
40.5	customers.				
40.6	(d) The offi	ce shall promptly it	spect cannabis	businesses that are the s	subject of complaint
40.7		of government.	<u></u>		<u></u>
			trativo ordono.	and penalties. (a) The	office moviesus on
40.8					
40.9		-		siness that the office d	
40.10	committed a v	iolation of this cha	pter or rules add	opted pursuant to this o	chapter. The
40.11	administrative	order may require	the business to	correct the violation or	to cease and desist
40.12	from committi	ng the violation. T	he order must s	tate the deficiencies th	at constitute the
40.13	violation and t	he time by which t	he violation mu	st be corrected. If the	business believes
40.14	that the inform	ation in the admin	istrative order is	s in error, the person m	ay ask the office to
40.15	consider the pa	arts of the order tha	t are alleged to	be in error. The request	must be in writing,
40.16	delivered to th	e office by certifie	d mail within se	even days after receipt	of the order, and
40.17	provide docum	nentation to suppor	t the allegation	of error. The office mu	ist respond to a
40.18	request for rec	onsideration within	n 15 days after i	eceiving the request. A	A request for
40.19	reconsideration	n does not stay the	correction orde	r unless the office issu	es a supplemental
40.20	order granting	additional time. The	he office's dispo	osition of a request for	reconsideration is
40.21	<u>final.</u>				
40.22	(b) For eacl	h violation of this c	hapter or rules	adopted pursuant to thi	s chapter, the office
40.23	may issue to early	ach business a mor	netary penalty o	f up to \$10,000, an am	ount that deprives
40.24	the business of	f any economic adv	vantage gained	by the violation, or bot	<u>h.</u>
40.25	<u>(c) An adm</u>	inistrative penalty	may be recover	ed in a civil action in th	he name of the state
40.26	brought in the	district court of the	e county where	the violation is alleged	I to have occurred
40.27	or the district of	court where the off	ice is housed.		
40.28	(d) In addit	ion to penalties lis	ted in this subd	ivision, a person or bus	siness who violates
40.29	the provisions	of this chapter is s	ubject to any ap	plicable criminal pena	lty.
40.30	<u>Subd. 6.</u> No.	onpublic data. (a)	The following	data collected, created	, or maintained by
40.31	the office is cla	assified as nonpubl	ic data, as defir	ned in section 13.02, su	ubdivision 9, or as
40.32	private data on	individuals, as de	fined in section	13.02, subdivision 12:	<u>.</u>

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41.1	(1) data	submitted by an appli	icant for a canna	bis business license, c	other than the
41.2	applicant's	name and designated	address;		
41.3	(2) the i	dentity of a complain	ant who has mad	le a report concerning	a license holder or
41.4	<u> </u>	nat appears in inactive			
41.5	disclosure;				
41.6	(3) the r	nature or content of ur	substantiated co	omplaints when the inf	formation is not
41.7	maintained	in anticipation of lega	al action;		
41.8	(4) the r	ecord of any disciplin	ary proceeding	except as limited by p	aragraph (b);
41.9	<u>(5) data</u>	identifying retail or w	wholesale custom	ners of a cannabis bus	iness; and
41.10	<u>(6) data</u>	identifying cannabis	workers.		
41.11	<u>(b) Min</u>	utes, application data	on license holder	es except nondesignate	ed addresses, orders
41.12	for hearing	, findings of fact, conc	clusions of law, a	and specification of th	e final disciplinary
41.13	action conta	ained in the record of	the disciplinary a	action are classified as	public, pursuant to
41.14	section 13.0	02, subdivision 15. If t	here is a public h	earing concerning the	disciplinary action,
41.15	the entire re	ecord concerning the c	disciplinary proc	eeding is public data	pursuant to section
41.16	13.02, subd	livision 15. If the licer	nse holder and th	e office agree to resol	ve a complaint
41.17	without a h	earing, the agreement	and the specific	reasons for the agreem	nent are public data.
41.18	<u>(c)</u> The	office must establish w	ritten procedures	s to ensure that only inc	dividuals authorized
41.19	by law may	v enter, update, or acce	ess the data class	ified as nonpublic or	private data on
41.20	individuals	in this subdivision. A	n authorized indi	ividual's ability to ente	er, update, or access
41.21	data in the	system must correspon	nd to the official	duties or training leve	el of the individual
41.22	and to the st	tatutory authorization	granting access f	or that purpose. All qu	eries and responses,
41.23	and all action	ons in which not publi	ic data are entere	ed, updated, accessed,	shared, or
41.24	disseminate	ed, must be recorded i	n a data audit tra	il. Data contained in t	he audit trail have
41.25	the same cl	assification as the und	lerlying data trac	ked by the audit trail.	
41.26	<u>(d)</u> The	office must not share	data classified a	s private under this su	bdivision or other
41.27	data identif	ying an individual app	olicant or license	e holder with any fede	ral agency, federal
41.28	department	, or federal entity unle	ess specifically of	rdered to do so by a st	ate or federal court.
41.29	Sec. 18. [	342.19] LICENSE S	USPENSION O	R REVOCATION; 1	HEARING.
41.30	Subdivi	sion 1. License revoc	ation and nonro	e <b>newal.</b> The office ma	ay revoke or not
41.31	renew a lice	ense when the office h	as cause to belie	eve that a cannabis bu	siness has violated
41.32	an ownersh	ip or operational requ	irement in this c	hapter or rules adopte	d pursuant to this

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- 42.1 chapter. The office must notify the license holder in writing, specifying the grounds for
   42.2 revocation or nonrenewal and fixing a time of at least 20 days thereafter for a hearing on
- 42.3 <u>the matter.</u>

Subd. 2. Hearing; written findings. (a) Before the office revokes or does not renew a 42.4 license, the office must provide the license holder with a statement of the complaints made 42.5 against the license holder, and the office must hold a hearing to determine whether the office 42.6 should revoke the license or deny renewal of the license. The license holder shall receive 42.7 42.8 notice at least 20 days before the date of the hearing and notice may be served either by certified mail addressed to the address of the license holder as shown in the license 42.9 application or in the manner provided by law for the service of a summons. At the time and 42.10 place fixed for the hearing, the office, or any office employee or agent authorized by the 42.11 office to conduct the hearing, shall receive evidence, administer oaths, and examine witnesses. 42.12 42.13 (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 42.14 written findings that the office must mail to the license holder. An action of the office under 42.15 this paragraph is subject to judicial review pursuant to chapter 14. 42.16 Subd. 3. Temporary suspension. The office may temporarily, without hearing, suspend 42.17 the license and operating privilege of any business licensed under this chapter for up to 90 42.18 days if continuing the operation of the business would threaten the health or safety of any 42.19 person. The office may extend the period for an additional 90 days if the office notified the 42.20

42.21 business that the office intends to revoke or not renew a license and the hearing required
42.22 under subdivision 2 has not taken place.

## 42.23 Sec. 19. [342.20] ADULT-USE CANNABIS BUSINESS; GENERAL OWNERSHIP 42.24 DISQUALIFICATIONS AND REQUIREMENTS.

42.25 Subdivision 1. Criminal history check. Every license applicant and prospective cannabis worker must submit a completed criminal history records check consent form, a full set of 42.26 classifiable fingerprints, and the required fees to the office. Upon receipt of this information, 42.27 the office must submit the completed criminal history records check consent form, full set 42.28 of classifiable fingerprints, and required fees to the Bureau of Criminal Apprehension. After 42.29 42.30 receiving this information, the bureau must conduct a Minnesota criminal history records check of the license applicant. The bureau may exchange a license applicant's fingerprints 42.31 with the Federal Bureau of Investigation to obtain the applicant's national criminal history 42.32

42.33 record information. The bureau must return the results of the Minnesota and federal criminal

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43.1	history reco	rds checks to the direc	tor to determine	if the applicant is dis	squalified under this
43.2	section.				
43.3	Subd. 2.	Criminal offenses; d	lisqualifications	s. (a) No person may	hold or receive a
43.4		ed under this chapter of			
43.5	convicted of	f, or received a stay of a	adjudication for,	a violation of a state	or federal controlled
43.6	substance la	w that is a felony und	er Minnesota lav	w or would be a felo	ny if committed in
43.7	Minnesota, 1	regardless of the senter	nce imposed, unl	ess the office determ	ines that the person's
43.8	conviction v	was for the possession	or sale of canna	bis.	
43.9	(b) A per	rson who has been con	victed of, or rece	ived a stay of adjudic	ation for, a violation
43.10	of Minnesot	a Statutes 2022, sectio	on 152.023, subc	livision 1, clause (3)	, or a state or federal
43.11	law in confo	ormity with that provis	sion, for the sale	of cannabis to a per-	son under the age of
43.12	18 may hold	l or receive a license is	ssued under this	chapter, or work for	a cannabis business,
43.13	if 20 years h	ave passed since the d	late the person w	vas convicted or adju	dication was stayed.
43.14	(c) Exce	pt as provided in parag	graph (a), (b), or	(d), a person who ha	s been convicted of,
43.15	or received	a stay of adjudication	for, a violation of	of a state or federal la	aw that is a felony
43.16	under Minne	esota law or would be	a felony if com	mitted in Minnesota,	regardless of the
43.17	sentence im	posed, may hold or re	ceive a license i	ssued under this chap	oter, or work for a
43.18	<u>cannabis bu</u>	siness, if five years ha	we passed since	the discharge of the	sentence.
43.19	<u>(d) No lie</u>	cense holder or applica	ant may hold or r	eceive a license issue	ed under this chapter,
43.20	or work for	a cannabis business, i	f the person has	been convicted of a	sale of cannabis in
43.21	the first deg	ree under section 152.	0264, subdivisi	on 2.	
43.22	<u>(e)</u> A per	rson who has been cor	nvicted of sale o	f cannabis in the sec	ond degree under
43.23	section 152.	0264, subdivision 3, r	nay hold or rece	ive a license issued u	under this chapter or
43.24	work for a c	annabis business if ter	n years have pas	sed since the dischar	rge of the sentence.
43.25	(f) A per	son who has been conv	victed of sale of	cannabis in the third of	degree under section
43.26	<u>152.0264, si</u>	ubdivision 4, may hole	d or receive a lic	ense issued under th	is chapter or work
43.27	for a cannab	ois business if five yea	rs have passed s	ince the discharge of	f the sentence.
43.28	(g) A pe	rson who has been coi	nvicted of sale o	f cannabis in the fou	rth degree under
43.29	section 152.	0264, subdivision 5, r	nay hold or rece	ive a license issued u	under this chapter or
43.30	work for a c	annabis business if on	ne year has passe	ed since the discharg	e of the sentence.
43.31	<u>(h) If the</u>	license holder or app	licant is a busine	ess entity, the disqual	ifications under this
43.32	subdivision	apply to every cooper	ative member of	r every director, man	ager, and general
43.33	partner of th	e business entity.			

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44.1	Subd. 3	<u>.</u> Risk of harm; set as	ide. The office	may set aside a disqu	alification under
44.2	subdivision	2 if the office finds th	nat the person h	as submitted sufficien	t information to
44.3	demonstrat	e that the person does	not pose a risk	of harm to any person	served by the
44.4	applicant, l	icense holder, or other	entities as prov	vided in this chapter.	
44.5	Subd. 4	<u>.</u> General requiremen	nts. (a) A licens	e holder or applicant i	must meet each of
44.6	the following	ng requirements, if app	olicable, to hold	l or receive a license i	ssued under this
44.7	chapter:				
44.8	<u>(1) be a</u>	t least 21 years of age;			
44.9	<u>(2) have</u>	e completed an applica	tion for licensu	re or application for re	enewal;
44.10	<u>(3) have</u>	e paid the applicable ap	oplication fee;		
44.11	<u>(4) resid</u>	le in the state;			
44.12	(5) if the	e applicant or license l	nolder is a busin	ness entity, be incorpo	rated in the state or
44.13	otherwise f	ormed or organized ur	nder the laws of	<u>`the state;</u>	
44.14	(6) if the	e applicant or license he	older is a busine	ss entity, at least 75 pe	rcent of the business
44.15	must be ow	med by Minnesota resi	idents;		
44.16	<u>(7) not l</u>	be employed by the of	fice or any state	e agency with regulato	ry authority under
44.17	this chapter	or the rules adopted p	oursuant to this	chapter;	
44.18	<u>(8) not b</u>	be a licensed peace offi	cer, as defined i	n section 626.84, subd	ivision 1, paragraph
44.19	<u>(c);</u>				
44.20	<u>(9) neve</u>	er have had a license p	reviously issue	d under this chapter re	voked;
44.21	<u>(10) hav</u>	ve filed any previously	required tax re	turns for a cannabis b	usiness;
44.22	<u>(11) hav</u>	ve paid and remitted an	y business taxes	, gross receipts taxes,	interest, or penalties
44.23	due relating	g to the operation of a	cannabis busine	ess;	
44.24	<u>(12) hav</u>	e fully and truthfully c	omplied with al	l information requests	of the office relating
44.25	to license a	pplication and renewa	<u>l;</u>		
44.26	<u>(13) not</u>	be disqualified under	subdivision 2;		
44.27	<u>(14) not</u>	employ an individual	who is disquali	fied from working for	a cannabis business
44.28	under this c	chapter; and			
44.29	<u>(15) me</u>	et the ownership and o	operational requ	irements for the type	of license and, if
44.30	applicable,	endorsement sought o	r held.		

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45.1	(b) If the	license holder or app	icant is a busine	ss entity, every office	r, director, manager,
45.2	and general p	partner of the business	s entity must me	et each of the requiren	nents of this section.
45.3				ENERAL OPERATI	ONAL
45.4	REQUIRE	MENTS AND PROP	HBITIONS.		
45.5	Subdivis	ion 1. <mark>Individuals ur</mark>	nder 21 years o	f age. (a) A cannabis	business may not
45.6	employ an ir	ndividual under 21 ye	ars of age and n	nay not contract with	an individual under
45.7	21 years of a	age if the individual's	scope of work i	nvolves the handling	of cannabis plants,
45.8	cannabis flo	wer, artificially derive	ed cannabinoids	, or cannabinoid prod	ucts.
45.9	<u>(b)</u> A car	mabis business may n	ot permit an ind	lividual under 21 year	rs of age to enter the
45.10	business prei	mises other than entry	into an area that	solely dispenses med	ical cannabis flower
45.11	or medical c	annabinoid products.			
45.12	<u>(c)</u> A car	mabis business may r	not sell or give c	annabis flower or car	mabinoid products
45.13	to an individ	ual under 21 years of a	age unless the in	dividual is a patient; re	egistered designated
45.14	caregiver; or	a parent, legal guardi	an, or spouse of a	a patient who is author	ized to use, possess,
45.15	or transport	medical cannabis or r	nedical cannabi	noid products.	
45.16	Subd. 2.	Use of cannabis flow	er and cannabir	noid products within	a licensed cannabis
45.17	<u>business. (a</u>	) A cannabis business	may not permit	t an individual who is	not an employee to
45.18	consume car	mabis flower or cann	abinoid product	s within its licensed p	premises unless the
45.19	business is li	censed to permit on-si	te consumption	or the business has an	on-site endorsement
45.20	to a license a	authorizing the sale o	f lower potency	edible products.	
45.21	(b) Excep	ot as otherwise provid	ed in this subdiv	ision, a cannabis busi	ness may not permit
45.22	an employee	to consume cannabis	flower or cannab	inoid products within	its licensed premises
45.23	or while the	employee is otherwis	e engaged in ac	tivities within the cou	irse and scope of
45.24	employment	<u>~</u>			
45.25	<u>(c)</u> A car	mabis business may p	ermit an emplo	yee to use medical ca	nnabis flower and
45.26	medical can	nabinoid products if t	hat individual is	a patient.	
45.27	<u>(d) For q</u>	uality control, employ	vees of a license	d cannabis business m	ay sample cannabis
45.28	flower or car	nnabinoid products. E	Employees may	not interact directly w	vith customers for at
45.29	least three he	ours after sampling a	product. Emplo	yees may not consum	e more than three
45.30	samples in a	single 24-hour period	. All samples mu	ist be recorded in the s	tatewide monitoring
45.31	system.				
45.32	<u>Subd. 3.</u>	Restricted access. (a	) Except as othe	erwise provided in thi	s subdivision, a
45.33	cannabis bus	iness may not permit	any individual to	enter a restricted area	unless the cannabis

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46.1	business records	the individual's n	name, time of entr	y, time of exit, and a	authorization to enter
46.2				manual entry log an	
46.3	<u>(1) is a canna</u>	abis worker empl	oyed by or contra	acted with the canna	abis business;
46.4	(2) is an emp	bloyee of the offic	e or another enfo	preement agency;	
46.5	(3) is a contra	actor of the canna	abis business, inc	luding but not limit	ted to an electrician,
46.6	a plumber, an en	gineer, or an alar	m technician, wh	nose scope of work	will not involve the
46.7	handling of cann	abis flower or ca	nnabinoid produc	ets and, if the indivi	dual is working in an
46.8	area with immed	liate access to car	nnabis flower or	cannabinoid produc	ts, the individual is
46.9	supervised at all	times by a canna	bis worker empl	oyed by or contract	ed with the cannabis
46.10	business; or				
46.11	(4) has explic	t authorization fr	om the office to e	nter a restricted area	and, if the individual
46.12	is in an area with	immediate access	to cannabis flow	er or cannabinoid pr	oducts, the individual
46.13	is supervised at a	all times by a canr	nabis worker emp	loyed by or contrac	ted with the cannabis
46.14	business.				
46.15	(b) A cannab	is business shall	ensure that all ar	eas of entry to restri	icted areas within its
46.16	licensed premise	es are conspicuou	sly marked and c	annot be entered w	ithout recording the
46.17	individual's nam	e, time of entry, t	time of exit, and	authorization to ente	er the restricted area.
46.18	Subd. 4. Ven	tilation and filtr	ration. A cannabi	is business must ma	intain a ventilation
46.19	and filtration sys	stem sufficient to	meet the require	ments for odor conti	rol established by the
46.20	office.				
46.21	Subd. 5. Rec	ords. (a) A canna	abis business mu	st retain financial re	cords for the current
46.22	and previous tax	year at the primar	y business location	on and must make th	ose records available
46.23	for inspection by	y the office at any	time during reg	ular business hours.	
46.24	(b) When app	olicable, a cannabi	s business must n	naintain financial rec	cords for the previous
46.25	ten tax years and	l must make those	e records availabl	e for inspection wit	hin one business day
46.26	of receiving a re	quest for inspecti	on by the office.		
46.27	(c) The office	e may require a c	annabis business	to submit to an aud	lit of its business
46.28	records. The offi	ce may select or a	pprove the audito	or and the cannabis b	ousiness must provide
46.29	the auditor with	access to all busi	ness records. The	e cost of the audit m	nust be paid by the
46.30	cannabis busines	<u>38.</u>			
46.31	Subd. 6. Div	ersity report. <u>A</u>	cannabis busines	s shall provide an a	nnual report on the
46.32	status of diversit	y in the business	ownership, mana	gement, and employ	ment and in services
46.33	for which the bu	siness contracts.			

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47.1	Subd. 7	. Use of statewide mo	nitoring system	. (a) A cannabis bus	iness must use the
47.2		nonitoring system for i			
47.3	to track all	cannabis plants, canna	bis flower, cann	abinoid products, and	d artificially derived
47.4	<u>cannabinoi</u>	ds the cannabis busine	ss has in its pos	session to the point o	f disposal, transfer,
47.5	or sale.				
47.6	<u>(b)</u> For	the purposes of this su	bdivision, a can	nabis business posses	sses the cannabis
47.7	plants and	cannabis flower that th	e business cultiv	vates from seed or im	mature plant, if
47.8	applicable,	or receives from anoth	ner cannabis bus	iness, possesses the a	artificially derived
47.9	cannabinoi	ds that the business cre	eates or receives	from another cannab	ois business, and
47.10	possesses tl	he cannabinoid produc	ts that the busine	ess manufactures or re	eceives from another
47.11	cannabis bu	usiness.			
47.12	<u>(c)</u> Sale	and transfer of cannal	ois plants, canna	bis flower, cannabine	oid products, and
47.13	artificially of	derived cannabinoids n	nust be recorded	in the statewide moni	toring system within
47.14	the time est	tablished by rule.			
47.15	Subd. 8	Disposal; loss docum	entation. (a) A c	annabis business mus	t dispose of cannabis
47.16	plants, can	nabis flower, cannabin	oid products, an	d artificially derived	cannabinoids that
47.17	are damage	ed, have a broken seal,	have been conta	minated, or have not	been sold by the
47.18	expiration of	date on the label.			
47.19	(b) Disp	oosal must be conducte	ed in a manner a	pproved by the office	2
47.20	(c) Disp	oosed products must be	e documented in	the statewide monito	oring system.
47.21	<u>(d) Any</u>	lost or stolen products	must be reported	d to local law enforce	ment and a cannabis
47.22	business m	ust log any lost or stol	en products in th	ne statewide monitori	ng system as soon
47.23	as the loss	is discovered.			
47.24	Subd. 9	. <u>Sale of approved pro</u>	oducts. A cannat	ois business may only	sell cannabis plants,
47.25	cannabis flo	ower, cannabinoid prod	ucts, and artificia	lly derived cannabino	ids that are approved
47.26	by the offic	e and that comply with	h this chapter an	d rules adopted purs	uant to this chapter
47.27	regarding t	he testing, packaging,	and labeling of o	cannabis plants, cann	abis flower,
47.28	cannabinoi	d products, and artifici	ally derived can	nabinoids.	
47.29	Subd. 1	0. Security. A cannab	is business must	maintain and follow	a security plan to
47.30	deter and p	revent the theft or dive	ersion of cannab	is plants, cannabis flo	ower, cannabinoid
47.31	products, ar	nd artificially derived ca	annabinoids, una	uthorized entry into th	ne cannabis business,
47.32	and the the	ft of currency.			

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48.1	Subd. 11. Financial relationship. (a) Except for the lawful sale of cannabis plants,
48.2	cannabis flower, cannabinoid products, and artificially derived cannabinoids in the ordinary
48.3	course of business and as otherwise provided in this subdivision, no cannabis business may
48.4	offer, give, accept, receive, or borrow money or anything else of value or accept or receive
48.5	credit from any other cannabis business. This prohibition applies to offering or receiving a
48.6	benefit in exchange for preferential placement by a cannabis retailer, including preferential
48.7	placement on the cannabis retailer's shelves, display cases, or website. This prohibition
48.8	applies to every cooperative member or every director, manager, and general partner of a
48.9	cannabis business.
48.10	(b) This prohibition does not apply to merchandising credit in the ordinary course of
48.11	business for a period not to exceed 30 days.
48.12	(c) This prohibition does not apply to free samples of useable cannabis flower or
48.13	cannabinoid products packaged in a sample jar protected by a plastic or metal mesh screen
48.14	to allow customers to smell the cannabis flower or cannabinoid product before purchase.
48.15	A sample jar may not contain more than eight grams of useable cannabis flower, eight grams
48.16	of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of
48.17	tetrahydrocannabinol.
48.18	(d) This prohibition does not apply to free samples of cannabis flower or cannabinoid
48.18 48.19	(d) This prohibition does not apply to free samples of cannabis flower or cannabinoid products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality
48.19	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality
48.19 48.20	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A
48.19 48.20 48.21	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable
<ul><li>48.19</li><li>48.20</li><li>48.21</li><li>48.22</li></ul>	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product
<ul> <li>48.19</li> <li>48.20</li> <li>48.21</li> <li>48.22</li> <li>48.23</li> </ul>	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol.
<ul> <li>48.19</li> <li>48.20</li> <li>48.21</li> <li>48.22</li> <li>48.23</li> <li>48.24</li> <li>48.25</li> </ul>	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event.
<ul> <li>48.19</li> <li>48.20</li> <li>48.21</li> <li>48.22</li> <li>48.23</li> <li>48.24</li> <li>48.25</li> <li>48.26</li> </ul>	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or
<ul> <li>48.19</li> <li>48.20</li> <li>48.21</li> <li>48.22</li> <li>48.23</li> <li>48.24</li> <li>48.25</li> <li>48.26</li> <li>48.27</li> </ul>	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or wholesale customers with any federal agency, federal department, or federal entity unless
<ul> <li>48.19</li> <li>48.20</li> <li>48.21</li> <li>48.22</li> <li>48.23</li> <li>48.24</li> <li>48.25</li> <li>48.26</li> </ul>	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or
<ul> <li>48.19</li> <li>48.20</li> <li>48.21</li> <li>48.22</li> <li>48.23</li> <li>48.24</li> <li>48.25</li> <li>48.26</li> <li>48.27</li> </ul>	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or wholesale customers with any federal agency, federal department, or federal entity unless
<ul> <li>48.19</li> <li>48.20</li> <li>48.21</li> <li>48.22</li> <li>48.23</li> <li>48.24</li> <li>48.25</li> <li>48.26</li> <li>48.27</li> <li>48.28</li> </ul>	<ul> <li>products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol.</li> <li>(e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event.</li> <li>Subd. 12. Customer privacy. A cannabis business must not share data on retail or wholesale customers with any federal agency, federal department, or federal entity unless specifically ordered by a state or federal court.</li> </ul>
<ul> <li>48.19</li> <li>48.20</li> <li>48.21</li> <li>48.22</li> <li>48.23</li> <li>48.24</li> <li>48.25</li> <li>48.26</li> <li>48.27</li> <li>48.28</li> <li>48.29</li> </ul>	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or wholesale customers with any federal agency, federal department, or federal entity unless specifically ordered by a state or federal court. Sec. 21. [342.22] CANNABIS CULTIVATOR LICENSING.
<ul> <li>48.19</li> <li>48.20</li> <li>48.21</li> <li>48.22</li> <li>48.23</li> <li>48.24</li> <li>48.25</li> <li>48.26</li> <li>48.27</li> <li>48.28</li> <li>48.29</li> <li>48.30</li> </ul>	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or wholesale customers with any federal agency, federal department, or federal entity unless specifically ordered by a state or federal court. Sec. 21. [342.22] CANNABIS CULTIVATOR LICENSING. Subdivision 1. Authorized actions. (a) A cannabis cultivator license entitles the license
<ul> <li>48.19</li> <li>48.20</li> <li>48.21</li> <li>48.22</li> <li>48.23</li> <li>48.24</li> <li>48.25</li> <li>48.26</li> <li>48.27</li> <li>48.28</li> <li>48.29</li> <li>48.30</li> <li>48.31</li> </ul>	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. <ul> <li>(e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event.</li> <li>Subd. 12. Customer privacy. A cannabis business must not share data on retail or wholesale customers with any federal agency, federal department, or federal entity unless specifically ordered by a state or federal court.</li> </ul> Sec. 21. [342.22] CANNABIS CULTIVATOR LICENSING. Subdivision 1. Authorized actions. (a) A cannabis cultivator license entitles the license holder to grow cannabis plants within the approved amount of space from seed or immature

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49.1	manufacture	er located on the same	premises, and	perform other actions	s approved by the
49.2	office.				
49.3	<u>(b)</u> The c	office may issue an app	olicant either of	the following types o	f cultivator licenses:
49.4	<u>(1) a cra</u>	ft cultivator license, w	hich allows cul	tivation by a license	holder of not more
49.5	than 10,000	square feet of plant ca	anopy unless th	e office, by rule, incr	eases that limit; or
49.6	<u>(</u> 2) a bul	k cultivator license, w	hich allows cul	tivation by a license	holder of not more
49.7	than 30,000	square feet of plant ca	anopy.		
49.8	(c) The c	office may, by rule, inc	rease the limit c	on craft cultivator plan	nt canopy to no more
49.9	<u>than 15,000</u>	square feet if the offic	ce determines th	nat expansion is cons	istent with the goals
49.10	identified in	section 342.02, subdi	vision 1.		
49.11	<u>Subd. 2.</u>	Additional informat	ion required. I	n addition to the info	ormation required to
49.12	be submitted	d under section 342.15,	, subdivision 1,	and rules adopted pur	rsuant to that section,
49.13	a person, co	operative, or business	seeking a cann	abis cultivator licens	e must submit the
49.14	following in	formation in a form a	pproved by the	office:	
49.15	<u>(1) an op</u>	perating plan demonstr	rating the propo	osed size and layout o	of the cultivation
49.16	facility; plan	ns for wastewater and	waste disposal	for the cultivation fa	cility; plans for
49.17	providing el	ectricity, water, and ot	ther utilities neo	cessary for the norma	al operation of the
49.18	cultivation f	facility; and plans for c	compliance with	n the applicable build	ing code and federal
49.19	and state en	vironmental and work	place safety rec	uirements;	
49.20	<u>(2) a cul</u>	tivation plan demonstr	rating the prope	osed size and layout o	of the cultivation
49.21	facility that	will be used exclusive	ely for cultivation	on including the total	amount of plant
49.22	canopy; and	<u>l</u>			
49.23	<u>(3) evide</u>	ence that the business	will comply wi	th the applicable oper	ration requirements
49.24	for the licen	se being sought.			
49.25	<u>Subd. 3.</u>	Multiple licenses; lin	nits. (a) A pers	on, cooperative, or b	usiness holding a
49.26	cannabis cul	tivator license may also	o hold a cannabi	s manufacturing licer	nse, medical cannabis
49.27	cultivator lie	cense, medical cannab	is producer lice	nse, license to grow	industrial hemp, and
49.28	cannabis evo	ent organizer license.			
49.29	(b) Exce	pt as provided in para	graph (a), no pe	erson, cooperative, or	business holding a
49.30	cannabis cul	tivator license may ow	n or operate any	other cannabis busir	ess. This prohibition
49.31	does not prev	vent the transportation	of cannabis flow	ver from a cannabis cu	ltivator to a cannabis
49.32	manufacture	er licensed to the same	person, cooper	ative, or business and	l located on the same
49.33	premises.				

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50.1	(c) The off	fice by rule may lim	it the number of	cannabis cultivator	licenses a person,	
50.2	cooperative, o	or business may hold	<u>l.</u>			
50.3	(d) For pu	rposes of this subdiv	vision, a restriction	on on the number or	type of license a	
50.4	business may	hold applies to ever	y cooperative me	ember or every direc	ctor, manager, and	
50.5	general partne	er of a cannabis busi	ness.			
50.6	<u>Subd. 4.</u> L	imitations on healt	th care practitio	ners. A health care	practitioner who	
50.7	certifies quali	fying medical condi	tions for patients	is prohibited from:		
50.8	(1) holding	g a direct or indirect	economic intere	st in a cannabis cult	ivator;	
50.9	(2) serving	g as a cooperative m	ember, director,	manager, general pa	rtner, or employee	
50.10	of a cannabis	cultivator; or				
50.11	(3) adverti	sing with a cannabi	s cultivator in an	y way.		
50.12	Subd. 5. Remuneration. A cannabis cultivator is prohibited from:					
50.13	(1) accepting or soliciting any form of remuneration from a health care practitioner who					
50.14	certifies qualit	fying medical condi	tions for patients	; or		
50.15	(2) offering	g any form of remune	eration to a health	care practitioner wh	o certifies qualifying	
50.16	medical conditions for patients.					
50.17	Sec. 22. <b>[34</b> ]	2.23] CANNABIS	CULTIVATOR	OPERATIONS.		
50.18	Subdivisio	on 1. Cultivation re	<b>cords.</b> A cannab	is cultivator must pr	epare a cultivation	
50.19		h batch of cannabis				
50.20	office and mu	st maintain each rec	ord for at least fi	ve years. The cultiv	ation record must	
50.21	include the qu	antity and timing, w	where applicable,	of each pesticide, fo	ertilizer, soil	
50.22	amendment, o	r plant amendment u	used to cultivate th	ne batch, as well as a	ny other information	
50.23	required by th	e office in rule. A li	censed cultivator	must present cultiv	vation records to the	
50.24	office, the con	nmissioner of agricu	ulture, or the com	missioner of health	upon request.	
50.25	<u>Subd. 2.</u> <u>A</u>	gricultural chemic	als and other in	<b>puts.</b> A cannabis cu	lltivator is subject to	
50.26	rules promulga	ated by the office in	consultation with	the commissioner o	f agriculture, subject	
50.27	to subdivision	4, governing the us	se of pesticides, f	ertilizers, soil amen	dments, plant	
50.28	amendments,	and other inputs to o	cultivate cannabi	<u>S.</u>		
50.29	<u>Subd. 3.</u> C	ultivation plan. A	cannabis cultivat	or must prepare, ma	intain, and execute	
50.30	an operating p	lan and a cultivatior	n plan as directed	by the office in rule,	, which must include	
50.31	<u>but is not limi</u>	ted to:				

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51.1	<u>(1) water us</u>	age;						
51.2	(2) recycling;							
51.3	<u>(</u> 3) solid wa	ste disposal; and						
51.4	(4) a pest ma	anagement protocol	that incorpora	tes integrated pest ma	nagement principles			
51.5	to control or pr	event the introduction	on of pests to t	he cultivation site.				
51.6	<u>Subd. 4.</u> Ag	ricultural chemica	ls and other i	nputs; pollinator pr	otection. (a) A			
51.7	cannabis cultiva	ator must comply w	ith chapters 18	3B, 18C, 18D, and an	y other pesticide,			
51.8	fertilizer, soil an	nendment, and plant	amendment lav	ws and rules enforced	by the commissioner			
51.9	of agriculture.							
51.10	(b) A cannal	bis cultivator must n	ot apply pestic	ides when pollinators	are present or allow			
51.11	pesticides to dr	ift to flowering plan	ts that are attr	active to pollinators.				
51.12	<u>Subd. 5.</u> Ad	ulteration prohibit	ted. A cannabi	is cultivator must not	treat or otherwise			
51.13	adulterate cann	abis plants or canna	bis flower with	n any substance or co	mpound that has the			
51.14	effect or intent	of altering the color	, appearance,	weight, or smell of th	e cannabis.			
51.15	Subd. 6. Inc	loor, outdoor cultiv	vation author	ized; security. A can	nabis cultivator may			
51.16	cultivate cannal	bis plants indoors or	r outdoors, sub	ject to the security, fe	encing, lighting, and			
51.17	any other requi	rements imposed by	the office in 1	rule.				
51.18	<u>Subd. 7.</u> See	ed permit. The com	missioner of a	griculture may issue	a genetically			
51.19	engineered agri	culturally related or	ganism permi	t under chapter 18F fe	or cannabis seed or			
51.20	cannabis plants	<u>.</u>						
51.21	Sec. 23. [342.	24] CANNABIS M	IANUFACTU	RER LICENSING.				
51.22	Subdivision	1. Authorized acti	i <b>ons.</b> A cannab	ois manufacturer licer	use, consistent with			
51.23	the specific lice	ense endorsement or	endorsements	s, entitles the license	holder to:			
51.24	(1) purchase	cannabis flower, ca	nnabinoid proc	lucts, hemp plant part	s, hemp concentrate,			
51.25	and artificially o	lerived cannabinoids	from cannabis	cultivators, other can	nabis manufacturers,			
51.26	cannabis micro	businesses, and indu	ustrial hemp g	rowers;				
51.27	<u>(2)</u> accept c	annabis from unlice	nsed persons v	who are at least 21 ye	ars of age provided			
51.28	that the cannab	is manufacturer doe	s not accept m	ore than two ounces	from an individual			
51.29	on a single occa	asion;						
51.30	<u>(3) make ca</u>	nnabis concentrate;						

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52.1	(4) make	e hemp concentrate, in	cluding hemp	concentrate with a delta	a-9	
52.2				0.3 percent as measure		
52.3	(5) manu	ifacture artificially der	ived cannabine	oids;		
52.4	(6) manu	Ifacture cannabinoid p	roducts and he	mp-derived consumer	products for public	
52.5	consumption	•				
52.6	(7) packs	age and label cannabir	oid products a	nd hemp-derived const	imer products for	
52.7	<u>. / 2</u>	cannabis businesses;	<u> </u>		<u></u>	
52.8	(8) sell c	annabis concentrate h	emn concentr	te, artificially derived	cannabinoids	
52.0	<u> </u>		-	ner products to other ca		
52.10	and	products, and nemp e				
52.11	<u>(9) perfo</u>	orm other actions appro	oved by the off	ice.		
52.12	<u>Subd. 2.</u>	Additional informati	ion required.	In addition to the inform	nation required to	
52.13	be submitted	l under section 342.15,	subdivision 1,	and rules adopted pursu	uant to that section,	
52.14	a person, cooperative, or business seeking a cannabis manufacturer license must submit the					
52.15	following information in a form approved by the office:					
52.16	<u>(1)</u> an op	perating plan demonstr	ating the prop	osed layout of the facili	ity, including a	
52.17	diagram of v	ventilation and filtration	on systems; pla	ns for wastewater and	waste disposal for	
52.18	the manufac	turing facility; plans fo	r providing ele	ctricity, water, and othe	r utilities necessary	
52.19	for the norm	al operation of the ma	nufacturing fa	cility; and plans for con	mpliance with	
52.20	applicable b	uilding code and feder	al and state en	vironmental and workp	place safety	
52.21	requirement	s; and				
52.22	<u>(</u> 2) evide	ence that the business y	will comply wi	th the applicable opera	tion requirements	
52.23	for the endo	rsement being sought.				
52.24	<u>Subd. 3.</u>	Multiple licenses; lin	nits. (a) A pers	on, cooperative, or bus	iness holding a	
52.25	cannabis ma	nufacturer license may	also hold a can	nabis cultivator license,	a medical cannabis	
52.26	cultivator lie	ense, a medical canna	bis processor	icense, and a cannabis	event organizer	
52.27	license.					
52.28	<u>(b)</u> Exce	pt as provided in parag	graph (a), no p	erson, cooperative, or b	ousiness holding a	
52.29	<u>cannabis ma</u>	nufacturer license may	y own or opera	te any other cannabis b	ousiness. This	
52.30	prohibition of	does not prevent transp	portation of car	nnabis flower from a ca	annabis cultivator	
52.31	to a cannabis	s manufacturer licensed	d to the same p	erson, cooperative, or b	usiness and located	
52.32	on the same	premises.				

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53.1	(c) The	office by rule may lim	it the number o	f cannabis manufactu	rer licenses that a		
53.2	person or b	usiness may hold.					
53.3	(d) For 1	purposes of this subdiv	vision, a restrict	ion on the number or	type of license that		
53.4		nay hold applies to evo					
53.5	general part	tner of a cannabis busi	ness.				
53.6	Subd. 4.	Limitations on healt	h care practiti	oners. <u>A health care</u>	practitioner who		
53.7	certifies qua	alifying medical condi	tions for patien	ts is prohibited from:			
53.8	<u>(1) hold</u>	ing a direct or indirect	economic inter	est in a cannabis man	ufacturer <u>;</u>		
53.9	<u>(2) servi</u>	ing as a cooperative m	ember, director	, manager, general par	rtner, or employee		
53.10	of a cannab	is manufacturer; or					
53.11	<u>(3)</u> adve	ertising with a cannabis	s manufacturer	in any way.			
53.12	<u>Subd. 5.</u>	Remuneration. A ca	nnabis manufac	turer is prohibited fro	om:		
53.13	<u>(1) acce</u>	pting or soliciting any	form of remune	ration from a health ca	are practitioner who		
53.14	certifies qualifying medical conditions for patients; or						
53.15	(2) offering any form of remuneration to a health care practitioner who certifies qualifying						
53.16	medical conditions for patients.						
53.17	Sec. 24. [.	342.25] CANNABIS I	MANUFACTU	RER OPERATION	<u>S.</u>		
53.18	Subdivis	sion 1. All manufactu	rer operations	<u>. (a) Cannabis manufa</u>	acturing must take		
53.19	place in an	enclosed, locked facili	ty that is used e	exclusively for the ma	nufacture of		
53.20	cannabinoic	d products, creation of	hemp concentr	ate, or creation of arti	ficially derived		
53.21	cannabinoic	ls except that a busines	s that also holds	a cannabis cultivator	license may operate		
53.22	in a facility	that shares general off	fice space, bath	rooms, entryways, and	d walkways.		
53.23	<u>(b)</u> Can	nabis manufacturing m	ust take place o	on equipment that is u	sed exclusively for		
53.24	the manufac	cture of cannabinoid pr	roducts, creatio	n of hemp concentrate	e, or creation of		
53.25	artificially of	derived cannabinoids.					
53.26	<u>(c)</u> A ca	nnabis manufacturer n	nust comply wi	th all applicable packa	aging, labeling, and		
53.27	health and s	safety requirements.					
53.28	<u>Subd. 2.</u>	Extraction and conc	entration. (a) A	A cannabis manufactu	arer that creates		
53.29	cannabis co	oncentrate, hemp conce	entrate, or artific	cially derived cannabi	inoids must obtain		
53.30	an endorser	ment from the office.					

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54.1	(b) A cannabis manufacturer must inform the office of all methods of extraction and
54.2	concentration that the manufacturer intends to use and identify the volatile chemicals, if
54.3	any, that will be involved in the creation of cannabis concentrate or hemp concentrate. A
54.4	cannabis manufacturer may not use a method of extraction and concentration or a volatile
54.5	chemical without approval by the office.
54.6	(c) A cannabis manufacturer must inform the office of all methods of conversion that
54.7	the manufacturer will use, including any specific catalysts that the manufacturer will employ,
54.8	to create artificially derived cannabinoids and the molecular nomenclature of all cannabinoids
54.9	or other chemical compound that the manufacturer will create. A cannabis manufacturer
54.10	may not use a method of conversion or a catalyst without approval by the office.
54.11	(d) A cannabis manufacturer must obtain a certification from an independent third-party
54.12	industrial hygienist or professional engineer approving:
54.13	(1) all electrical, gas, fire suppression, and exhaust systems; and
54.14	(2) the plan for safe storage and disposal of hazardous substances, including but not
54.15	limited to any volatile chemicals.
54.16	(e) A cannabis manufacturer that manufactures cannabis concentrate from cannabis
54.17	flower received from an unlicensed person who is at least 21 years of age must comply with
54.18	all health and safety requirements established by the office. At a minimum, the office shall
54.19	require a cannabis manufacturer to:
54.20	(1) store the cannabis flower in an area that is segregated from cannabis flower and hemp
54.21	plant parts received from a licensed cannabis business;
54.22	(2) perform the extraction and concentration on equipment that is used exclusively for
54.23	extraction or concentration of cannabis flower received from unlicensed individuals;
54.24	(3) store any cannabis concentrate in an area that is segregated from cannabis concentrate,
54.25	hemp concentrate, or artificially derived cannabinoids derived or manufactured from cannabis
54.26	flower or hemp plant parts received from a licensed cannabis business; and
54.27	(4) provide any cannabis concentrate only to the person who provided the cannabis.
54.28	(f) Upon the sale of cannabis concentrate, hemp concentrate, or artificially derived
54.29	cannabinoids to any person, cooperative, or business, a cannabis manufacturer must provide
54.30	a statement to the buyer that discloses the method of extraction and concentration or
54.31	conversion used and any solvents, gases, or catalysts, including but not limited to any volatile
54.32	chemicals, involved in that method.

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55.1	Subd. 3. Production of consumer products. (a) A cannabis manufacturer that produces
55.2	edible cannabinoid products must obtain an edible cannabinoid product handler endorsement
55.3	from the office.
55.4	(b) A cannabis manufacturer must obtain an endorsement from the office to produce:
55.5	(1) cannabinoid products other than edible cannabinoid products; or
55.6	(2) hemp-derived consumer products other than hemp-derived topical products.
55.7	(c) All areas within the licensed premises of a cannabis manufacturer producing
55.8	cannabinoid products or hemp-derived consumer products must meet the sanitary standards
55.9	specified in rules adopted by the office.
55.10	(d) A cannabis manufacturer may only add chemicals or compounds approved by the
55.11	office to cannabis concentrate, hemp concentrate, or artificially derived cannabinoids.
55.12	(e) Upon the sale of any cannabinoid product or hemp-derived consumer product to a
55.13	cannabis business, a cannabis manufacturer must provide a statement to the buyer that
55.14	discloses the product's ingredients, including but not limited to any chemicals or compounds
55.15	and any major food allergens declared by name.
55.16	(f) A cannabis manufacturer shall not add any cannabis flower, cannabis concentrate,
55.17	artificially derived cannabinoid, hemp plant part, or hemp concentrate to a product where
55.18	the manufacturer of the product holds a trademark to the product's name, except that a
55.19	cannabis manufacturer may use a trademarked food product if the manufacturer uses the
55.20	product as a component or as part of a recipe and where the cannabis manufacturer does
55.21	not state or advertise to the customer that the final retail cannabinoid product or hemp-derived
55.22	consumer product contains a trademarked food product.
55.23	Sec. 25. [342.26] CANNABIS RETAILER LICENSING.
55.24	Subdivision 1. Authorized actions. A cannabis retailer license entitles the license holder
55.25	<u>to:</u>
55.26	(1) purchase immature cannabis plants and seedlings, cannabis flower, cannabinoid
55.27	products, and hemp-derived consumer products from cannabis cultivators, cannabis
55.28	manufacturers, cannabis microbusinesses, cannabis wholesalers, and industrial hemp growers;
55.29	(2) sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use
55.30	cannabinoid products, hemp-derived consumer products, and other products authorized by
55.31	law to customers; and
55.32	(3) perform other actions approved by the office.

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56.1	Subd. 2.	Additional informat	<b>ion required.</b> In	n addition to the infor	rmation required to
56.2	be submitted	d under section 342.15	, subdivision 1, a	and rules adopted purs	suant to that section,
56.3	a person, coo	operative, or business s	seeking a cannab	is retail license must s	submit the following
56.4	information	in a form approved by	y the office:		
56.5	<u>(1) a list</u>	of every retail license	held by the app	licant and, if the app	licant is a business,
56.6	every retail	license held, either as	an individual or	as part of another bu	isiness, by each
56.7	officer, dired	ctor, manager, and ger	neral partner of t	he cannabis business	· <u>·</u>
56.8	<u>(2) an op</u>	perating plan demonstr	rating the propo	sed layout of the faci	lity, including a
56.9	diagram of v	ventilation and filtration	on systems; poli	cies to avoid sales to	individuals who are
56.10	under 21 yea	ars of age; identificati	on of a restricte	d area for storage; and	d plans to prevent
56.11	the visibility	of cannabis flower, ca	nnabinoid produ	cts, and hemp-derived	l consumer products
56.12	<u>to individua</u>	ls outside the retail lo	cation; and		
56.13	<u>(3) evide</u>	ence that the business	will comply wit	h the applicable oper	ation requirements
56.14	for the licen	se being sought.			
56.15	Subd. 3.	Multiple licenses; lin	nits. (a) A perso	on, cooperative, or bu	siness holding a
56.16	cannabis reta	ailer license may also h	old a cannabis d	elivery service license	e, a medical cannabis
56.17	retailer licer	nse, and a cannabis evo	ent organizer lic	ense.	
56.18	(b) Exce	pt as provided in para	graph (a), no pe	rson, cooperative, or	business holding a
56.19	cannabis ret	ailer license may own	or operate any	other cannabis busine	ess.
56.20	<u>(c)</u> No po	erson, cooperative, or	business may he	old a license to own o	or operate more than
56.21	one cannabi	s retail business in one	e city or county.		
56.22	<u>(d)</u> The o	office by rule may lim	it the number of	f cannabis retailer lice	enses a person,
56.23	cooperative,	, or business may hold	<u>l.</u>		
56.24	<u>(e)</u> For p	ourposes of this subdiv	vision, a restricti	on on the number or	type of license a
56.25	business ma	y hold applies to ever	y cooperative m	ember or every direc	tor, manager, and
56.26	general part	ner of a cannabis busi	ness.		
56.27	<u>Subd. 4.</u>	Municipal or county	cannabis store	e. A city or county ma	ay establish, own,
56.28	and operate	a municipal cannabis	store subject to	the restrictions in this	s chapter.
56.29	<u>Subd. 5.</u>	Limitations on healt	h care practitio	oners. <u>A health care</u>	practitioner who
56.30	certifies qua	llifying medical condi	tions for patient	s is prohibited from:	
56.31	<u>(1) holdi</u>	ng a direct or indirect	economic inter	est in a cannabis retai	ler;

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57.1	(2) servi	ing as a cooperative n	nember, director.	manager, general par	rtner, or employee
57.2	· ·	is retailer; or	,		
57.3	<u>(3)</u> adve	ertising with a cannabi	s retailer in any	way.	
57.4	<u>Subd. 6.</u>	Remuneration. A ca	annabis retailer i	s prohibited from:	
57.5	<u>(1)</u> acce	pting or soliciting any	form of remune	ration from a health ca	are practitioner who
57.6	certifies qua	alifying medical cond	itions for patient	ts; or	
57.7	<u>(2) offer</u>	ing any form of remun	eration to a healt	h care practitioner who	o certifies qualifying
57.8	medical cor	nditions for patients.			
57.9	Sec. 26. [3	342.27] CANNABIS	RETAILER O	PERATIONS.	
57.10	Subdivis	sion 1. Sale of canna	bis and cannabi	inoid products. (a) A	cannabis retailer
57.11	may only se	ell immature cannabis	plants and seedl	ings, adult-use cannab	ois flower, adult-use
57.12	cannabinoid	l products, and hemp-	derived consum	er products to individu	uals who are at least
57.13	21 years of	age.			
57.14	<u>(b)</u> A ca	nnabis retailer may se	ell immature can	nabis plants and seed	lings, adult-use
57.15	cannabis flo	ower, adult-use cannal	binoid products,	and hemp-derived co	nsumer products
57.16	other than h	emp-derived topical	products that:		
57.17	<u>(1) are o</u>	btained from a licens	ed Minnesota ca	nnabis cultivator, can	nabis manufacturer,
57.18	cannabis mi	icrobusiness, or canna	bis wholesaler;	and	
57.19	<u>(2) meet</u>	t all applicable packag	ging and labeling	g requirements.	
57.20	<u>(c)</u> A car	nnabis retailer may se	ell up to two oun	ces of adult-use canna	abis flower, eight
57.21	grams of ad	ult-use cannabis conc	entrate, and edib	le cannabinoid produc	cts infused with 800
57.22	milligrams	of tetrahydrocannabir	ol during a sing	le transaction to a cus	tomer.
57.23	<u>(d) Edib</u>	le cannabinoid produ	cts may not inclu	ude more than ten mil	ligrams per serving
57.24	and a single	e package may not inc	lude more than a	a total of 100 milligra	<u>ms of</u>
57.25	tetrahydroca	annabinol. A package	may contain mu	ultiple servings of ten	milligrams of
57.26	tetrahydroca	annabinol provided th	at each serving i	s indicated by scoring	, wrapping, or other
57.27	indicators d	esignating the individ	lual serving size.	<u>.</u>	
57.28	<u>Subd. 2.</u>	Sale of other produc	e <b>ts.</b> (a) A cannabi	s retailer may sell can	nabis paraphernalia,
57.29	including bu	ut not limited to child	proof packaging	containers and other	devices designed to
57.30	ensure the s	afe storage and monit	coring of cannabi	is flower and cannabin	noid products in the
57.31	home to pre	event access by individ	duals under 21 y	ears of age.	

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58.1	(b) A cannabis retailer may sell hemp-derived topical products.						
58.2	(c) A cannab	ois retailer may se	ll the following	products that do not co	ontain cannabis		
58.3	<u> </u>			artificially derived can			
58.4	tetrahydrocanna	binol:					
58.5	(1) drinks the	at do not contain	alcohol and are	packaged in sealed con	tainers labeled for		
58.6	retail sale;						
58.7	(2) books on	d videos on the ci	ultivation and us	e of cannabis flower a	nd connohinoid		
58.8	products;						
	<u> </u>						
58.9	<u> </u>		•	d primarily for informa	tion and education		
58.10	on cannabis plar	nts, cannabis flow	ver, and cannabin	noid products;			
58.11	(4) multiple-	use bags designed	d to carry purcha	ased items;			
58.12	(5) clothing	marked with the s	specific name, b	rand, or identifying log	o of the cannabis		
58.13	retailer; and						
58.14	<u>(6) hemp fib</u>	er products and p	roducts that con	tain hemp grain.			
58.15	Subd. 3. Age	verification. (a)	Prior to initiating	g a sale, an employee of	a cannabis retailer		
58.16	must verify that	the customer is a	t least 21 years of	of age.			
58.17	(b) Proof of	age may be establ	lished only by o	ne of the following:			
58.18	<u>(1)</u> a valid dı	river's license or i	dentification car	d issued by Minnesota	i, another state, or		
58.19	a province of Ca	nada, and includi	ng the photograp	h and date of birth of th	ne licensed person;		
58.20	<u>(2) a valid Tr</u>	ribal identification	n card as defined	d in section 171.072, p	aragraph (b);		
58.21	(3) a valid pa	assport issued by	the United State	<u>s;</u>			
58.22	<u>(</u> 4) a valid in	structional permi	t issued under se	ection 171.05 to a pers	on of legal age to		
58.23	purchase adult-u	se cannabis or adu	ult-use cannabing	oid products, which inc	ludes a photograph		
58.24	and the date of b	oirth of the persor	n issued the perm	nit; or			
58.25	(5) in the cas	se of a foreign nat	tional, by a valid	l passport.			
58.26	(c) A cannab	ois retailer may se	ize a form of ide	entification listed unde	r paragraph (b) if		
58.27	the cannabis reta	ailer has reasonab	ele grounds to be	lieve that the form of i	dentification has		
58.28	been altered or f	alsified or is bein	ng used to violate	e any law. A cannabis i	retailer that seizes		
58.29	a form of identif	fication as author	ized under this p	aragraph must deliver	it to a law		
58.30	enforcement age	ency within 24 ho	ours of seizing it.	<u>.</u>			

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59.1	Subd. 4. Display of cannabis flower and cannabinoid products. (a) A cannabis retailer
59.2	must designate a retail area where customers are permitted. The retail area shall include the
59.3	portion of the premises where samples of cannabis flower and cannabinoid products available
59.4	for sale are displayed. All other cannabis flower and cannabinoid products must be stored
59.5	in the secure storage area.
59.6	(b) A cannabis retailer may display one sample of each type of cannabis flower or
59.7	cannabinoid product available for sale. Samples of cannabis flower and cannabinoid products
59.8	must be stored in a sample jar or display case and be accompanied by a label or notice
59.9	containing the information required to be affixed to the packaging or container containing
59.10	cannabis flower and cannabinoid products sold to customers. A sample may not consist of
59.11	more than eight grams of adult-use cannabis flower or adult-use cannabis concentrate or an
59.12	edible cannabinoid product infused with more than 100 milligrams of tetrahydrocannabinol.
59.13	A cannabis retailer may allow customers to smell the cannabis flower or cannabinoid product
59.14	before purchase.
59.15	(c) A cannabis retailer may not sell cannabis flower or cannabinoid products used as a
59.16	sample for display.
59.17	Subd. 5. Posting of notices. A cannabis retailer must post all notices as required by the
59.18	office, including but not limited to:
59.19	(1) information about any product recall;
59.20	(2) a statement that operating a motor vehicle under the influence of intoxicating
59.21	cannabinoids is illegal; and
59.22	(3) a statement that cannabis flower, cannabinoid products, and hemp-derived consumer
59.23	products are only intended for consumption by individuals who are at least 21 years of age.
59.24	Subd. 6. Hours of operation. (a) Except as provided by paragraph (b), a cannabis retailer
59.25	may not sell cannabis flower, cannabinoid products, or hemp-derived consumer products:
59.26	(1) on Sundays, except between the hours of 11:00 a.m. and 6:00 p.m.;
59.27	(2) before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday;
59.28	(3) on Thanksgiving Day;
59.29	(4) on Christmas Day, December 25; or
59.30	(5) after 8:00 p.m. on Christmas Eve, December 24.

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60.1	(b) A city	or county may adop	ot an ordinance t	o permit sales betweer	n 10:00 p.m. and
60.2	8:00 a.m. on t	he days of Monday	through Saturda	ay, or between 6:00 p.1	m. and 11:00 a.m.
60.3	on Sunday.				
60.4	<u>Subd. 7.</u> B	uilding conditions	. (a) A cannabis	retailer shall maintain	compliance with
60.5	state and loca	l building, fire, and	zoning requiren	nents or regulations.	
60.6	<u>(b)</u> A canr	nabis retailer shall e	nsure that the lic	ensed premises is mai	ntained in a clean
60.7	and sanitary c	ondition, free from	infestation by ir	sects, rodents, or othe	r pests.
60.8	<u>Subd. 8.</u> S	ecurity. A cannabis	s retailer shall m	aintain compliance wi	th security
60.9	requirements	established by the c	office including l	out not limited to requ	irements for
60.10	maintaining v	ideo surveillance re	cords, use of spe	ecific locking mechani	sms, establishment
60.11	of secure entr	ies, and the number	of employees w	orking at all times.	
60.12	<u>Subd. 9.</u> L	<b>ighting.</b> A cannabi	s retailer must k	eep all lighting outside	e and inside the
60.13	dispensary in	good working orde	r and wattage su	fficient for security ca	meras.
60.14	Subd. 10.	Deliveries. Cannab	is retailers may o	only accept deliveries	of cannabis flower,
60.15	cannabinoid p	products, and hemp-	derived consum	er products into a limi	ted access area.
60.16	Deliveries ma	y not be accepted th	hrough the publi	c access areas unless o	otherwise approved
60.17	by the office.				
60.18	Subd. 11.	Prohibitions. A car	nnabis retailer sh	all not:	
60.19	(1) sell can	nnabis flower or car	nabinoid produ	ets to a person who is y	visibly intoxicated;
60.20	<u>(2) knowi</u>	ngly sell more cann	abis flower or ca	unnabinoid products th	an a customer is
60.21	legally permit	tted to possess;			
60.22	(3) give av	way immature canna	abis plants or see	edlings, cannabis flow	er, cannabinoid
60.23	products, or h	emp-derived consu	mer products;		
60.24	(4) operate	e a drive-through w	indow;		
60.25	<u>(5)</u> allow f	for the dispensing o	f cannabis plants	s, cannabis flower, can	nabinoid products,
60.26	or hemp-deriv	ved consumer produ	icts in vending n	nachines; or	
60.27	<u>(6) sell car</u>	nabis plants, canna	bis flower, or car	nabinoid products if t	he cannabis retailer
60.28	knows that an	y required security	or statewide mo	nitoring systems are n	ot operational.
60.29	Subd. 12.	Retail location; phy	vsical separation	required. (a) A licens	ed cannabis retailer
60.30	that is also a li	censed medical canr	nabis retailer may	v sell medical cannabis	flower and medical
60.31	cannabinoid p	products on a portion	n of its premises	<u>.</u>	

61.1(b) The portion of the premises in which medical cannabis flower and medical61.2cannabinoid products are sold must be definite and distinct from all other areas of the61.3cannabis retailer, must be accessed through a distinct entrance, and must provide an61.4appropriate space for a pharmacist employee of the medical cannabis retailer to consult with61.5the patient to determine the proper type of medical cannabis flower and medical cannabinoi61.6products and proper dosage for the patient.61.7Sec. 27. [342.28] CANNABIS WHOLESALER LICENSING.61.8Subdivision 1. Authorized actions. A cannabis wholesaler license entitles the license61.9holder to:61.10(1) purchase immature cannabis plants and seedlings, cannabis flower, cannabinoid61.11products, and hemp-derived consumer products from cannabis flower, cannabis61.12(2) sell immature cannabis plants and seedlings, cannabis flower, cannabis or products61.13(2) sell immature cannabis plants and seedlings, cannabis flower, cannabis retailers;61.14(3) import hemp-derived consumer products to cannabis manufacturers and cannabis retailers;61.15(3) import hemp-derived consumer products and lower potency edible products that61.16contain hemp concentrate or artificially derived cannabinoids that are derived from hemp61.17plants or hemp plant parts; and61.18(4) perform other actions approved by the office.	ment
<ul> <li>cannabinoid products are sold must be definite and distinct from all other areas of the</li> <li>cannabis retailer, must be accessed through a distinct entrance, and must provide an</li> <li>appropriate space for a pharmacist employee of the medical cannabis retailer to consult with</li> <li>the patient to determine the proper type of medical cannabis flower and medical cannabinoi</li> <li>products and proper dosage for the patient.</li> <li>Sec. 27. [342.28] CANNABIS WHOLESALER LICENSING.</li> <li>Subdivision 1. Authorized actions. A cannabis wholesaler license entitles the license</li> <li>holder to:</li> <li>(1) purchase immature cannabis plants and seedlings, cannabis flower, cannabinoid</li> <li>products, and hemp-derived consumer products from cannabis flower, cannabinoid products</li> <li>(2) sell immature cannabis plants and seedlings, cannabis flower, cannabinoid products</li> <li>(3) import hemp-derived consumer products and lower potency edible products that</li> <li>(3) import hemp-derived consumer products and lower potency edible products that</li> <li>(3) import hemp-derived consumer products and lower potency edible products that</li> <li>(1) plants or hemp plant parts; and</li> </ul>	
<ul> <li>appropriate space for a pharmacist employee of the medical cannabis retailer to consult with</li> <li>the patient to determine the proper type of medical cannabis flower and medical cannabinoi</li> <li>products and proper dosage for the patient.</li> <li>Sec. 27. [342.28] CANNABIS WHOLESALER LICENSING.</li> <li>Subdivision 1. Authorized actions. A cannabis wholesaler license entitles the license</li> <li>holder to:</li> <li>(1) purchase immature cannabis plants and seedlings, cannabis flower, cannabinoid</li> <li>products, and hemp-derived consumer products from cannabis cultivators, cannabis</li> <li>manufacturers, cannabis microbusinesses, and industrial hemp growers;</li> <li>(2) sell immature cannabis plants and seedlings, cannabis flower, cannabinoid products</li> <li>(3) import hemp-derived consumer products and lower potency edible products that</li> <li>contain hemp concentrate or artificially derived cannabinoids that are derived from hemp</li> <li>plants or hemp plant parts; and</li> </ul>	
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<ul> <li>61.6 products and proper dosage for the patient.</li> <li>61.7 Sec. 27. [342.28] CANNABIS WHOLESALER LICENSING.</li> <li>61.8 Subdivision 1. Authorized actions. A cannabis wholesaler license entitles the license holder to:</li> <li>61.9 holder to:</li> <li>61.10 (1) purchase immature cannabis plants and seedlings, cannabis flower, cannabinoid products, and hemp-derived consumer products from cannabis cultivators, cannabis manufacturers, cannabis microbusinesses, and industrial hemp growers;</li> <li>61.13 (2) sell immature cannabis plants and seedlings, cannabis flower, cannabinoid products and hemp-derived consumer products to cannabis manufacturers and cannabis retailers;</li> <li>61.13 (3) import hemp-derived consumer products and lower potency edible products that contain hemp concentrate or artificially derived cannabinoids that are derived from hemp flants or hemp plant parts; and</li> </ul>	with
<ul> <li>61.7 Sec. 27. [342.28] CANNABIS WHOLESALER LICENSING.</li> <li>61.8 Subdivision 1. Authorized actions. A cannabis wholesaler license entitles the license</li> <li>61.9 holder to:</li> <li>61.10 (1) purchase immature cannabis plants and seedlings, cannabis flower, cannabinoid</li> <li>61.11 products, and hemp-derived consumer products from cannabis cultivators, cannabis</li> <li>61.12 manufacturers, cannabis microbusinesses, and industrial hemp growers;</li> <li>61.13 (2) sell immature cannabis plants and seedlings, cannabis flower, cannabinoid products</li> <li>61.14 and hemp-derived consumer products to cannabis manufacturers and cannabis retailers;</li> <li>61.15 (3) import hemp-derived consumer products and lower potency edible products that</li> <li>61.16 contain hemp concentrate or artificially derived cannabinoids that are derived from hemp</li> <li>61.17 plants or hemp plant parts; and</li> </ul>	noid
61.8       Subdivision 1. Authorized actions. A cannabis wholesaler license entitles the license         61.9       holder to:         61.10       (1) purchase immature cannabis plants and seedlings, cannabis flower, cannabinoid         61.11       products, and hemp-derived consumer products from cannabis cultivators, cannabis         61.12       manufacturers, cannabis microbusinesses, and industrial hemp growers;         61.13       (2) sell immature cannabis plants and seedlings, cannabis flower, cannabinoid products         61.14       and hemp-derived consumer products to cannabis manufacturers and cannabis retailers;         61.15       (3) import hemp-derived consumer products and lower potency edible products that         61.16       contain hemp concentrate or artificially derived cannabinoids that are derived from hemp         61.17       plants or hemp plant parts; and	
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<ul> <li>(1) purchase immature cannabis plants and seedlings, cannabis flower, cannabinoid</li> <li>products, and hemp-derived consumer products from cannabis cultivators, cannabis</li> <li>manufacturers, cannabis microbusinesses, and industrial hemp growers;</li> <li>(2) sell immature cannabis plants and seedlings, cannabis flower, cannabinoid products</li> <li>and hemp-derived consumer products to cannabis manufacturers and cannabis retailers;</li> <li>(3) import hemp-derived consumer products and lower potency edible products that</li> <li>contain hemp concentrate or artificially derived cannabinoids that are derived from hemp</li> <li>plants or hemp plant parts; and</li> </ul>	nse
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<ul> <li>and hemp-derived consumer products to cannabis manufacturers and cannabis retailers;</li> <li>(3) import hemp-derived consumer products and lower potency edible products that</li> <li>contain hemp concentrate or artificially derived cannabinoids that are derived from hemp</li> <li>plants or hemp plant parts; and</li> </ul>	
61.15 (3) import hemp-derived consumer products and lower potency edible products that 61.16 contain hemp concentrate or artificially derived cannabinoids that are derived from hemp 61.17 plants or hemp plant parts; and	icts,
<ul> <li>61.16 contain hemp concentrate or artificially derived cannabinoids that are derived from hemp</li> <li>61.17 plants or hemp plant parts; and</li> </ul>	s;
61.17 plants or hemp plant parts; and	<u>it</u>
	mp
61.18 (4) perform other actions approved by the office.	
61.19 Subd. 2. Additional information required. In addition to the information required to	<u>1 to</u>
61.20 <u>be submitted under section 342.15</u> , subdivision 1, and rules adopted pursuant to that section	tion,
a person, cooperative, or business seeking a cannabis wholesaler license must submit the	the
61.22 <u>following information in a form approved by the office:</u>	
(1) an operating plan demonstrating the proposed layout of the facility including a	
61.24 diagram of ventilation and filtration systems and policies to avoid sales to unlicensed	
61.25 cannabis businesses; and	
61.26 (2) evidence that the business will comply with the applicable operation requirements	nts
61.27 for the license being sought.	
61.28 Subd. 3. Multiple licenses; limits. (a) A person, cooperative, or business holding a	<u>a</u>
61.29 cannabis wholesaler license may also hold a cannabis transporter license, a cannabis deliver	very
61.30 service license, and a cannabis event organizer license.	
61.31 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a	g a
61.32 cannabis wholesaler license may own or operate any other cannabis business.	

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62.1	(c) The offi	ce by rule may limit	the number of	cannabis wholesaler	licenses a person or
62.2	business may h				
62.2	(d) For pur	boses of this subdivis	sion a restricti	on on the number or	type of license a
62.3 62.4		old applies to every			
62.5		of a cannabis busine	•		tor, manager, and
02.5	<u>Beneral partner</u>				
62.6	Sec. 28. <b>[342</b>	.29] CANNABIS W	HOLESALE	R OPERATIONS.	
62.7	Subdivision	1. Separation of pro	oducts. A cann	abis wholesaler must	ensure that cannabis
62.8	plants, cannabi	s flower, and cannab	inoid products	s are physically separ	rated from all other
62.9	products, inclu	ding hemp-derived c	onsumer prod	ucts, in a manner tha	t prevents any
62.10	cross-contamin	ation.			
62.11	Subd. 2. <b>Re</b>	cords and labels. A	cannabis who	lesaler must maintai	n accurate records
62.12	and ensure that	appropriate labels re	emain affixed	to cannabis plants, c	annabis flower,
62.13	cannabinoid pr	oducts, and hemp-de	erived consume	er products.	
62.14	<u>Subd. 3.</u> Bu	uilding conditions. (	a) A cannabis	wholesaler shall mai	ntain compliance
62.15	with state and l	ocal building, fire, a	nd zoning requ	uirements or regulati	ons.
62.16	(b) A canna	bis wholesaler shall	ensure that the	e licensed premises i	s maintained in a
62.17	clean and sanit	ary condition, free fr	om infestation	by insects, rodents,	or other pests.
62.18	Subd. 4. <b>Sa</b>	le of other products	s. A cannabis v	wholesaler may purc	hase and sell other
62.19	products or iter	ns for which the can	nabis wholesa	ler has a license or a	uthorization or that
62.20	do not require a	a license or authoriza	ation. Products	for which no licens	e or authorization is
62.21	required includ	e but are not limited	to industrial he	emp products, produc	ets that contain hemp
62.22	grain, and cann	abis paraphernalia, i	ncluding but r	not limited to childpr	oof packaging
62.23	containers and	other devices designed	ed to ensure the	e safe storage and mo	onitoring of cannabis
62.24	flower and can	nabinoid products in	the home to p	revent access by ind	ividuals under 21
62.25	years of age.				
62.26	<u>Subd. 5.</u> Im	portation of hemp-d	lerived produ	c <b>ts.</b> (a) A cannabis wh	nolesaler that imports
62.27	lower potency e	edible products or her	np-derived cor	nsumer products, othe	er than hemp-derived
62.28	topical product	s, that are manufactu	red outside th	e boundaries of the s	tate of Minnesota
62.29	with the intent	to sell the products t	o a cannabis re	etailer or lower poter	ncy edible product
62.30	retailer must ob	otain a hemp-derived	product impo	rter endorsement fro	m the office.
62.31	(b) A canna	bis wholesaler with a	a hemp-derive	d product importer er	ndorsement may sell
62.32	products manu	factured outside the	boundaries of	the state of Minneso	ta if:

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63.1 (1) the manufacturer is licensed in another jurisdiction and subject to regulations designed

63.2 to protect the health and safety of consumers that the office determines are substantially

63.3 <u>similar to the regulations in this state; or</u>

- 63.4 (2) the cannabis wholesaler establishes, to the satisfaction of the office, that the
- 63.5 manufacturer engages in practices that are substantially similar to the practices required for
- 63.6 <u>licensure of manufacturers in this state.</u>

(c) The cannabis wholesaler must enter all relevant information regarding an imported 63.7 product into the statewide monitoring system before the product may be distributed to a 63.8 licensed cannabis retailer or lower potency edible product retailer. Relevant information 63.9 63.10 includes information regarding the cultivation, processing, and testing of the industrial hemp used in the manufacture of the product and information regarding the testing of the lower 63.11 potency edible product or hemp-derived consumer product. If information regarding the 63.12 industrial hemp, lower potency edible product, or hemp-derived consumer product was 63.13 submitted to a statewide monitoring system used in another state, the office may require 63.14 submission of any information provided to that statewide monitoring system and shall assist 63.15 in the transfer of data from another state as needed and in compliance with any data 63.16

- 63.17 classification established by either state.
- (d) The office may suspend, revoke, or cancel the endorsement of a distributor who is 63.18 prohibited from distributing products containing cannabinoids in any other jurisdiction, 63.19 convicted of an offense involving the distribution of products containing cannabinoids in 63.20 any other jurisdiction, or found liable for distributing any product that injured customers in 63.21 any other jurisdiction. A cannabis wholesaler shall disclose all relevant information related 63.22 to actions in another jurisdiction. Failure to disclose relevant information may result in 63.23 disciplinary action by the office, including the suspension, revocation, or cancellation of 63.24 an endorsement or license. 63.25
- (e) Notwithstanding any law to the contrary, it shall not be a defense in any civil or
   criminal action that a licensed wholesaler relied on information on a product label or
   otherwise provided by a manufacturer who is not licensed in this state.

63.29

## Sec. 29. [342.30] CANNABIS TRANSPORTER LICENSING.

## 63.30 Subdivision 1. Authorized actions. A cannabis transporter license entitles the license

- 63.31 holder to transport immature cannabis plants and seedlings, cannabis flower, cannabinoid
- 63.32 products, artificially derived cannabinoids, hemp plant parts, hemp concentrate, and
- 63.33 <u>hemp-derived consumer products from cannabis cultivators, cannabis manufacturers, cannabis</u>
- 63.34 wholesalers, cannabis microbusinesses, medical cannabis retailers, medical cannabis

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64.1	processors, a	nd industrial hemp gr	owers to cannabis	manufacturers, cann	abis testing facilities,	
64.2	cannabis who	olesalers, cannabis re	etailers, lower pot	ency edible product	t retailers, medical	
64.3	cannabis pro	cessors, and medical	cannabis retailers	s and perform other	actions approved by	
64.4	the office.					
64.5	Subd. 2. 4	Additional informa	<b>tion required.</b> In	addition to the info	rmation required to	
64.6	be submitted	under section 342.15	5, subdivision 1, a	nd rules adopted pur	rsuant to that section,	
64.7	a person, coc	perative, or business	s seeking a canna	bis transporter licen	se must submit the	
64.8	following inf	Formation in a form a	approved by the o	ffice:		
64.9	<u>(1)</u> an app	propriate surety bond	l, certificate of in	surance, qualification	ons as a self-insurer,	
64.10	or other secu	rities or agreements,	in the amount of	not less than \$300,	000, for loss of or	
64.11	damage to ca	rgo;				
64.12	<u>(2)</u> an app	propriate surety bond	l, certificate of in	surance, qualification	ons as a self-insurer,	
64.13	or other secu	rities or agreements,	in the amount of	not less than \$1,00	0,000, for injury to	
64.14	one or more persons in any one accident and, if an accident has resulted in injury to or					
64.15	destruction o	f property, of not les	s than \$100,000 ł	because of such inju	ry to or destruction	
64.16	of property o	f others in any one a	accident;			
64.17	(3) the nu	mber and type of equ	uipment the busin	ess will use to trans	port cannabis flower	
64.18	and cannabin	noid products;				
64.19	<u>(4)</u> a load	ing, transporting, an	d unloading plan;	<u>.</u>		
64.20	<u>(5)</u> a desc	ription of the applic	ant's experience i	n the distribution or	security business;	
64.21	and					
64.22	(6) evider	nce that the business	will comply with	the applicable oper	ration requirements	
64.23	for the licens	e being sought.				
64.24	Subd. 3. 1	Multiple licenses; li	mits. (a) A person	n, cooperative, or bu	usiness holding a	
64.25	cannabis tran	sporter license may a	llso hold a cannab	is wholesaler license	e, a cannabis delivery	
64.26	service licens	se, and a cannabis ev	vent organizer lice	ense.		
64.27	(b) Excep	ot as provided in para	agraph (a), no per	son, cooperative, or	business holding a	
64.28	cannabis tran	sporter license may	own or operate an	ny other cannabis bu	usiness.	
64.29	<u>(c)</u> The ot	ffice by rule may lim	it the number of o	cannabis transporter	licenses a person or	
64.30	business may	<u>v hold.</u>				

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65.1	<u>(d)</u> For pı	urposes of this subdi	vision, restricti	ons on the number or	type of license a
65.2	business may	hold apply to every	cooperative m	ember or every direct	tor, manager, and
65.3	general partn	er of a cannabis bus	iness.		
65.4	Sec. 30. <b>[3</b> 4	42.31] CANNABIS	TRANSPORT	ER OPERATIONS.	<u>.</u>
65.5	Subdivisi	on 1. Manifest requ	uired. Before tr	ansporting cannabis p	plants and seedlings,
65.6	cannabis flov	ver, cannabinoid pro	ducts, artificial	ly derived cannabinoi	ds, hemp plant parts,
65.7	or hemp-deri	ved consumer produ	cts, a cannabis t	ransporter shall obtain	n a shipping manifest
65.8	on a form est	ablished by the offic	e. The manifest	must be kept with the	e products at all times
65.9	and the canna	abis transporter mus	t maintain a coj	by of the manifest in	its records.
65.10	Subd. 2.	<b>Records of transpo</b>	rtation. Record	s of transportation m	ust be kept for a
65.11	minimum of	three years at the ca	nnabis transpor	ter's place of busines	s and are subject to
65.12	inspection up	on request by the off	ice, the commiss	sioner of transportation	n, or law enforcement
65.13	agency. Reco	ords of transportation	n include the for	llowing:	
65.14	<u>(1) copies</u>	s of transportation m	anifests for all	deliveries;	
65.15	<u>(2) a trans</u>	sportation log docur	nenting the chai	n of custody for each	ı delivery, including
65.16	every employ	yee and vehicle used	l during transpo	rtation; and	
65.17	<u>(3) financ</u>	cial records showing	payment for tra	ansportation services.	
65.18	<u>Subd. 3.</u>	Storage compartme	e <b>nt.</b> Cannabis p	lants and seedlings, c	annabis flower,
65.19	cannabinoid j	products, artificially	derived cannabi	noids, hemp plant par	ts, and hemp-derived
65.20	consumer pro	oducts must be trans	ported in a lock	ed, safe, and secure s	storage compartment
65.21	that is part of	f the motor vehicle of	or in a locked st	orage container that h	as a separate key or
65.22	combination	pad. Cannabis plant	s and seedlings	, cannabis flower, car	mabinoid products,
65.23	artificially de	erived cannabinoids,	hemp plant par	ts, and hemp-derived	consumer products
65.24	may not be v	isible from outside t	he motor vehic	le.	
65.25	<u>Subd. 4.</u>	Identifying logos or	· business nam	<mark>es prohibited.</mark> No ve	hicle or trailer may
65.26	contain an in	nage depicting the ty	pes of items be	ing transported, inclu	ding but not limited
65.27	to an image d	lepicting a cannabis	or hemp leaf, or	a name suggesting th	nat the vehicle is used
65.28	in transportin	ng cannabis plants ar	nd seedlings, ca	nnabis flower, cannal	oinoid products,
65.29	artificially de	erived cannabinoids,	hemp plant par	ts, or hemp-derived of	consumer products.
65.30	<u>Subd. 5.</u>	Randomized delive	ries. A cannabi	s transporter shall ens	sure that all delivery
65.31	times and rou	ites are randomized.	<u>.</u>		

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66.1	Subd. 6. Multiple employees. All cannabis transporter vehicles transporting cannabis
66.2	plants and seedlings, cannabis flower, cannabinoid products, artificially derived cannabinoids,
66.3	hemp plant parts, or hemp-derived consumer products must be staffed with a minimum of
66.4	two employees. At least one delivery team member shall remain with the motor vehicle at
66.5	all times that the motor vehicle contains cannabis plants and seedlings, cannabis flower,
66.6	cannabinoid products, artificially derived cannabinoids, hemp plant parts, or hemp-derived
66.7	consumer products.
66.8	Subd. 7. Nonemployee passengers prohibited. Only a cannabis worker employed by
66.9	or contracted with the cannabis transporter and who is at least 21 years of age may transport
66.10	cannabis plants and seedlings, cannabis flower, cannabinoid products, artificially derived
66.11	cannabinoids, hemp plant parts, or hemp-derived consumer products. All passengers in a
66.12	vehicle must be cannabis workers employed by or contracted with the cannabis transporter.
66.13	Subd. 8. Drivers license required. All drivers must carry a valid driver's license with
66.14	the proper endorsements when operating a vehicle transporting cannabis plants and seedlings,
66.15	cannabis flower, or cannabinoid products.
66.16	Subd. 9. Vehicles subject to inspection. Any vehicle assigned for the purposes of
66.17	transporting cannabis plants and seedlings is subject to inspection and may be stopped or
66.18	inspected at any licensed cannabis business or while en route during transportation.
66.19	Sec. 31. [342.32] CANNABIS TESTING FACILITY LICENSING.
66.20	Subdivision 1. Authorized actions. A cannabis testing facility license entitles the license
66.21	holder to obtain and test immature cannabis plants and seedlings, cannabis flower,
66.22	cannabinoid products, hemp plant parts, hemp concentrate, artificially derived cannabinoids,
66.23	and hemp-derived consumer products from cannabis cultivators, cannabis manufacturers,
66.24	cannabis wholesalers, cannabis microbusinesses, medical cannabis cultivators, medical
66.25	cannabis processors, and industrial hemp growers.
66.26	Subd. 2. Additional information required. In addition to the information required to
66.27	be submitted under section 342.15, subdivision 1, and rules adopted pursuant to that section,
66.28	a person, cooperative, or business seeking a cannabis testing facility license must submit
66.29	the following information in a form approved by the office:
66.30	(1) an operating plan demonstrating the proposed layout of the facility, including a
66.31	diagram of ventilation and filtration systems and policies to avoid sales to unlicensed
66.32	businesses;

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67.1	<u>(</u> 2) proof of	accreditation by a	laboratory accred	iting organization ap	proved by the office
67.2	that, at a minim	um, requires a lab	poratory to operate	e formal managemen	nt systems under the
67.3	International O	rganization for St	andardization; and	<u>d</u>	
67.4	(3) evidence	e that the business	will comply with	the applicable oper	ration requirements
67.5	for the license	being sought.			
67.6	<u>Subd. 3.</u> M	ultiple licenses; li	i <b>mits.</b> (a) A perso	n, cooperative, or bu	usiness holding a
67.7	cannabis testing	g facility license r	nay not own or op	perate, or be employ	ed by, any other
67.8	cannabis busin	ess.			
67.9	(b) The offi	ce by rule may lim	nit the number of c	annabis testing facil	ity licenses a person
67.10	or business ma	y hold.			
67.11	(c) For purp	ooses of this subdi	vision, a restriction	on on the number of	licenses a business
67.12	<u>may hold appli</u>	es to every cooper	rative member or	every director, mana	ager, and general
67.13	partner of a car	nnabis business.			
67.14	Sec. 32. <b>[342</b>	.33] CANNABIS	TESTING FAC	ILITY OPERATIC	DNS.
67.15	Subdivision	n 1. Testing servic	es. <u>A cannabis te</u>	sting facility shall p	rovide some or all
67.16	testing services	s required under se	ection 342.60 and	rules adopted pursu	ant to that section.
67.17	Subd. 2. Te	sting protocols. <u>A</u>	cannabis testing	facility shall follow	all testing protocols,
67.18	standards, and	criteria adopted b	y rule by the offic	e for the testing of d	lifferent forms of
67.19	cannabis flower	r and cannabinoid j	products; determin	ning batch size; samp	ling; testing validity;
67.20	and approval and	nd disapproval of	tested cannabis pl	lants and seedlings,	cannabis flower,
67.21	cannabinoid pro	oducts, hemp plant	t parts, hemp conc	entrate, artificially de	erived cannabinoids,
67.22	and hemp-deriv	ved consumer pro	ducts.		
67.23	<u>Subd. 3.</u> <b>Re</b>	cords. Records of	f all business trans	sactions and testing	results; records
67.24	required to be n	naintained pursuar	nt to any applicabl	e standards for accre	ditation; and records
67.25	relevant to test	ing protocols, star	dards, and criteria	a adopted by the off	ice must be kept for
67.26	<u>a minimum of t</u>	three years at the c	cannabis testing fa	cility's place of busi	ness and are subject
67.27	to inspection up	pon request by the	e office or law enf	Forcement agency.	
67.28	<u>Subd. 4.</u> Di	sposal of cannab	is flower and can	nabinoid products	A testing facility
67.29	shall dispose of	f or destroy used, u	unused, and waste	cannabis plants and	seedlings, cannabis
67.30	flower, cannabi	inoid products, he	mp plant parts, he	emp concentrate, art	ificially derived
67.31	<u>cannabinoids, a</u>	and hemp-derived	consumer product	ts pursuant to rules a	dopted by the office.

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68.1	Sec. 33. <b>[3</b> 4	42.34] CANNABIS	MICROBUSI	NESS LICENSING.	
68.2	Subdivisi	on 1. Authorized a	ctions. A canna	bis microbusiness lice	ense, consistent with
68.3	the specific li	icense endorsement	or endorsements	s, entitles the license h	older to perform any
68.4	or all of the f	following:			
68.5	(1) grow (	cannabis plants from	n seed or immat	ure plant to mature pla	ant, harvest cannabis
68.6	flower from a	a mature plant and pa	ackage and labe	l cannabis flower for s	ale to other cannabis
68.7	businesses;				
68.8	(2) create	cannabis concentra	te;		
68.9	<u>(3) manu</u>	facture cannabinoid	products for pu	blic consumption;	
68.10	(4) purcha	ase cannabis concen	trate and hemp	concentrate from a car	mabis manufacturer,
68.11	cannabis who	blesaler, or licensed h	emp grower for	use in manufacturing c	annabinoid products;
68.12	<u>(5)</u> sell in	nmature cannabis pla	ants and seedlin	ngs, adult-use cannabi	s flower, adult-use
68.13	cannabinoid	products, hemp-deri	ved consumer p	products, and other pro	oducts authorized by
68.14	law to custor	ners;			
68.15	<u>(6)</u> operat	te an establishment t	hat permits on-	site consumption of e	dible cannabinoid
68.16	products; and	<u>1</u>			
68.17	(7) perfor	m other actions app	roved by the of	fice.	
68.18	Subd. 2. 4	Additional informa	tion required.	In addition to the info	ormation required to
68.19	be submitted	under section 342.15	5, subdivision 1	, and rules adopted pur	rsuant to that section,
68.20	a person, coo	perative, or busines	s seeking a can	nabis microbusiness li	cense must submit
68.21	the following	g information in a fo	rm approved by	the office:	
68.22	<u>(1) an ope</u>	erating plan demons	trating the prop	osed layout of the fac	ility, including a
68.23	diagram of v	entilation and filtrat	ion systems; pla	ans for wastewater and	d waste disposal for
68.24	any cultivation	on or manufacturing	activities; plans	s for providing electric	city, water, and other
68.25	utilities neces	ssary for the normal	operation of an	y cultivation or manu	facturing activities;
68.26	plans for com	pliance with applica	ble building co	de and federal and stat	e environmental and
68.27	workplace sa	fety requirements an	d policies; and	plans to avoid sales to	unlicensed cannabis
68.28	businesses ar	nd individuals under	21 years of age	2;	
68.29	(2) if the	applicant is seeking	an endorsemen	t to cultivate cannabis	s plants and harvest
68.30	cannabis flov	ver, a cultivation pla	n demonstratin	g the proposed size ar	nd layout of the
68.31	cultivation fa	cility that will be us	ed exclusively	for cultivation includi	ng the total amount
68.32	of plant cano	<u>ру;</u>			

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69.1	(3) if the	e applicant is seeking a	n endorsement	to create cannabis con	centrate, information
69.2	identifying	all methods of extracti	on and concen	tration that the applica	int intends to use and
69.3	the volatile	chemicals, if any, that	will be involv	ved in extraction or co	ncentration; and
69.4	(4) evid	ence that the applicant	will comply v	with the applicable ope	eration requirements
69.5	for the licer	nse being sought.			
69.6	Subd. 3	<u>. Multiple licenses; lin</u>	mits. (a) A per	rson, cooperative, or b	usiness holding a
69.7	<u>cannabis m</u>	icrobusiness license m	ay also hold a	cannabis event organi	zer license.
69.8	(b) Exce	ept as provided in para	graph (a), no j	person, cooperative, or	business holding a
69.9	cannabis m	icrobusiness license m	ay own or ope	erate any other cannab	is business.
69.10	<u>(c)</u> The	office by rule may lim	it the number	of cannabis microbusi	ness licenses that a
69.11	person or b	usiness may hold.			
69.12	(d) For	purposes of this subdiv	vision, a restrie	ction on the number of	type of license that
69.13	a business i	may hold applies to ev	ery cooperativ	e member or every din	rector, manager, and
69.14	general par	tner of a cannabis busi	ness.		
69.15	Sec. 34. [	342.35] CANNABIS	MICROBUSI	NESS OPERATION	<u>S.</u>
69.16	Subdivi	sion 1. Cultivation en	dorsement. (a	a) A cannabis microbu	siness that cultivates
69.17	cannabis pl	ants and harvests cann	abis flower mu	ist comply with the rec	juirements in section
69.18	<u>342.23.</u>				
69.19	<u>(b)</u> A ca	nnabis microbusiness	that cultivates	cannabis may cultivate	not more than 2,000
69.20	square feet	of plant canopy unless	s the office, by	rule, increases that lin	nit. The office may,
69.21	by rule, inc	rease the limit on plan	t canopy to no	more than 5,000 squa	re feet if the office
69.22	determines	that expansion is consis	tent with the g	oals identified in section	n 342.02, subdivision
69.23	<u>1.</u>				
69.24	Subd. 2	<u>. Extraction and conc</u>	centration end	lorsement. A cannabi	s microbusiness that
69.25	creates can	nabis concentrate mus	t comply with	the requirements in se	ction 342.25,
69.26	subdivision	us 1 and 2.			
69.27	Subd. 3	. Production of custo	mer products	endorsement. A can	nabis microbusiness
69.28	that manufa	acturers edible cannabi	noid products	must comply with the	requirements in
69.29	section 342	2.25, subdivisions 1 and	<u>d 3.</u>		
69.30	Subd. 4	. <u>Retail operations en</u>	dorsement. <u>A</u>	cannabis microbusin	ess that operates a
69.31	retail locati	on must comply with	the requirement	nts in section 342.27.	

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70.1	Subd. 5.	On-site consumption	endorsement.	(a) A cannabis microl	ousiness may permit	
70.2	on-site consumption of edible cannabinoid products on a portion of its premises.					
70.3	<u>(b)</u> The	(b) The portion of the premises in which on-site consumption is permitted must be				
70.4	definite and	l distinct from all other	areas of the mic	robusiness and must	be accessed through	
70.5	a distinct er	a distinct entrance.				
70.6	(c) Edib	(c) Edible cannabinoid products sold for on-site consumption must comply with this				
70.7	chapter and	rules adopted pursuan	t to this chapter	regarding the testing	, packaging, and	
70.8	labeling of	cannabinoid products.				
70.9	<u>(d) Edib</u>	le cannabinoid produc	ts sold for on-si	te consumption must	be served in the	
70.10	required packaging, but may be removed from the products' packaging by customers and					
70.11	consumed on site.					
70.12	<u>(e) Food</u>	l and beverages not otl	nerwise prohibit	ed by this subdivision	n may be prepared	
70.13	and sold on site provided that the cannabis microbusiness complies with all relevant state					
70.14	and local la	ws, ordinances, licensi	ing requirement	s, and zoning require	ments.	
70.15	<u>(f)</u> A car	nnabis microbusiness sl	hall ensure that t	he display and consur	nption of any edible	
70.16	cannabinoid	d product is not visible	from outside of	f the licensed premise	es of the business.	
70.17	<u>(g)</u> A ca	(g) A cannabis microbusiness may offer recorded or live entertainment provided that				
70.18	the cannabis microbusiness complies with all relevant state and local laws, ordinances,					
70.19	licensing re	licensing requirements, and zoning requirements.				
70.20	<u>(h)</u> A ca	nnabis microbusiness	may not:			
70.21	<u>(1) sell</u>	(1) sell edible cannabinoid products to an individual who is under 21 years of age;				
70.22	(2) permit an individual who is under 21 years of age to enter the premises;					
70.23	(3) sell 1	more than one single s	erving of an edi	ble cannabinoid prod	uct to a customer;	
70.24	<u>(4)</u> sell a	an edible cannabinoid	product to a per-	son who is visibly int	oxicated;	
70.25	<u>(5) sell</u>	or allow the sale or con	nsumption of alc	cohol or tobacco on th	ne premises;	
70.26	<u>(6) sell p</u>	products that are intended	ed to be eaten or	consumed as a drink,	other than packaged	
70.27	and labeled	edible cannabinoid pr	oducts, that con	tain cannabis flower	or hemp plant parts	
70.28	or are infus	ed with cannabis conce	entrate, hemp co	oncentrate, or artificia	lly derived	
70.29	<u>cannabinoic</u>	<u>ls;</u>				
70.30	<u>(7) perm</u>	nit edible cannabinoid	products sold in	the portion of the are	ea designated for	
70.31	on-site cons	sumption to be remove	ed from that area	;		

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71.1	<u>(8) permi</u>	it adult-use cannabis	flower, adult-use	cannabinoid produ	cts, or tobacco to be		
71.2	consumed th	consumed through smoking or a vaporized delivery method on the premises; or					
71.3	(9) distril	bute or allow free san	nples of adult-use	e cannabis flower, ac	lult-use cannabinoid		
71.4	products, or	products, or hemp-derived consumer products.					
71.5	Sec. 35. [3	Sec. 35. [342.36] CANNABIS EVENT ORGANIZER LICENSING.					
71.6	Subdivis	ion 1. Authorized ac	<b>tions.</b> A cannabi	s event organizer lie	cense entitles the		
71.7	license holde	er to organize a temp	orary cannabis ev	vent lasting no more	than four days.		
71.8	<u>Subd. 2.</u>	Additional informat	tion required. (a	) In addition to the i	nformation required		
71.9	to be submit	ted under section 342	2.15, subdivision	1, and rules adopted	l pursuant to that		
71.10	section, a pe	rson, cooperative, or	business seeking	a cannabis event or	ganizer license must		
71.11	submit the following information in a form approved by the office:						
71.12	(1) the ty	pe and number of an	y other cannabis	business license hel	d by the applicant;		
71.13	(2) the address and location where the temporary cannabis event will take place;						
71.14	(3) the name of the temporary cannabis event;						
71.15	<u>(4) a diag</u>	gram of the physical la	ayout of the temp	orary cannabis even	t showing where the		
71.16	event will tal	ke place on the ground	ds, all entrances a	and exits that will be	used by participants		
71.17	during the ev	during the event, all cannabis consumption areas, all cannabis retail areas where cannabis					
71.18	flower and cannabinoid products will be sold, the location where cannabis waste will be						
71.19	stored, and a	any location where ca	nnabis flower an	d cannabinoid produ	ucts will be stored;		
71.20	(5) a list	of the name, number,	, and type of canr	nabis businesses tha	t will sell cannabis		
71.21	plants, adult-use cannabis flower, adult-use cannabinoid products, and hemp-derived						
71.22	consumer products at the event, which may be supplemented or amended within 72 hours						
71.23	of the time at which the cannabis event begins;						
71.24	(6) the da	ates and hours during	which the canna	bis event will take p	place;		
71.25	<u>(7)</u> proof	fof local approval for	the cannabis eve	ent; and			
71.26	<u>(8) evide</u>	nce that the business	will comply with	the applicable oper	ration requirements		
71.27	for the licens	se being sought.					
71.28	<u>(b)</u> A per	son, cooperative, or l	business seeking	a cannabis event or	ganizer license may		
71.29	also disclose	e whether the person of	or any officer, dir	ector, manager, and	general partner of a		
71.30	cannabis bus	siness is serving or ha	as previously serv	ved in the military.			

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72.1	Subd. 3.	Multiple licenses: li	<b>mits.</b> (a) A perso	on, cooperative, or bu	siness holding a
72.2				annabis testing facilit	
70.0			-		
72.3 72.4	business may		nit the number of	f cannabis event licen	ses that a person or
/2.4		y nota.			
72.5				ns on the number or ty	
72.6			-	mber or every directo	or, manager, and
72.7	general partr	her of a cannabis bus	iness.		
72.8	Sec. 36. [3	42.37] CANNABIS	EVENT ORGA	NIZER OPERATIO	DNS.
72.9	Subdivisi	ion 1. <mark>Local approv</mark> a	<b>al.</b> <u>A</u> cannabis ev	ent organizer must rec	eive local approval,
72.10	including ob	taining any necessar	y permits or licer	nses issued by a local	unit of government,
72.11	before holding	ng a cannabis event.			
72.12	Subd. 2.	Charging fees. (a) A	a cannabis event	organizer may charge	e an entrance fee to
72.13	<u>a cannabis e</u>	vent.			
72.14	<u>(b)</u> A can	nabis event organize	er may charge a f	ee to a cannabis busin	less in exchange for
72.15	space to disp	play and sell cannabi	s flower and can	nabinoid products. Ai	ny fee paid for
72.16	participation	in a cannabis event	shall not be base	d on or tied to the sale	of cannabis plants,
72.17	adult-use car	nnabis flower, adult-	use cannabinoid	products, or hemp-de	rived consumer
72.18	products.				
72.19	Subd. 3.	Security. A cannabis	event organizer	must hire or contract	for licensed security
72.20	personnel to	provide security serv	vices at the canna	bis event. All securit	y personnel hired or
72.21	contracted for	or shall be at least 21	years of age and	l present on the licens	sed event premises
72.22	at all times t	hat cannabinoid proc	lucts are availabl	e for sale or consump	otion of adult-use
72.23	cannabis flov	wer or adult-use canr	nabinoid product	s is allowed. The secu	urity personnel shall
72.24	not consume	cannabis flower or c	annabinoid prod	ucts for at least 24 ho	urs before the event
72.25	or during the	e event.			
72.26	Subd. 4.	Limited access to ev	v <b>ent.</b> A cannabis	event organizer shall	ensure that access
72.27	to an event is	s limited to individua	als who are at lea	st 21 years of age. At	or near each public
72.28	entrance to a	ny area where the sal	e or consumption	of adult-use cannabis	s flower or adult-use
72.29	cannabinoid	products is allowed,	a cannabis event	organizer shall maint	tain a clearly visible
72.30	and legible s	ign consisting of the	following stater	nent: No persons und	er 21 allowed. The
72.31	lettering of t	he sign shall be not l	ess than one incl	n in height.	
72.32	Subd. 5.	<u>Cannabis waste. A c</u>	cannabis event or	ganizer shall ensure th	hat all used, unused,
72.33	and waste ca	nnabis plants, canna	bis flower, canna	abinoid products, and	hemp-derived

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73.1	consumer p	roducts that are not re	moved by a cust	comer or cannabis bu	siness are disposed
73.2	of in a manı	ner approved by the o	ffice.		
73.3	<u>Subd. 6.</u>	Transportation of ca	annabis plants,	flower, and product	s. All transportation
73.4	of cannabis	plants, adult-use canr	nabis flower, adu	llt-use cannabinoid p	roducts, and
73.5	hemp-deriv	ed consumer products	s intended for dis	play or sale and all c	cannabis plants,
73.6	adult-use ca	nnabis flower, adult-u	use cannabinoid	products, and hemp-	derived consumer
73.7	products use	ed for display or not s	old during the ca	annabis event must b	e transported to and
73.8	from the car	nnabis event by a lice	nsed cannabis tra	ansporter.	
73.9	<u>Subd. 7.</u>	Cannabis event sale	es. (a) Licensed o	cannabis retailers and	l licensed cannabis
73.10	microbusine	esses with an endorser	ment to sell cann	abis plants, adult-us	e cannabis flower,
73.11	adult-use car	nnabinoid products, an	d hemp-derived	consumer products to	customers, including
73.12	the cannabis	s event organizer, may	v sell cannabis pl	ants, adult-use canna	bis flower, adult-use
73.13	cannabinoid	l products, and hemp-	derived consum	er products to custon	ners at a cannabis
73.14	event.				
73.15	<u>(b)</u> All s	ales of cannabis plant	ts, adult-use can	nabis flower, adult-us	se cannabinoid
73.16	products, ar	nd hemp-derived cons	umer products a	t a cannabis event m	ust take place in a
73.17	retail area a	s designated in the pro	emises diagram.		
73.18	(c) Licer	nsed cannabis retailers	and licensed car	nabis microbusiness	es may only conduct
73.19	sales within	their specifically assi	igned area.		
73.20	(d) Licer	nsed cannabis retailer	s and licensed ca	annabis microbusines	sses must verify the
73.21	age of all cu	stomers pursuant to se	ection 342.27, su	bdivision 3, before c	ompleting a sale and
73.22	may not sel	l cannabis flower or c	annabinoid prod	ucts to an individual	under 21 years of
73.23	age.				
73.24	(e) Licer	nsed cannabis retailers	s and licensed ca	nnabis microbusines	ses may display one
73.25	sample of ea	ach type of cannabis p	olant, adult-use c	annabis flower, adul	t-use cannabinoid
73.26	product, and	d hemp-derived consu	mer product ava	ilable for sale. Samp	les of adult-use
73.27	cannabis an	d adult-use cannabino	oid products mus	t be stored in a samp	le jar or display case
73.28	and be acco	mpanied by a label or	notice containin	ng the information re	quired to be affixed
73.29	to the packa	ging or container conta	aining adult-use c	cannabis flower and a	dult-use cannabinoid
73.30	products sol	ld to customers. A sam	nple may not con	sist of more than eigh	nt grams of adult-use
73.31	cannabis flo	wer or adult-use canna	abis concentrate,	or an edible cannabi	noid product infused
73.32	with more the	han 100 milligrams of	f tetrahydrocann	abinol. A cannabis re	etailer may allow
73.33	customers to	o smell the adult-use	cannabis flower	or adult-use cannabi	noid product before
73.34	purchase.				

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74.1	(f) The not	ice requirements un	der section 342	.27, subdivision 5, ap	oply to licensed
74.2	cannabis retail	ers and licensed canı	nabis microbusi	nesses offering canna	bis plants, adult-use
74.3	cannabis flowe	er, adult-use cannabi	noid products, a	and hemp-derived co	nsumer products for
74.4	sale at a canna	bis event.			
74.5	(g) License	ed cannabis retailers	and licensed ca	nnabis microbusines	ses may not:
74.6	<u>(1) sell adu</u>	lt-use cannabis flow	ver or adult-use	cannabinoid product	s to a person who is
74.7	visibly intoxic	ated;			
74.8	<u>(2) knowin</u>	gly sell more adult-	use cannabis flo	ower or adult-use can	nabinoid products
74.9	than a custome	er is legally permitte	d to possess;		
74.10	(3) sell me	dical cannabis flowe	er or medical ca	nnabinoid products;	
74.11	(4) give aw	ay cannabis plants,	cannabis flower	, cannabinoid produc	ets, or hemp-derived
74.12	consumer proc	lucts; or			
74.13	(5) allow for	or the dispensing of	cannabis plants	, cannabis flower, ca	nnabinoid products,
74.14	or hemp-derive	ed consumer produc	ts in vending m	achines.	
74.15	(h) Except	for samples of adult-	use cannabis flo	ower and adult-use ca	nnabinoid products,
74.16	all adult-use ca	nnabis flower and ac	dult-use cannab	inoid products for sal	e at a cannabis event
74.17	must be stored	in a secure, locked	container that i	s not accessible to the	e public. Adult-use
74.18	cannabis flowe	er and adult-use can	nabinoid produ	cts being stored at a c	cannabis event shall
74.19	not be left una	ttended.			
74.20	(i) All canr	abis plants, adult-us	se cannabis flow	ver, adult-use cannab	pinoid products, or
74.21	hemp-derived	consumer products f	for sale at a canr	abis event must com	ply with this chapter
74.22	and rules adop	ted pursuant to this	chapter regardii	ng the testing, packag	ging, and labeling of
74.23	those items.				
74.24	(j) All canr	abis plants, adult-us	se cannabis flov	ver, and adult-use car	nnabinoid products
74.25	sold, damaged,	or destroyed at a car	nnabis event mu	st be recorded in the s	tatewide monitoring
74.26	system.				
74.27	<u>Subd. 8.</u>	annabis event on-si	ite consumptio	<b>n.</b> (a) If approved by	the local unit of
74.28	government, a	cannabis event may	designate an ar	ea for consumption o	f adult-use cannabis
74.29	flower, adult-u	se cannabinoid proc	lucts, or both.		
74.30	(b) Access	to areas where cons	umption of adu	lt-use cannabis flowe	er or adult-use
74.31	cannabinoid pr	coducts is allowed sl	hall be restricted	d to individuals who	are at least 21 years
74.32	of age.				

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75.1	(c) The	cannabis event organiz	zer shall ensure t	hat consumption of a	adult-use cannabis
75.2	<u> </u>	lult-use cannabinoid pr			
75.3	from any pu				
75.4	<u>(d) The</u>	cannabis event organi	zer shall not peri	nit consumption of a	lcohol or tobacco.
75.5	Sec. 37. [.	342.38] CANNABIS	DELIVERY SE	RVICE LICENSIN	<u>G.</u>
75.6	Subdivis	sion 1. Authorized ac	tions. A cannabi	s delivery service lic	cense entitles the
75.7	license hold	ler to purchase cannab	is flower, cannal	pinoid products, and	hemp-derived
75.8	consumer p	roducts from licensed	cannabis retailers	, licensed cannabis m	nicrobusinesses with
75.9	an endorser	nent to sell adult-use o	cannabis flower a	and adult-use cannab	inoid products to
75.10	customers, a	and medical cannabis re	etailers; transport	and deliver cannabis	flower, cannabinoid
75.11	products, ar	nd hemp-derived const	umable products	to customers; and pe	erform other actions
75.12	approved by	y the office.			
75.13	Subd. 2.	Additional informat	t <b>ion required.</b> Ir	addition to the info	rmation required to
75.14	be submitte	d under section 342.15	, subdivision 1, a	nd rules adopted purs	suant to that section,
75.15	a person, co	ooperative, or business	seeking a canna	bis delivery service	license must submit
75.16	the followir	ng information in a for	rm approved by t	he office:	
75.17	<u>(1) a list</u>	t of all vehicles to be u	used in the delive	ry of cannabis flowe	er, cannabinoid
75.18	products, ar	nd hemp-derived const	umer products in	cluding:	
75.19	(i) the v	ehicle make, model, a	nd color;		
75.20	(ii) the v	vehicle identification r	number; and		
75.21	(iii) the	license plate number;			
75.22	<u>(2) proo</u>	f of insurance for each	n vehicle;		
75.23	<u>(3)</u> a bus	siness plan demonstrati	ing policies to av	oid sales of cannabis	flower, cannabinoid
75.24	products, ar	nd hemp-derived cons	umer products to	individuals who are	under 21 years of
75.25	age and pla	ns to prevent the visib	ility of cannabis	flower, cannabinoid	products, and
75.26	hemp-deriv	ed consumer products	to individuals of	utside the delivery ve	ehicle; and
75.27	<u>(4) evide</u>	ence that the business	will comply with	n the applicable oper	ation requirements
75.28	for the licer	nse being sought.			
75.29	Subd. 3.	Multiple licenses; li	mits. (a) A perso	n, cooperative, or bu	siness holding a
75.30	cannabis de	livery service license	may also hold a	cannabis retailer lice	nse, a cannabis
75.31	wholesaler	license, a cannabis tra	nsporter license,	a cannabis event org	ganizer license, and

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76.1	a medical ca	annabis retailer license	e subject to the	ownership limitations	that apply to those
76.2	licenses.				
76.3	<u>(b) Exce</u>	pt as provided in para	graph (a), no pe	erson, cooperative, or l	business holding a
76.4	cannabis de	livery service license	may own or ope	erate any other cannab	is business.
76.5	(c) The c	office by rule may lim	it the number of	f cannabis delivery ser	vice licenses that a
76.6	person or bu	usiness may hold.			
76.7	<u>(d) For p</u>	ourposes of this subdiv	vision, a restrict	ion on the number or t	type of license that
76.8	a business n	nay hold applies to ev	ery cooperative	member or every dire	ctor, manager, and
76.9	general part	ner of a cannabis busi	ness.		
76.10	Sec. 38. <u>[3</u>	342.39] CANNABIS	DELIVERY SI	ERVICE OPERATIO	DNS.
76.11	Subdivis	sion 1. Age or registr	y verification.	Prior to completing a c	lelivery, a cannabis
76.12	delivery serv	vice shall verify that the	he customer is a	t least 21 years of age	or is enrolled in the
76.13	registry prog	gram. Section 342.27,	subdivision 3,	applies to the verificat	tion of a customer's
76.14	age. Registr	y verification issued b	by the Division	of Medical Cannabis r	nay be considered
76.15	evidence that	at the person is enrolle	ed in the registry	/ program.	
76.16	<u>Subd. 2.</u>	Records. The office	by rule shall est	ablish record-keeping	requirements for a
76.17	cannabis del	livery service, includi	ng but not limite	ed to proof of delivery	to individuals who
76.18	are at least 2	21 years of age or enro	olled in the regi	stry program.	
76.19	Subd. 3.	Amount to be trans	ported. The off	ice by rule shall establ	ish limits on the
76.20	amount of c	annabis flower, canna	binoid products	, and hemp-derived co	onsumer products
76.21	that a canna	bis delivery service m	ay transport.		
76.22	<u>Subd. 4.</u>	Statewide monitorin	ng system. Rece	pipt of cannabis flower	and cannabinoid
76.23	products by	the cannabis delivery	service and a d	elivery to a customer r	nust be recorded in
76.24	the statewid	e monitoring system	within the time	established by rule.	
76.25	<u>Subd. 5.</u>	Storage compartme	<b>nt.</b> Cannabis flo	ower, cannabinoid proc	ducts, and
76.26	hemp-derive	ed consumer products	must be transpo	orted in a locked, safe,	and secure storage
76.27	<u>compartmer</u>	nt that is part of the ca	nnabis delivery	service vehicle or in a	locked storage
76.28	container that	at has a separate key or	combination pa	d. Cannabis flower, car	nnabinoid products,
76.29	and hemp-de	erived consumer prod	ucts may not be	visible from outside th	e cannabis delivery
76.30	service vehi	cle.			
76.31	<u>Subd. 6.</u>	Identifying logos or l	business names	prohibited. No canna	bis delivery service
76.32	vehicle or tr	railer may contain an i	mage depicting	the types of items bei	ng transported,

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77.1	including but	not limited to an ima	ge depicting a ca	annabis or hemp leaf, c	or a name suggesting
77.2				for transporting canna	
77.3	cannabinoid	products, or hemp-de	erived consume	r products.	
77.4	<u>Subd. 7.</u>	Nonemployee passe	ngers prohibite	e <b>d.</b> Only a cannabis w	orker employed by
77.5	or contracted	with the cannabis d	elivery service a	and who is at least 21	years of age may
77.6	transport can	nabis flower, cannab	inoid products,	or hemp-derived cons	sumer products. All
77.7	passengers in	a cannabis delivery	service vehicle	must be cannabis wo	rkers employed by
77.8	or contracted	with the cannabis de	elivery service.		
77.9	<u>Subd. 8.</u>	Vehicles subject to in	spection. Any	cannabis delivery servi	ice vehicle is subject
77.10	to inspection	and may be stopped	or inspected at	any licensed cannabis	s business or while
77.11	en route duri	ng transportation.			
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77.12	Sec. 39. <b>[34</b> ]	2.40] LOWER POT	ENCY EDIBLI	E PRODUCT RETAL	LER LICENSING.
77.13	Subdivisi	on 1. Authorized ac	tions. A lower	potency edible produc	et retailer license
77.14	entitles the lie	cense holder to:			
77.15	<u>(1)</u> purcha	ase lower potency ed	lible products fr	om cannabis manufac	turers, cannabis
77.16	wholesalers,	and cannabis microb	ousinesses;		
77.17	<u>(2) sell lo</u>	wer potency edible p	products to cust	omers; and	
77.18	(3) perfor	m other actions appr	oved by the off	ice.	
77.19	<u>Subd. 2.</u>	Licensing exception	s; requirement	s. (a) Except as otherv	vise provided in this
77.20	subdivision,	the provisions of this	chapter relating	g to license application	ns, license selection
77.21	criteria, gene	ral ownership disqua	alifications and	requirements, and gen	eral operational
77.22	requirements	do not apply to a lov	wer potency edi	ble product license or	licensee.
77.23	(b) A lice	nse applicant or, in t	he case of a bus	iness entity, every coo	operative member
77.24	or director, m	nanager and general	partner of the b	usiness entity must su	bmit a completed
77.25	criminal histo	ory records check co	nsent form, a fu	ll set of classifiable fi	ngerprints, and the
77.26	required fees	to the office. Upon	receipt of this in	formation, the office	must submit the
77.27	completed cr	iminal history record	ls check consen	t form, full set of class	sifiable fingerprints,
77.28	and required	fees to the Bureau of	Criminal Appre	hension. After receivi	ng this information,
77.29	the bureau m	ust conduct a Minnes	ota criminal his	tory records check of t	he license applicant.
77.30	The bureau n	nay exchange a licen	se applicant's fi	ngerprints with the Fe	ederal Bureau of
77.31	Investigation	to obtain the application	ant's national cr	iminal history record	information. The
77.32	bureau must	return the results of t	he Minnesota a	nd federal criminal his	story records checks
77.33	to the directo	or to determine if the	applicant is dis	qualified under section	n 342.20.

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78.1	(c) The offic	ce may issue a low	ver potency edi	ble products license to a	n applicant who:
78.2	<u>(1) is at leas</u>	st 21 years of age;			
78.3	(2) has com	pleted an applicati	on for licensur	e or application for rene	wal and has fully
78.4	and truthfully c	omplied with all in	nformation req	uests relating to license	application and
78.5	renewal;				
78.6	(3) registers	with the statewide	e monitoring sy	vstem;	
78.7	(4) is not em	ployed by the offi	ce or any state	agency with regulatory	authority over this
78.8	chapter; and				
78.9	(5) is not dis	squalified under se	ection 342.20, s	subdivision 2.	
78.10	(d) Licenses	s must be renewed	annually. The	office may charge an ap	plication fee not
78.11	to exceed \$250	to cover the costs	associated with	h reviewing and process	ing applications
78.12	but must not ch	arge a licensing fe	<u>ee.</u>		
78.13	(e) Licenses	s may not be transf	erred.		
78.14	<u>Subd. 3.</u> Mu	ultiple licenses; lin	mits. (a) A pers	son, cooperative, or bus	iness holding a
78.15	lower potency e	edible product lice	nse may not ov	vn, operate, or be emplo	yed by any other
78.16	cannabis busine	255.			
78.17	(b) A person	n, cooperative, or b	ousiness holdin	g a lower potency edibl	e product license
78.18	may hold an of	f-sale or on-sale lie	cense for the sa	le of 3.2 percent malt li	quor, an on-sale
78.19	intoxicating liqu	uor license, an off-	sale intoxicatir	ng liquor license, or a co	mbination off-sale
78.20	and on-sale into	oxicating liquor lic	ense.		
78.21	Sec. 40. <b>[342.</b>	.41] LOWER PO'	TENCY EDIB	BLE PRODUCT RETA	ILER
78.22	<b>OPERATION</b>	<u>S.</u>			
78.23	Subdivision	1. Sale of lower j	potency edible	products. (a) A lower	potency edible
78.24	product retailer	may only sell low	er potency edil	ble products to individua	als who are at least
78.25	21 years of age	<u>-</u>			
78.26	(b) A lower	potency edible pro	oduct retailer m	ay sell lower potency ed	lible products that:
78.27	(1) are obtain	ined from a license	ed Minnesota c	annabis manufacturer, c	annabis
78.28	microbusiness,	or cannabis whole	esaler; and		
78.29	<u>(2) meet all</u>	applicable packag	ing and labelin	g requirements.	

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79.1	Subd. 2.	Sale of other produc	<b>ts.</b> A lower pote	ency edible product re	tailer may sell other	
79.2	products or i	items for which the lo	wer potency ed	ible product retailer h	as a license or	
79.3	authorization	n or that do not requir	e a license or au	uthorization.		
79.4	Subd. 3.	Age verification. Price	or to initiating a	a sale, an employee of	the lower potency	
79.5	edible produ	ct retailer must verify	that the custon	ner is at least 21 years	of age. Section	
79.6	<u>342.27, subd</u>	livision 3, applies to t	he verification	of a customer's age.		
79.7	Subd. 4.	Display and storage	of lower poten	cy edible products. 2	A lower potency	
79.8	edible produ	ect retailer shall ensure	e that all lower	potency edible produc	ets are displayed	
79.9	behind a che	eckout counter where	the public is no	t permitted. All lower	potency edible	
79.10	products that	t are not displayed mu	ist be stored in	a secure area.		
79.11	<u>Subd. 5.</u>	Compliant products	A lower poten	cy edible product retai	iler shall ensure that	
79.12	all lower pot	ency edible products of	offered for sale	comply with the limits	s on the amount and	
79.13	types of can	nabinoids that a lower	potency edible	product can contain,	including but not	
79.14	limited to the requirement that lower potency edible products:					
79.15	<u>(1)</u> be pa	ckaged in servings that	at contain no m	ore than five milligra	ms of delta-9	
79.16	tetrahydroca	nnabinol per serving,	25 milligrams	of cannabidiol per ser	ving, 25 milligrams	
79.17	of cannabige	erol per serving, or any	combination o	f those cannabinoids t	hat does not exceed	
79.18	the identified	d amounts;				
79.19	<u>(2) do not</u>	t contain more than a c	combined total o	f 0.5 milligrams of all	other cannabinoids;	
79.20	<u>(3) do no</u>	ot contain an artificiall	y derived canna	abinoid other than del	ta-9	
79.21	tetrahydroca	nnabinol; and				
79.22	(4) if the	package contains mo	re than one serv	ving, indicate each ser	ving by scoring,	
79.23	wrapping, or	r other indicators that	appear on the le	ower potency edible p	product designating	
79.24	the individua	al serving size.				
79.25	Subd. 6.	On-site consumption	<b>1.</b> (a) A lower p	otency edible product	retailer that also	
79.26	holds an on-s	sale license for the sale	e of 3.2 percent	malt liquor, an on-sale	e intoxicating liquor	
79.27	license, or a	combination off-sale	and on-sale into	oxicating liquor licens	se may sell lower	
79.28	potency edib	ole products that are in	ntended to be co	onsumed as a beverag	e for on-site	
79.29	consumption	<u>ı.</u>				
79.30	(b) lower	potency edible produ	acts sold for on-	site consumption mu	st comply with this	
79.31	chapter and	rules adopted pursuan	t to this chapter	regarding the testing	, packaging, and	
79.32	labeling of c	annabinoid products.				

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80.1	(c) lowe	er potency edible prod	ucts sold for on-s	site consumption mu	st be served in the
80.2		ickaging, but may be r			
80.3	consumed	on site.			
80.4	<u>(d) Foo</u>	d and beverages not of	therwise prohibit	ed by this subdivisio	n may be prepared
80.5	and sold or	n site provided that the	lower potency e	dible product retailer	r complies with all
80.6	relevant sta	te and local laws, ordi	nances, licensing	requirements, and z	oning requirements.
80.7	<u>(e) A lo</u>	wer potency edible pr	oduct retailer ma	y offer recorded or l	ive entertainment
80.8	provided th	nat the lower potency e	edible product ret	ailer complies with a	all relevant state and
80.9	local laws,	ordinances, licensing	requirements, and	d zoning requiremen	ts.
80.10	<u>(f)</u> A lo	wer potency edible pro	oduct retailer may	y not:	
80.11	<u>(1) sell</u>	lower potency edible	products to an ind	dividual who is unde	r 21 years of age;
80.12	(2) sell	lower potency edible pr	roducts to a custor	mer who the lower po	tency edible product
80.13	retailer kno	ows or reasonably shou	uld know has con	sumed alcohol sold	or provided by the
80.14	lower poter	ncy edible product reta	ailer within the pr	revious five hours;	
80.15	<u>(3) sell</u>	a lower potency edible	e product to a per	rson who is visibly in	ntoxicated;
80.16	<u>(4) sell</u>	cannabis flower, hemp	o-derived consum	er products, or any c	cannabinoid product
80.17	other than	lower potency edible p	products that are	intended to be consu	med as a beverage;
80.18	<u>(5) perr</u>	nit lower potency edib	le products that l	nave been removed f	rom the products'
80.19	packaging	to be removed from th	e premises of the	e lower potency edib	le product retailer;
80.20	<u>(6) allo</u>	w for the dispensing of	f lower potency e	edible products in ve	nding machines;
80.21	<u>(7) sell</u>	lower potency edible	products when th	e statewide monitori	ng system is not
80.22	operational	; or			
80.23	<u>(8)</u> distr	ribute or allow free sar	mples of lower po	otency edible produc	ts.
80.24	Subd. 7	. Statewide monitori	ng system. (a) A	lower potency edibl	e product retailer
80.25	shall record	l all lower potency edib	ole products it rec	eives in the statewide	e monitoring system.
80.26	<u>(b) A lo</u>	wer potency edible pro	oduct retailer shall	l record all lower pote	ency edible products
80.27	sold, dama	ged, or destroyed in th	e statewide moni	toring system.	
80.28	Subd. 8	<u>.</u> Posting of notices. A	lower potency ed	lible product retailer	must post all notices
80.29	as provided	l in section 342.27, su	bdivision 5.		
80.30	Subd. 9	. Building conditions.	(a) A lower pote	ncy edible product re	etailer shall maintain
80.31	compliance	e with state and local b	ouilding, fire, and	zoning requirement	s or regulations.

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81.1	(b) A low	ver potency edible pr	oduct retailer sh	all ensure that the lice	nsed premises is
81.2	maintained i	n a clean and sanitar	y condition, free	from infestation by in	sects, rodents, or
81.3	other pests.				
81.4	Subd. 10	Enforcement. The	office shall insp	ect lower potency can	nabinoid product
81.5	retailers and	take enforcement ac	tion as provided	in sections 342.18 and	1 342.19.
81.6	Sec. 41. <b>[3</b>	42.42] MEDICAL (	CANNABIS BU	SINESS LICENSES.	
01 7					-
81.7		iness licenses:	(a) The office s	hall issue the followin	g types of medical
81.8		mess neenses.			
81.9	<u>(1) media</u>	cal cannabis cultivato	or;		
81.10	<u>(2) media</u>	cal cannabis processo	or; and		
81.11	(3) medic	cal cannabis retailer.			
81.12	<u>(b)</u> The I	Division of Medical (	Cannabis may ov	versee the licensing and	d regulation of
81.13	medical can	nabis businesses.			
81.14	Subd. 2.	Multiple licenses; li	mits. (a) A perso	on, cooperative, or bus	iness holding:
81.15	<u>(1) a mec</u>	lical cannabis cultiva	tor license may	also hold a medical ca	nnabis processor
81.16	license, a car	mabis cultivator licer	nse, a cannabis m	anufacturer license, ar	nd a cannabis event
81.17	organizer lic	ense subject to the o	wnership limitat	ions that apply to those	e licenses;
81.18	<u>(2) a mec</u>	lical cannabis proces	sor license may	also hold a medical ca	nnabis cultivator
81.19	license, a car	mabis cultivator licer	nse, a cannabis m	anufacturer license, ar	nd a cannabis event
81.20	organizer lic	ense subject to the o	wnership limitat	ions that apply to those	e licenses; or
81.21	<u>(3) a med</u>	ical cannabis retailer	license may also	hold a cannabis retailer	·license, a cannabis
81.22	delivery serv	vice license, and a ca	nnabis event org	anizer license subject	to the ownership
81.23	limitations th	nat apply to those lic	enses.		
81.24	(b) Excep	ot as provided in para	agraph (a), no pe	rson, cooperative, or b	ousiness holding a
81.25	medical can	nabis license may ow	n or operate any	other cannabis busine	ess.
81.26	<u>(c)</u> The o	ffice by rule may lin	nit the number of	f medical cannabis bus	iness licenses that
81.27	<u>a person or b</u>	ousiness may hold.			
81.28	(d) For p	urposes of this subdi	vision, a restrict	ion on the number of l	icenses or type of
81.29	license that a	ubusiness may hold	applies to every	cooperative member o	r every director,
81.30	manager, and	d general partner of a	n medical cannab	ois business.	

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82.1	Subd. 3. Registered medical cannabis manufacturers. (a) As used in this subdivision,
82.2	"medical cannabis manufacturer" means either of the two in-state manufacturers of medical
82.3	cannabis registered with the commissioner of health pursuant to section 152.25 as of July
82.4	<u>1, 2023.</u>
82.5	(b) Notwithstanding any law to the contrary, the registration or reregistration period of
82.6	a medical cannabis manufacturer expires on July 1, 2024.
82.7	Subd. 4. Limitations on health care practitioners. A health care practitioner who
82.8	certifies qualifying medical conditions for patients is prohibited from:
82.9	(1) holding a direct or indirect economic interest in a medical cannabis business;
82.10	(2) serving on a board of directors or as an employee of a medical cannabis business;
82.11	or
82.12	(3) advertising with a medical cannabis business in any way.
82.13	Subd. 5. Remuneration. A medical cannabis business is prohibited from:
82.14	(1) accepting or soliciting any form of remuneration from a health care practitioner who
82.15	certifies qualifying medical conditions for patients; or
82.16	(2) offering any form of remuneration to a health care practitioner who certifies qualifying
82.17	medical conditions for patients.
82.18	<b>EFFECTIVE DATE.</b> This section is effective January 1, 2024.
82.19	Sec. 42. [342.43] MEDICAL CANNABIS BUSINESS APPLICATIONS.
82.20	Subdivision 1. Information required. In addition to information required to be submitted
82.21	under section 342.15, subdivision 1, and rules adopted pursuant to that section, a person,
82.22	cooperative, or business seeking a medical cannabis business license must submit the
82.23	following information in a form approved by the office:
82.24	(1) for medical cannabis cultivator license applicants:
82.25	(i) an operating plan demonstrating the proposed size and layout of the cultivation facility;
82.26	plans for wastewater and waste disposal for the cultivation facility; plans for providing
82.27	electricity, water, and other utilities necessary for the normal operation of the cultivation
82.28	facility; and plans for compliance with applicable building code and federal and state
82.29	environmental and workplace safety requirements;

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83.1	(ii) a cult	tivation plan demonst	rating the propo	sed size and layout o	of the cultivation
83.2		will be used exclusive			
83.3	amount of p	lant canopy; and			
83.4	(iii) evid	ence that the business	will comply wi	th the applicable op	eration requirements
83.5	for the licen	se being sought;			
83.6	(2) for m	nedical cannabis proce	essor license app	licants:	
83.7	(i) an ope	erating plan demonstr	ating the propos	ed layout of the faci	lity, including a
83.8	diagram of v	ventilation and filtration	on systems; plan	is for wastewater and	d waste disposal for
83.9	the manufac	turing facility; plans fo	or providing elec	tricity, water, and oth	ner utilities necessary
83.10	for the norm	al operation of the ma	anufacturing fac	ility; and plans for c	compliance with
83.11	applicable b	uilding code and fede	ral and state env	vironmental and wor	kplace safety
83.12	requirement	<u>s;</u>			
83.13	<u>(ii) all m</u>	ethods of extraction a	nd concentration	n that the applicant in	ntends to use and the
83.14	volatile cher	nicals, if any, that are	involved in extr	raction or concentrat	tion;
83.15	(iii) if the	e applicant is seeking	an endorsement	to manufacture pro-	ducts infused with
83.16	cannabinoid	s for consumption by	patients enrolle	d in the registry prog	gram, proof of an
83.17	edible canna	binoid product handle	er endorsement	from the office; and	
83.18	(iv) evide	ence that the applican	t will comply wi	ith the applicable op	eration requirements
83.19	for the licen	se being sought; or			
83.20	(3) for m	edical cannabis retail	er license applic	ants:	
83.21	(i) a list (	of every retail license	held by the app	licant and, if the app	olicant is a business,
83.22	every retail	license held, either as	an individual or	as part of another b	ousiness, by each
83.23	officer, direc	ctor, manager, and ger	neral partner of t	he cannabis busines	<u>s;</u>
83.24	(ii) an op	perating plan demonst	rating the propo	sed layout of the fac	ility including a
83.25	diagram of v	ventilation and filtration	on systems, poli	cies to avoid sales to	individuals who are
83.26	not authorize	ed to receive the distrib	oution of medica	l cannabis flower or	medical cannabinoid
83.27	products, ide	entification of a restric	eted area for stor	age, and plans to pre	event the visibility of
83.28	cannabis flo	wer and cannabinoid	products;		
83.29	(iii) if the	e applicant holds or is a	applying for a car	nnabis retailer licens	e, a diagram showing
83.30	the portion of	of the premises in whi	ch medical cann	abis flower and mee	lical cannabinoid
83.31	products wil	ll be sold and distribut	ted and identifyi	ng an area that is de	finite and distinct
83.32	from all othe	er areas of the cannabis	retailer, accesse	d through a distinct e	ntrance, and contains
83.33	an appropria	ate space for a pharma	cist employee o	f the medical cannal	ois retailer to consult

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84.1	with the pa	tient to determine the	proper type of m	edical cannabis flow	er and medical
84.2	cannabinoi	d products and proper	dosage for the p	atient; and	
84.3	(iv) evic	dence that the applican	it will comply wi	th the applicable ope	eration requirements
84.4	for the licer	nse being sought.			
84.5	Subd. 2	. Segregation of medi	cal cannabis. <u>A</u>	person, cooperative,	or business seeking
84.6	<u>a medical c</u>	annabis cultivator licer	nse or a medical	cannabis processor li	cense and any other
84.7	type of canr	nabis business license, o	other than a canna	abis event organizer li	cense, must identify
84.8	the methods	s that will be used to se	gregate medical	cannabis flower and r	nedical cannabinoid
84.9	products fro	om other cannabis flow	er and cannabino	id products to avoid c	cross-contamination.
84.10	<u>EFFEC</u>	CTIVE DATE. This se	ection is effective	e January 1, 2024.	
84.11	Sec. 43. [	342.44] MEDICAL C	CANNABIS CU	LTIVATORS.	
84.12	<u>(a)</u> A m	edical cannabis cultiva	ator license entit	les the license holder	to grow cannabis
84.13	plants with	in the approved amour	nt of space from	seed or immature pla	int to mature plant,
84.14	harvest can	nabis flower from a ma	ature plant, pack	age and label cannab	is flower as medical
84.15	cannabis flo	ower, sell medical can	nabis flower to r	nedical cannabis pro	cessors and medical
84.16	cannabis ret	tailers, transport medic	al cannabis flow	er to a medical cannal	ois processor located
84.17	on the same	e premises, and perform	m other actions a	approved by the offic	<u>e.</u>
84.18	<u>(b)</u> A m	edical cannabis cultiva	ator license hold	er must comply with	all requirements of
84.19	section 342	.23.			
84.20	<u>(c) A m</u>	edical cannabis cultiva	tor license holde	er must verify that eve	ery batch of medical
84.21	cannabis flo	ower has passed safety	y, potency, and co	onsistency testing at	a cannabis testing
84.22	facility app	roved by the office for	the testing of me	edical cannabis flowe	r before the medical
84.23	cannabis cu	ultivator may package,	label, or sell the	medical cannabis flo	ower to any other
84.24	entity.				
84.25	<u>EFFEC</u>	<b>TIVE DATE.</b> This se	ection is effective	e January 1, 2024.	
84.26	Sec. 44. [	342.45] MEDICAL (	CANNABIS PR	OCESSORS.	
84.27	<u>(a)</u> A me	edical cannabis process	or license, consis	tent with the specific	license endorsement
84.28	or endorser	nents, entitles the licer	nse holder to:		
84.29	<u>(1) purc</u>	hase medical cannabis	flower, medical	cannabinoid product	ts, hemp plant parts,
84.30	and hemp c	oncentrate from medic	al cannabis cultiv	vators, other medical	cannabis processors,
84.31	and industr	ial hemp growers;			

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85.1	<u>(2) make</u>	cannabis concentrate	from medical c	annabis flower;	
85.2	(3) make	hemp concentrate, in	cluding hemp c	oncentrate with a del	ta-9
85.3	tetrahydroca	nnabinol concentratio	on of more than	0.3 percent as measu	red by weight;
85.4	<u>(4) manu</u>	facture medical canna	abinoid product	<u>s;</u>	
85.5	(5) packa	ge and label medical	cannabinoid pro	oducts for sale to oth	er medical cannabis
85.6	processors an	nd to medical cannabi	is retailers; and		
85.7	(6) perfor	rm other actions appro	oved by the offi	<u>ce.</u>	
85.8	<u>(b)</u> A mee	dical cannabis cultiva	tor license hold	er must comply with	all requirements of
85.9	section 342.2	23, including requiren	nents to obtain s	specific license endo	rsements.
85.10	<u>(c)</u> A mee	lical cannabis process	sor license holde	er must verify that even	ery batch of medical
85.11	cannabinoid	product has passed sa	fety, potency, an	d consistency testing	at a cannabis testing
85.12	facility appro	oved by the office for	the testing of n	nedical cannabinoid p	products before the
85.13	medical cann	nabis processor may p	ackage, label, o	r sell the medical car	nabinoid product to
85.14	any other ent	ity.			
85.15	<b>EFFEC1</b>	TIVE DATE. This see	ction is effective	e January 1, 2024.	
85.16	Sec. 45. [34	42.46] MEDICAL C	ANNABIS RE	TAILERS.	
85.17	Subdivisi	on 1. Authorized act	tions. (a) A mee	lical cannabis retaile	r license entitles the
85.18	license holde	er to purchase medical	cannabis flowe	r and medical cannab	vinoid products from
85.19	medical cann	abis cultivators and n	nedical cannabia	s processors and sell of	or distribute medical
85.20	cannabis flow	wer and medical cann	abinoid product	ts to any person author	orized to receive
85.21	distribution.				
85.22	<u>(b)</u> A mee	dical cannabis retailer	r license holder	must verify that all n	nedical cannabis
85.23	flower and m	nedical cannabinoid p	roducts have pa	ssed safety, potency,	and consistency
85.24	testing at a ca	nnabis testing facility	approved by the	e office for the testing	of medical cannabis
85.25	flower and m	edical cannabinoid pr	oducts before th	e medical cannabis re	etailer may distribute
85.26	the medical c	annabis flower or med	dical cannabis p	roduct to any person a	authorized to receive
85.27	distribution.				
85.28	Subd. 2.	Distribution require	<b>ments.</b> (a) Prior	to distribution of med	lical cannabis flower
85.29	or medical ca	annabinoid products,	a medical canna	abis retailer licensee	must:
85.30	<u>(1)</u> review	w and confirm the pat	ient's registry v	erification;	

	SF73	REVISOR	BD	S0073-4	4th Engrossment
86.1	(2) veri	ify that the person reque	esting the distri	bution of medical can	nabis flower or
86.2	<u> </u>	unnabinoid products is th			
86.3		ent's parent, legal guard			
86.4	152.11, sul	bdivision 2d;			
965	(2) and	ure that a phormagist or	nnlavaa of tha	nadical connehis rate	iler has consulted
86.5 86.6	<u> </u>	ure that a pharmacist en atient if required accord			ther has consulted
80.0	with the pa			ion 5, and	
86.7	<u> </u>	ly a patient-specific labe			
86.8	-	at includes recommende	ed dosage requin	ements and other info	ormation as required
86.9	by rules ad	lopted by the office.			
86.10	<u>(b) A n</u>	nedical cannabis retailer	r may not delive	er medical cannabis f	lower or medical
86.11	cannabinoi	id products unless the m	nedical cannabi	s retailer also holds a	cannabis delivery
86.12	service lice	ense. Delivery of medic	al cannabis flov	ver and medical canna	binoid products are
86.13	subject to t	the provisions of section	n 342.39.		
86.14	Subd. 3	3. Final approval for d	istribution of 1	nedical cannabis flo	wer and medical
86.15	<u>cannabino</u>	oid products. (a) A can	nabis worker w	ho is employed by a r	nedical cannabis
86.16	retailer and	l who is licensed as a ph	armacist pursua	ant to chapter 151 shall	ll be the only person
86.17	who may g	give final approval for the	he distribution	of medical cannabis f	lower and medical
86.18	cannabinoi	id products. Prior to the	distribution of	medical cannabis flor	wer or medical
86.19	cannabinoi	id products, a pharmacis	st employed by	the medical cannabis 1	etailer must consult
86.20	with the pa	tient to determine the pro-	oper type of med	lical cannabis flower, 1	medical cannabinoid
86.21	product, or	medical cannabis parap	phernalia and pro-	oper dosage for the pa	tient after reviewing
86.22	the range of	of chemical composition	ns of medical ca	annabis flower or med	lical cannabinoid
86.23	product. Fo	or purposes of this subd	livision, a consu	ultation may be condu	icted remotely by
86.24	secure vide	eoconference, telephone	e, or other remo	te means, as long as:	
86.25	<u>(1) the</u>	pharmacist engaging in	the consultatio	n is able to confirm th	he identity of the
86.26	patient; and	<u>d</u>			
86.27	(2) the	consultation adheres to	patient privacy	requirements that ap	ply to health care
86.28	services de	elivered through teleme	dicine.		
86.29	<u>(b) Not</u>	withstanding paragraph	ı (a), a pharmaci	ist consultation is not	required prior to the
86.30	distribution	n of medical cannabis f	lower or medica	al cannabinoid produc	ets when a medical
86.31	cannabis re	etailer is distributing me	edical cannabis	flower or medical car	nnabinoid products
86.32	to a patient	according to a patient-s	pecific dosage p	lan established with th	nat medical cannabis
86.33	retailer and	l is not modifying the do	sage or product	being distributed und	er that plan. Medical

scalarcannabis flower or medical cannabinoid products distributed under this paragraph must be distributed by a pharmacy technician employed by the medical cannabis retailer.873Subd. 4. 90-day supply. A medical cannabis retailer shall not distribute more than a 90-day supply of medical cannabis flower or medical cannabinoid products to a patient, registered designated caregiver, or parent, legal guardian, or spouse of a patient according distribute medical cannabis flower and medical cannabinoid products to a patient, registered designated caregiver, or parent, legal guardian, or spouse of a patient, registered distribute medical cannabis flower and medical cannabinoid products to a patient, registered distribute medical cannabis flower and medical cannabinoid products in a dispensary location but remains in a motor vehicle, provided that:87.11(1) staff receive payment and distribute medical cannabis flower and medical cannabinoid products in a designated zone that is as close as feasible to the front door of the facility; redical cannabis flower and medical cannabinoid products are visually recorded by a distribution of medical cannabis flower and medical cannabinoid products are visually recorded by a distribution of medical cannabis retailer does not store medical cannabis flower or medical cannabinoid products from a restricted access area to the designated zone for distribution only after confirming that the patient, designated caregiver, or parent, guardian, or spouse has arrived in the designated zone; irroducts, staff enter the transaction in the statewide monitoring system; and (1) the payment and distribution of medical cannabis flower or medical cannabinoid products, staff tacter the transaction in the statewide monitoring system; and (6) immediately following distribution of medical cannabis flower or medical cannabinoid products, staf		SF73	REVISOR	BD	S0073-4	4th Engrossment
4istributed by a pharmacy technician employed by the medical cannabis retailer.         87.3       Subd. 4, 90-day supply, A medical cannabis retailer shall not distribute more than a         87.4       90-day supply of medical cannabis flower or medical cannabinoid products to a patient,         87.5       registered designated caregiver, or parent, legal guardian, or spouse of a patient according         87.6       to the dosages established for the individual patient.         87.7       Subd. 5, Distribution to recipient in a motor vehicle. A medical cannabis retailer may         87.8       distribute medical cannabis flower and medical cannabinoid products to a patient, registered         87.9       designated caregiver, or parent, legal guardian, or spouse of a patient who is at a dispensary         87.11       (1) staff receive payment and distribute medical cannabis flower and medical cannabinoid         87.12       (2) the medical cannabis retailer ensures that the receipt of payment and distribution of         87.13       (2) the medical cannabis retailer ensures that the receipt of payment and distribution of         87.14       safeguards;         87.17       (3) the medical cannabis retailer does not store medical cannabis flower or medical         87.18       cannabinoid products are visually recorded by a         87.19       (3) the medical cannabis retailer does not store medical cannabis flower or medical         87.14       (3) the medical cannabis	87.1	cannabis flow	er or medical cannab	binoid products dis	stributed under thi	s paragraph must be
<ul> <li>90-day supply of medical cannabis flower or medical cannabinoid products to a patient,</li> <li>registered designated caregiver, or parent, legal guardian, or spouse of a patient according</li> <li>87.6 to the dosages established for the individual patient.</li> <li>87.7 Subd. 5. Distribution to recipient in a motor vehicle, A medical cannabis retailer may</li> <li>87.8 distribute medical cannabis flower and medical cannabinoid products to a patient, registered</li> <li>87.9 designated caregiver, or parent, legal guardian, or spouse of a patient who is at a dispensary</li> <li>87.10 location but remains in a motor vehicle, provided that:</li> <li>87.11 (1) staff receive payment and distribute medical cannabis flower and medical cannabinoid</li> <li>87.12 products in a designated zone that is as close as feasible to the front door of the facility;</li> <li>87.13 (2) the medical cannabis retailer ensures that the receipt of payment and distribution of</li> <li>medical cannabis flower and medical cannabinoid products are visually recorded by a</li> <li>87.14 closed-circuit television surveillance camera and provides any other necessary security</li> <li>87.15 safeguards:</li> <li>87.17 (3) the medical cannabis retailer does not store medical cannabis flower or medical</li> <li>87.18 cannabinoid products from a restricted access area to the designated</li> <li>87.29 (4) the payment and distribution of medical cannabis flower and medical cannabinoid</li> <li>87.20 (4) the payment and distribution of medical cannabis flower and medical cannabinoid</li> <li>87.29 (5) immediately following distribution of medical cannabis flower and medical cannabinoid</li> <li>87.29 (5) immediately following distribution of medical cannabis flower and medical cannabinoid</li> <li>87.29 (5) immediately following distribution of medical cannabis flower and medical</li> <li>87.20 (6) immediately following distribution of medical cannabis flower and medical</li> <li>87.20 (5) immediately following distribution of medical cannabis</li></ul>	87.2			•		• • •
<ul> <li>90-day supply of medical cannabis flower or medical cannabinoid products to a patient,</li> <li>registered designated caregiver, or parent, legal guardian, or spouse of a patient according</li> <li>87.6 to the dosages established for the individual patient.</li> <li>87.7 Subd. 5. Distribution to recipient in a motor vehicle, A medical cannabis retailer may</li> <li>87.8 distribute medical cannabis flower and medical cannabinoid products to a patient, registered</li> <li>87.9 designated caregiver, or parent, legal guardian, or spouse of a patient who is at a dispensary</li> <li>87.10 location but remains in a motor vehicle, provided that:</li> <li>87.11 (1) staff receive payment and distribute medical cannabis flower and medical cannabinoid</li> <li>87.12 products in a designated zone that is as close as feasible to the front door of the facility;</li> <li>87.13 (2) the medical cannabis retailer ensures that the receipt of payment and distribution of</li> <li>medical cannabis flower and medical cannabinoid products are visually recorded by a</li> <li>87.14 closed-circuit television surveillance camera and provides any other necessary security</li> <li>87.15 safeguards:</li> <li>87.17 (3) the medical cannabis retailer does not store medical cannabis flower or medical</li> <li>87.18 cannabinoid products from a restricted access area to the designated</li> <li>87.29 (4) the payment and distribution of medical cannabis flower and medical cannabinoid</li> <li>87.20 (4) the payment and distribution of medical cannabis flower and medical cannabinoid</li> <li>87.29 (5) immediately following distribution of medical cannabis flower and medical cannabinoid</li> <li>87.29 (5) immediately following distribution of medical cannabis flower and medical cannabinoid</li> <li>87.29 (5) immediately following distribution of medical cannabis flower and medical</li> <li>87.20 (6) immediately following distribution of medical cannabis flower and medical</li> <li>87.20 (5) immediately following distribution of medical cannabis</li></ul>	87 3	Subd 4 90	)-day sunnly A me	dical cannabis reta	uler shall not distr	ibute more than a
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<ul> <li>(1) staff receive payment and distribute medical cannabis flower and medical cannabinoid</li> <li>products in a designated zone that is as close as feasible to the front door of the facility;</li> <li>(2) the medical cannabis retailer ensures that the receipt of payment and distribution of</li> <li>medical cannabis flower and medical cannabinoid products are visually recorded by a</li> <li>closed-circuit television surveillance camera and provides any other necessary security</li> <li>safeguards;</li> <li>(3) the medical cannabis retailer does not store medical cannabis flower or medical</li> <li>cannabinoid products outside a restricted access area and staff transport medical cannabis</li> <li>flower and medical cannabinoid products from a restricted access area to the designated</li> <li>zone for distribution only after confirming that the patient, designated caregiver, or parent,</li> <li>guardian, or spouse has arrived in the designated zone;</li> <li>(4) the payment and distribution of medical cannabis flower or medical cannabinoid</li> <li>products take place only after a pharmacist consultation takes place, if required under</li> <li>subdivision 3;</li> <li>(5) immediately following distribution of medical cannabis flower and medical</li> <li>cannabinoid products, staff take the payment received into the facility.</li> <li>Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>retailer must distribute medical cannabis flower and medical cannabis</li> <li>products provided</li> <li>that the portion of the premises in which medical cannabis flower and medical cannabis</li> <li>products are sold is definite and distribution form all other areas of the cannabis retailer, is</li> </ul>	87.9	designated car	egiver, or parent, leg	gal guardian, or spo	ouse of a patient w	ho is at a dispensary
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<ul> <li>87.15 closed-circuit television surveillance camera and provides any other necessary security</li> <li>87.16 safeguards;</li> <li>87.17 (3) the medical cannabis retailer does not store medical cannabis flower or medical</li> <li>87.18 cannabinoid products outside a restricted access area and staff transport medical cannabis</li> <li>87.19 flower and medical cannabinoid products from a restricted access area to the designated</li> <li>87.20 zone for distribution only after confirming that the patient, designated caregiver, or parent,</li> <li>87.21 guardian, or spouse has arrived in the designated zone;</li> <li>87.22 (4) the payment and distribution of medical cannabis flower and medical cannabinoid</li> <li>87.23 products take place only after a pharmacist consultation takes place, if required under</li> <li>87.24 subdivision 3;</li> <li>87.25 (5) immediately following distribution of medical cannabis flower or medical cannabinoid</li> <li>87.26 products, staff enter the transaction in the statewide monitoring system; and</li> <li>87.27 (6) immediately following distribution of medical cannabis flower and medical</li> <li>87.28 subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>87.30 retailer must distribute medical cannabis flower and medical cannabinoid</li> <li>87.30 products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.13	(2) the med	lical cannabis retaile	er ensures that the	receipt of paymer	nt and distribution of
<ul> <li>87.16 safeguards;</li> <li>87.17 (3) the medical cannabis retailer does not store medical cannabis flower or medical cannabis</li> <li>87.18 cannabinoid products outside a restricted access area and staff transport medical cannabis</li> <li>87.19 flower and medical cannabinoid products from a restricted access area to the designated</li> <li>87.20 zone for distribution only after confirming that the patient, designated caregiver, or parent,</li> <li>87.21 guardian, or spouse has arrived in the designated zone;</li> <li>87.22 (4) the payment and distribution of medical cannabis flower and medical cannabinoid</li> <li>87.23 products take place only after a pharmacist consultation takes place, if required under</li> <li>87.24 subdivision 3;</li> <li>87.25 (5) immediately following distribution of medical cannabis flower or medical cannabinoid</li> <li>87.29 products, staff enter the transaction in the statewide monitoring system; and</li> <li>87.29 Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>87.30 retailer must distribute medical cannabis flower and medical cannabis</li> <li>87.31 the portion of the premises in which medical cannabis flower and medical cannabinoid</li> <li>87.32 products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.14	medical canna	bis flower and medi	cal cannabinoid p	roducts are visual	ly recorded by a
<ul> <li>(3) the medical cannabis retailer does not store medical cannabis flower or medical cannabis</li> <li>cannabinoid products outside a restricted access area and staff transport medical cannabis</li> <li>flower and medical cannabinoid products from a restricted access area to the designated</li> <li>zone for distribution only after confirming that the patient, designated caregiver, or parent,</li> <li>guardian, or spouse has arrived in the designated zone;</li> <li>(4) the payment and distribution of medical cannabis flower and medical cannabinoid</li> <li>products take place only after a pharmacist consultation takes place, if required under</li> <li>subdivision 3;</li> <li>(5) immediately following distribution of medical cannabis flower or medical cannabinoid</li> <li>products, staff enter the transaction in the statewide monitoring system; and</li> <li>(6) immediately following distribution of medical cannabis flower and medical</li> <li>cannabinoid products, staff take the payment received into the facility.</li> <li>Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>products are sold is definite and distribution form and medical cannabis flower and medical cannabis</li> </ul>	87.15	closed-circuit	television surveillan	ce camera and pro	ovides any other n	ecessary security
<ul> <li>87.18 cannabinoid products outside a restricted access area and staff transport medical cannabis</li> <li>87.19 flower and medical cannabinoid products from a restricted access area to the designated</li> <li>87.20 zone for distribution only after confirming that the patient, designated caregiver, or parent,</li> <li>87.21 guardian, or spouse has arrived in the designated zone;</li> <li>87.22 (4) the payment and distribution of medical cannabis flower and medical cannabinoid</li> <li>87.23 products take place only after a pharmacist consultation takes place, if required under</li> <li>87.24 subdivision 3;</li> <li>87.25 (5) immediately following distribution of medical cannabis flower or medical cannabinoid</li> <li>87.26 products, staff enter the transaction in the statewide monitoring system; and</li> <li>87.27 (6) immediately following distribution of medical cannabis flower and medical</li> <li>87.28 canabinoid products, staff take the payment received into the facility.</li> <li>87.29 Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>87.30 retailer must distribute medical cannabis flower and medical cannabinoid</li> <li>87.31 that the portion of the premises in which medical cannabis flower and medical cannabinoid</li> <li>87.32 products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.16	safeguards;				
<ul> <li>flower and medical cannabinoid products from a restricted access area to the designated</li> <li>zone for distribution only after confirming that the patient, designated caregiver, or parent,</li> <li>guardian, or spouse has arrived in the designated zone;</li> <li>(4) the payment and distribution of medical cannabis flower and medical cannabinoid</li> <li>products take place only after a pharmacist consultation takes place, if required under</li> <li>subdivision 3;</li> <li>(5) immediately following distribution of medical cannabis flower or medical cannabinoid</li> <li>products, staff enter the transaction in the statewide monitoring system; and</li> <li>(6) immediately following distribution of medical cannabis flower and medical</li> <li>cannabinoid products, staff take the payment received into the facility.</li> <li>Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.17	(3) the med	lical cannabis retaile	er does not store m	nedical cannabis f	lower or medical
<ul> <li>zone for distribution only after confirming that the patient, designated caregiver, or parent,</li> <li>guardian, or spouse has arrived in the designated zone;</li> <li>(4) the payment and distribution of medical cannabis flower and medical cannabinoid</li> <li>products take place only after a pharmacist consultation takes place, if required under</li> <li>subdivision 3;</li> <li>(5) immediately following distribution of medical cannabis flower or medical cannabinoid</li> <li>products, staff enter the transaction in the statewide monitoring system; and</li> <li>(6) immediately following distribution of medical cannabis flower and medical</li> <li>cannabinoid products, staff take the payment received into the facility.</li> <li>Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>retailer must distribute medical cannabis flower and medical cannabinoid</li> <li>products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.18	cannabinoid p	roducts outside a res	tricted access area	a and staff transpo	rt medical cannabis
<ul> <li>guardian, or spouse has arrived in the designated zone;</li> <li>(4) the payment and distribution of medical cannabis flower and medical cannabinoid</li> <li>products take place only after a pharmacist consultation takes place, if required under</li> <li>subdivision 3;</li> <li>(5) immediately following distribution of medical cannabis flower or medical cannabinoid</li> <li>products, staff enter the transaction in the statewide monitoring system; and</li> <li>(6) immediately following distribution of medical cannabis flower and medical</li> <li>cannabinoid products, staff take the payment received into the facility.</li> <li>Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>that the portion of the premises in which medical cannabis flower and medical cannabinoid</li> <li>products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.19	flower and me	dical cannabinoid pr	roducts from a res	tricted access area	to the designated
<ul> <li>(4) the payment and distribution of medical cannabis flower and medical cannabinoid</li> <li>products take place only after a pharmacist consultation takes place, if required under</li> <li>subdivision 3;</li> <li>(5) immediately following distribution of medical cannabis flower or medical cannabinoid</li> <li>products, staff enter the transaction in the statewide monitoring system; and</li> <li>(6) immediately following distribution of medical cannabis flower and medical</li> <li>cannabinoid products, staff take the payment received into the facility.</li> <li>Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>retailer must distribute medical cannabis flower and medical cannabinoid products provided</li> <li>that the portion of the premises in which medical cannabis flower and medical cannabinoid</li> <li>products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.20	zone for distri	bution only after con	firming that the p	atient, designated	caregiver, or parent,
<ul> <li>products take place only after a pharmacist consultation takes place, if required under</li> <li>subdivision 3;</li> <li>(5) immediately following distribution of medical cannabis flower or medical cannabinoid</li> <li>products, staff enter the transaction in the statewide monitoring system; and</li> <li>(6) immediately following distribution of medical cannabis flower and medical</li> <li>cannabinoid products, staff take the payment received into the facility.</li> <li>Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>retailer must distribute medical cannabis flower and medical cannabis</li> <li>that the portion of the premises in which medical cannabis flower and medical cannabinoid</li> <li>products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.21	guardian, or sp	bouse has arrived in	the designated zon	ne;	
<ul> <li>subdivision 3;</li> <li>(5) immediately following distribution of medical cannabis flower or medical cannabinoid</li> <li>products, staff enter the transaction in the statewide monitoring system; and</li> <li>(6) immediately following distribution of medical cannabis flower and medical</li> <li>cannabinoid products, staff take the payment received into the facility.</li> <li>Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>retailer must distribute medical cannabis flower and medical cannabis</li> <li>that the portion of the premises in which medical cannabis flower and medical cannabinoid</li> <li>products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.22	(4) the pay	ment and distributio	n of medical cann	abis flower and m	edical cannabinoid
<ul> <li>(5) immediately following distribution of medical cannabis flower or medical cannabinoid</li> <li>products, staff enter the transaction in the statewide monitoring system; and</li> <li>(6) immediately following distribution of medical cannabis flower and medical</li> <li>cannabinoid products, staff take the payment received into the facility.</li> <li>Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>retailer must distribute medical cannabis flower and medical cannabinoid products provided</li> <li>that the portion of the premises in which medical cannabis flower and medical cannabinoid</li> <li>products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.23	products take	place only after a ph	armacist consultat	tion takes place, if	frequired under
<ul> <li>products, staff enter the transaction in the statewide monitoring system; and</li> <li>(6) immediately following distribution of medical cannabis flower and medical</li> <li>cannabinoid products, staff take the payment received into the facility.</li> <li>Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>retailer must distribute medical cannabis flower and medical cannabinoid products provided</li> <li>that the portion of the premises in which medical cannabis flower and medical cannabinoid</li> <li>products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.24	subdivision 3;				
<ul> <li>(6) immediately following distribution of medical cannabis flower and medical</li> <li>cannabinoid products, staff take the payment received into the facility.</li> <li>Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>retailer must distribute medical cannabis flower and medical cannabinoid products provided</li> <li>that the portion of the premises in which medical cannabis flower and medical cannabinoid</li> <li>products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.25	<u>(5)</u> immedi	ately following distri	bution of medical of	cannabis flower or	medical cannabinoid
<ul> <li>cannabinoid products, staff take the payment received into the facility.</li> <li>Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>retailer must distribute medical cannabis flower and medical cannabinoid products provided</li> <li>that the portion of the premises in which medical cannabis flower and medical cannabinoid</li> <li>products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.26	products, staff	enter the transaction	n in the statewide	monitoring systen	n; and
<ul> <li>Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis</li> <li>retailer must distribute medical cannabis flower and medical cannabinoid products provided</li> <li>that the portion of the premises in which medical cannabis flower and medical cannabinoid</li> <li>products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.27	<u>(6) immed</u>	iately following dist	ribution of medica	ll cannabis flower	and medical
<ul> <li>retailer must distribute medical cannabis flower and medical cannabinoid products provided</li> <li>that the portion of the premises in which medical cannabis flower and medical cannabinoid</li> <li>products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.28	cannabinoid p	roducts, staff take th	e payment receive	ed into the facility	<u>.</u>
<ul> <li>that the portion of the premises in which medical cannabis flower and medical cannabinoid</li> <li>products are sold is definite and distinct from all other areas of the cannabis retailer, is</li> </ul>	87.29	<u>Subd. 6.</u> <b>Pl</b>	ysical separation re	equired. A medica	l cannabis retailer t	that is also a cannabis
87.32 products are sold is definite and distinct from all other areas of the cannabis retailer, is	87.30	retailer must d	istribute medical can	nabis flower and n	nedical cannabino	id products provided
	87.31	that the portion	n of the premises in v	which medical can	nabis flower and 1	medical cannabinoid
87.33 <u>accessed through a distinct entrance, and provides an appropriate space for a pharmacist</u>	87.32	products are se	old is definite and di	stinct from all oth	er areas of the car	nnabis retailer, is
	87.33	accessed throu	igh a distinct entranc	e, and provides a	n appropriate spac	e for a pharmacist

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88.1	employee	of the medical cannabis	retailer to cons	sult with the patient to a	letermine the proper
88.2	type of me	edical cannabis flower a	and medical car	nnabinoid products and	d proper dosage for
88.3	the patient	<u>t.</u>			
88.4	EFFE	CTIVE DATE. This se	ction is effecti	ve January 1, 2024.	
88.5	Sec. 46.	[342.47] PATIENT RI	EGISTRY PR	OGRAM.	
88.6	Subdiv	vision 1. Administratio	<b>n.</b> The Divisio	n of Medical Cannabis	must administer the
88.7	medical ca	annabis registry program	<u>n.</u>		
88.8	Subd. 2	2. Application procedu	ire for patient	t <b>s.</b> (a) A patient seekin	g to enroll in the
88.9	registry pr	ogram must submit to th	e Division of M	ledical Cannabis an ap	plication established
88.10	by the Div	vision of Medical Canna	ibis and a copy	of the certification sp	ecified in paragraph
88.11	<u>(b)</u> or, if the second	he patient is a veteran w	ho receives ca	re from the United Sta	tes Department of
88.12	Veterans A	Affairs, the information	required pursu	ant to subdivision 3. T	The patient must
88.13	provide at	least the following info	ormation in the	application:	
88.14	<u>(1) the</u>	patient's name, mailing	g address, and o	date of birth;	
88.15	<u>(2) the</u>	name, mailing address	, and telephone	e number of the patient	's health care
88.16	practitione	er;			
88.17	(3) the	name, mailing address	, and date of bi	rth of the patient's reg	istered designated
88.18	caregiver,	if any, or the patient's pa	rent, legal guar	dian, or spouse if the pa	arent, legal guardian,
88.19	or spouse	will be acting as the par	tient's caregive	<u>r;</u>	
88.20	<u>(4) a d</u>	isclosure signed by the	patient that inc	eludes:	
88.21	<u>(i)</u> a sta	atement that, notwithsta	nding any law	to the contrary, the O	ffice of Cannabis
88.22	Managem	ent, the Division of Me	dical Cannabis	, or an employee of the	e Office of Cannabis
88.23	Managem	ent or Division of Medi	cal Cannabis r	nay not be held civilly	or criminally liable
88.24	for any inj	ury, loss of property, pe	rsonal injury, c	or death caused by an a	ct or omission while
88.25	acting with	hin the employee's scop	e of office or e	employment under this	section; and
88.26	(ii) the	patient's acknowledgm	ent that enrolli	ment in the registry pro	ogram is conditional
88.27	on the pati	ient's agreement to mee	t all other requ	irements of this sectio	n; and
88.28	<u>(5) all</u>	other information requi	red by the Div	ision of Medical Cann	abis.
88.29	<u>(b)</u> As	part of the application	under this subd	livision, a patient must	submit a copy of a
88.30	certificatio	on from the patient's hea	alth care practi	tioner that is dated wit	hin 90 days prior to
88.31	the submis	ssion of the application	and that certifi	es that the patient has l	been diagnosed with
88.32	<u>a qualifyir</u>	ng medical condition.			

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90.1	(a) A national health care prestitioner may submit a statement to the Division of Medical
89.1	(c) A patient's health care practitioner may submit a statement to the Division of Medical
89.2	Cannabis declaring that the patient is no longer diagnosed with a qualifying medical
89.3	condition. Within 30 days after receipt of a statement from a patient's health care practitioner,
89.4	the Division of Medical Cannabis must provide written notice to a patient stating that the
89.5	patient's enrollment in the registry program will be revoked in 30 days unless the patient
89.6	submits a certification from a health care practitioner that the patient is currently diagnosed
89.7	with a qualifying medical condition or, if the patient is a veteran, the patient submits
89.8	confirmation that the patient is currently diagnosed with a qualifying medical condition in
89.9	a form and manner consistent with the information required for an application made pursuant
89.10	to subdivision 3. If the Division of Medical Cannabis revokes a patient's enrollment in the
89.11	registry program pursuant to this paragraph, the division must provide notice to the patient
89.12	and to the patient's health care practitioner.
89.13	Subd. 3. Application procedure for veterans. (a) The Division of Medical Cannabis
89.14	shall establish an alternative certification procedure for veterans who receive care from the
89.15	United States Department of Veterans Affairs to confirm that the veteran has been diagnosed
89.16	with a qualifying medical condition.
89.17	(b) A patient who is also a veteran and is seeking to enroll in the registry program must
89.18	submit to the Division of Medical Cannabis an application established by the Division of
89.19	Medical Cannabis that includes the information identified in subdivision 2, paragraph (a),
89.20	and the additional information required by the Division of Medical Cannabis to certify that
89.21	the patient has been diagnosed with a qualifying medical condition.
89.22	Subd. 4. Enrollment; denial of enrollment; revocation. (a) Within 30 days after the
89.23	receipt of an application and certification or other documentation of a diagnosis with a
89.24	qualifying medical condition, the Division of Medical Cannabis must approve or deny a
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
89.26	
89.27	and to the patient's health care practitioner.
89.28	(b) A patient's enrollment in the registry program must only be denied if the patient:
89.29	(1) does not submit a certification from a health care practitioner or, if the patient is a
89.30	veteran, the documentation required under subdivision 3 that the patient has been diagnosed
89.31	with a qualifying medical condition;
89.32	(2) has not signed the disclosure required in subdivision 2;
89.33	(3) does not provide the information required by the Division of Medical Cannabis;

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90.1	<u>(4) prov</u>	vided false information	on the applicat	ion; or	
90.2	(5) at th	ne time of application,	is also enrolled	in a federally approve	ed clinical trial for
90.3	<u> </u>	ent of a qualifying med			
90.4	(c) If th	ne Division of Medical	Cannabis denie	s a patient's enrollme	nt in the registry
90.5	<u> </u>	he Division of Medical			
90.6		r denying enrollment. I			
90.7		ision of the office and i			
90.8	<u>(d)</u> A p	atient's enrollment in t	he registry prog	ram may be revoked o	only:
90.9	<u>(1) pura</u>	suant to subdivision 2,	paragraph (c);		
90.10	<u>(2) upo</u>	n the death of the patie	ent;		
90.11	(3) if th	ne patient's certifying h	ealth care practi	tioner has filed a dec	laration under
90.12	subdivision	n 2, paragraph (c), that	the patient's qua	lifying diagnosis no l	onger exists and the
90.13	patient doe	es not submit another c	ertification with	in 30 days;	
90.14	<u>(4) if th</u>	ne patient does not com	ply with subdiv	ision 6; or	
90.15	(5) if th	ne patient intentionally	sells or diverts	nedical cannabis flov	ver or medical
90.16	cannabinoi	id products in violation	of this chapter.		
90.17	If a patient	's enrollment in the reg	gistry program h	as been revoked due	to a violation of
90.18	subdivision	n 6, the patient may ap	ply for enrollme	nt 12 months after the	e date on which the
90.19	patient's en	rollment was revoked.	The office must	process such an appli	cation in accordance
90.20	with this s	ubdivision.			
90.21	<u>Subd. 5</u>	5. Registry verification	n. When a patier	nt is enrolled in the re	gistry program, the
90.22	Division of	f Medical Cannabis mu	ist assign the pa	tient a patient registry	number and must
90.23	issue the pa	atient and the patient's	registered desig	nated caregiver, parer	nt, legal guardian, or
90.24	spouse, if a	applicable, a registry vo	erification. The	Division of Medical (	Cannabis must also
90.25	make the re	egistry verification avail	lable to medical	cannabis retailers. The	registry verification
90.26	must inclu	<u>de:</u>			
90.27	<u>(1) the</u>	patient's name and date	e of birth;		
90.28	(2) the	patient registry numbe	r assigned to the	patient; and	
90.29	(3) the	name and date of birth	of the patient's	registered designated	caregiver, if any, or
90.30	the name of	of the patient's parent, l	egal guardian, o	r spouse if the parent	, legal guardian, or
90.31	spouse wil	l act as a caregiver.			

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91.1	<u>Subd. 6.</u>	Conditions of contin	nued enrollment	t. As conditions of con	tinued enrollment,
91.2	a patient mu	<u>ist:</u>			
91.3	<u>(1) conti</u>	nue to receive regular	ly scheduled trea	tment for the patient's c	qualifying medical
91.4	condition from	om the patient's healt	h care practitione	er; and	
91.5	<u>(2)</u> repor	t changes in the patie	ent's qualifying m	nedical condition to the	e patient's health
91.6	care practiti	oner.			
91.7	<u>Subd. 7.</u>	Enrollment period.	Enrollment in th	e registry program is v	alid for one year.
91.8	To re-enroll	, a patient must subm	it the information	n required in subdivisi	on 2 and a patient
91.9	who is also	a veteran must submi	t the information	required in subdivisio	on 3.
91.10	Subd. 8.	Medical cannabis fl	ower and medic	cal cannabinoid prod	ucts; allowable
91.11	delivery me	ethods. Medical cann	abis flower and r	nedical cannabinoid p	roducts may be
91.12	delivered in	the form of:			
91.13	<u>(1) a liqu</u>	uid, including but not	limited to oil;		
91.14	<u>(2) a pill</u>	<u>2</u>			
91.15	<u>(3)</u> a vap	oorized delivery meth	od with the use c	of liquid or oil;	
91.16	<u>(4)</u> a wat	ter-soluble cannabing	oid multiparticula	te, including granules,	, powder, and
91.17	sprinkles;				
91.18	<u>(5) an or</u>	ally dissolvable prod	uct, including loz	zenges, gum, mints, bu	uccal tablets, and
91.19	sublingual ta	ablets;			
91.20	<u>(6) edibl</u>	e products in the forr	n of gummies and	d chews;	
91.21	<u>(</u> 7) a top	ical formulation;			
91.22	<u>(8)</u> comb	oustion with the use c	of dried raw cann	abis; or	
91.23	<u>(9)</u> any c	other method approve	ed by the office.		
91.24	<u>Subd. 9.</u>	Registered designat	ed caregiver. (a)	The Division of Medi	cal Cannabis must
91.25	register a de	signated caregiver for	a patient if the pa	atient requires assistance	e in administering
91.26	medical can	nabis flower or medic	cal cannabinoid p	roducts or in obtaining	g medical cannabis
91.27	flower, med	ical cannabinoid proc	lucts, or medical	cannabis paraphernali	a from a medical
91.28	cannabis ret	ailer.			
91.29	<u>(b) In or</u>	der to serve as a desig	gnated caregiver,	a person must:	
91.30	<u>(1) be at</u>	least 18 years of age	• <u>•</u>		

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92.1	(2) agree	to only possess the p	atient's medical c	annabis flower and	medical cannabinoid
92.2	· · -	purposes of assisting			
02.2	(3) agree	that if the application	n is approved th	e person will not se	we as a registered
92.3 92.4		aregiver for more that			
92.4		esidence count as on		patients at one time.	Tatients who reside
92.6	<u> </u>	ffice shall conduct a			
92.7	·		•		n for a disqualifying
92.8		se. Any cost of the ba		• •	·
92.9		is a designated careg		ed caregiver must ha	ve the criminal
92.10	background of	check renewed every	v two years.		
92.11	(d) Nothin	ng in this section shal	ll be construed to	prevent a registered	designated caregiver
92.12	from being e	nrolled in the registr	y program as a p	atient and possessin	g and administering
92.13	medical cann	abis as a patient.			
92.14	Subd. 10.	Parents, legal guar	dians, spouses.	A parent, legal guar	dian, or spouse of a
92.15	patient may a	act as the caregiver f	or a patient. The	parent, legal guardi	an, or spouse who is
92.16	acting as a ca	regiver must follow	all requirements	for parents, legal gu	ardians, and spouses
92.17	under this ch	apter. Nothing in this	s section limits a	ny legal authority th	at a parent, legal
92.18	guardian, or	spouse may have for	the patient unde	r any other law.	
92.19	Subd. 11.	Enrollment fee. (a)	The Division of	Cannabis Managen	nent must collect an
92.20	enrollment fe	ee of \$40 from a pati	ent enrolled und	er this section.	
92.21	(b) Rever	nue collected under t	his subdivision s	hall deposit to a ded	icated account in the
92.22	special reven	ue fund. The balance	e of the account	shall be appropriated	annually to the
92.23	administrator	r of the office for pro	ogram operations	<u>.</u>	
92.24	Subd. 12.	Notice of change of	f name or addre	ess. Patients and reg	istered designated
92.25	caregivers m	ust notify the Divisio	on of Medical Ca	nnabis of any addre	ss or name change
92.26	within 30 day	ys of the change havi	ing occurred. A p	atient or registered	designated caregiver
92.27	is subject to a	a \$100 fine for failur	e to notify the of	fice of the change.	
92.28	EFFECT	TIVE DATE. This se	ection is effective	January 1, 2024.	
92.29	Sec. 47. <b>[3</b> 4	42.48] DUTIES OF	OFFICE OF C	ANNABIS MANA	GEMENT;
92.30	REGISTRY	PROGRAM.			
92.31	The office	e may add an allowa	ble form of medi	cal cannabinoid prod	duct, and may add or
92.32		2		•	tition from a member
				<u> </u>	

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93.1	of the public or from the Cannabis Advisory Council or as directed by law. The office must
93.2	evaluate all petitions and must make the addition or modification if the office determines
93.3	that the addition or modification is warranted by the best available evidence and research.
93.4	If the office wishes to add an allowable form or add or modify a qualifying medical condition,
93.5	the office must notify the chairs and ranking minority members of the legislative committees
93.6	and divisions with jurisdiction over health finance and policy by January 15 of the year in
93.7	which the change becomes effective. In this notification, the office must specify the proposed
93.8	addition or modification, the reasons for the addition or modification, any written comments
93.9	received by the office from the public about the addition or modification, and any guidance
93.10	received from the Cannabis Advisory Council. An addition or modification by the office
93.11	under this subdivision becomes effective on August 1 of that year unless the legislature by
93.12	law provides otherwise.
93.13	<b>EFFECTIVE DATE.</b> This section is effective January 1, 2024.
93.14	Sec. 48. [342.49] DUTIES OF DIVISION OF MEDICAL CANNABIS; REGISTRY
93.15	PROGRAM.
93.16	Subdivision 1. Duties related to health care practitioners. The Division of Medical
93.17	Cannabis must:
02 10	(1) provide notice of the registry program to health care practitioners in the state;
93.18	(1) provide notice of the registry program to health care practitioners in the state,
93.19	(2) allow health care practitioners to participate in the registry program if they request
93.20	to participate and meet the program's requirements;
93.21	(3) provide explanatory information and assistance to health care practitioners to
93.22	understand the nature of the therapeutic use of medical cannabis within program
93.23	requirements;
93.24	(4) make available to participating health care practitioners a certification form in which
93.25	a health care practitioner certifies that a patient has a qualifying medical condition; and
93.26	(5) supervise the participation of health care practitioners in the registry reporting system
93.27	in which health care practitioners report patient treatment and health records information
93.28	to the office in a manner that ensures stringent security and record keeping requirements
93.29	and that prevents the unauthorized release of private data on individuals as defined in section
93.30	<u>13.02.</u>
93.31	Subd. 2. Duties related to the registry program. The Division of Medical Cannabis
93.32	must:

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94.1	(1) administer the registry program according to section 342.47;						
94.2	(2) provide informa	tion to patients en	nrolled in the re	gistry program	on the existence of		
94.3	federally approved clini	•					
94.4	with medical cannabis f		· · · · · · · · · · · · · · · · · · ·				
94.5	in the registry program	· ·					
94.6	(3) maintain safety c	riteria with which	patients must co	omply as a cond	ition of participation		
94.7	in the registry program	to prevent patient	ts from underta	lking any task u	inder the influence		
94.8	of medical cannabis flor	wer or medical can	nabinoid produ	cts that would c	onstitute negligence		
94.9	or professional malpra	etice;					
94.10	(4) review and publ	icly report on exis	ting medical ar	nd scientific lite	rature regarding the		
94.11	range of recommended						
94.12	compositions of medica		• • •		<b>X</b>		
94.13	be medically beneficial						
94.14	drug interactions. This	information must l	be updated by I	December 1 of e	ach year. The office		
94.15	may consult with an in	dependent laborate	ory under cont	ract with the of	fice or other experts		
94.16	in reporting and updati	ng this informatio	on; and				
94.17	(5) annually consult	with cannabis bus	sinesses about r	nedical cannabi	s that the businesses		
94.18	cultivate, manufacture,	and offer for sale	and post on th	e Division of M	fedical Cannabis		
94.19	website a list of the me	dical cannabis flov	wer and medic	al cannabinoid	products offered for		
94.20	sale by each medical ca	annabis retailer.					
94.21	Subd. 3. Research.	(a) The Division of	of Medical Can	nabis must conc	luct or contract with		
94.22	a third party to conduct	t research and stud	dies using data	from health rec	ords submitted to		
94.23	the registry program ur	der section 342.50	0, subdivision 2	2, and data subn	nitted to the registry		
94.24	program under section	342.47, subdivisio	ons 2 and 3. If	the division con	ntracts with a third		
94.25	party for research and	studies, the third p	oarty must prov	ide the division	with access to all		
94.26	research and study resu	lts. The division m	ust submit repo	orts on intermed	iate or final research		
94.27	results to the legislatur	e and major scient	tific journals. A	All data used by	the division or a		
94.28	third party under this su	bdivision must be	e used or report	ed in an aggreg	ated nonidentifiable		
94.29	form as part of a scient	ific peer-reviewed	d publication of	f research or in	the creation of		
94.30	summary data, as defin	ed in section 13.0	2, subdivision	<u>19.</u>			
94.31	(b) The Division of	Medical Cannabi	s may submit r	nedical research	n based on the data		
94.32	collected under section	s 342.50, subdivis	sion 2, and data	a collected through	ugh the statewide		
94.33	monitoring system to a	ny federal agency	with regulator	y or enforceme	nt authority over		
94.34	medical cannabis to de	monstrate the effe	ectiveness of m	edical cannabis	flower or medical		

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95.1	cannabinoid pro	ducts for treating	or alleviating t	he symptoms of a qua	lifying medical
95.2	condition.		<u> </u>		
95.3	EFFECTIV	<b>EDATE</b> This se	ection is effectiv	ve January 1, 2024.	
/0.0				<i>i c sullary</i> 1, 2021.	
95.4	Sec. 49. [342.:	50] DUTIES OF	HEALTH CA	RE PRACTITIONE	RS; REGISTRY
95.5	PROGRAM.				
95.6	Subdivision	1. Health care p	ractitioner dut	ies before patient en	rollment. Before a
95.7	patient's enrolln	nent in the registr	y program, a he	alth care practitioner	must:
95.8	(1) determin	e, in the health ca	are practitioner's	s medical judgment, w	hether a patient has
95.9	a qualifying mee	dical condition an	d, if so determin	ned, provide the patien	t with a certification
95.10	of that diagnosis	<u>s;</u>			
95.11	(2) advise pa	atients, registered	designated care	egivers, and parents, lo	egal guardians, and
95.12	spouses acting a	as caregivers of a	ny nonprofit pat	ient support groups of	organizations;
95.13	(3) provide t	o patients explana	atory informatio	on from the Division o	f Medical Cannabis,
95.14	including inform	nation about the e	experimental na	ture of the therapeutic	use of medical
95.15	cannabis flower	and medical can	nabinoid produc	cts; the possible risks,	benefits, and side
95.16	effects of the pre-	oposed treatment	; and the applic	ation and other materi	als from the office;
95.17	(4) provide to	o patients a Tenne	essen warning as	required under sectio	n 13.04, subdivision
95.18	<u>2; and</u>				
95.19	(5) agree to c	continue treatmen	t of the patient's	qualifying medical co	ndition and to report
95.20	findings to the I	Division of Medic	cal Cannabis.		
95.21	Subd. 2. <b>Du</b> t	ties upon patient	t's enrollment i	n registry program.	Upon receiving
95.22	notification from	n the Division of M	Medical Cannab	is of the patient's enrol	lment in the registry
95.23	program, a heal	th care practition	er must:		
95.24	(1) participat	te in the patient re	gistry reporting	system under the guida	ance and supervision
95.25	of the Division	of Medical Canna	abis;		
95.26	(2) report to	the Division of N	Iedical Cannab	is patient health record	ds throughout the
95.27	patient's ongoin	g treatment in a n	nanner determin	ned by the office and i	n accordance with
95.28	subdivision 4;				
95.29	(3) determin	e on a yearly bas	is if the patient	continues to have a qu	alifying medical
95.30	condition and, i	f so, issue the pat	ient a new certi	fication of that diagno	sis. The patient
95.31	assessment cond	ducted under this	clause may be o	conducted via telemed	licine, as defined in
95.32	section 62A.671	, subdivision 9; a	and		

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96.1	(4) otherwise comply with requirements established by the Office of Cannabis							
96.2	Management	and the Division of	Medical Cannal	pis.				
96.3	Subd. 3. I	Participation not re	<b>auired.</b> Nothing	, in this section requi	res a health care			
96.4		o participate in the re	•	•				
96.5	Subd 4 I	Data. Data on patien	ts collected by a	health care practition	ner and reported to			
96.6			-	who are veterans who				
96.7			-	are health records un				
96.8	and are priva	te data on individual	s under section	13.02 but may be use	ed or reported in an			
96.9	aggregated no	onidentifiable form a	s part of a scient	ific peer-reviewed pu	blication of research			
96.10	conducted un	der section 342.49 c	or in the creation	of summary data, as	defined in section			
96.11	13.02, subdiv	vision 19.						
96.12	<u>Subd. 5.</u>	Exception. The requ	irements of this	section do not apply	to a patient who is a			
96.13	veteran who	receives care from the	e United States I	Department of Veterar	ns Affairs or a health			
96.14	care practitio	ner employed by the	United States I	Department of Veterar	ns Affairs. Such a			
96.15	patient must	patient must meet the certification requirements developed pursuant to section 342.47,						
96.16	subdivision 3	, before the patient's	enrollment in t	ne registry program.	The Division of			
96.17	Medical Cannabis may establish policies and procedures to obtain medical records and other							
96.18	relevant data	from a health care p	ractitioner empl	oyed by the United S	tates Department of			
96.19	Veterans Affa	nirs, provided that the	se policies and p	rocedures are consist	ent with this section.			
96.20	EFFECT	TIVE DATE. This se	ection is effective	e January 1, 2024.				
96.21	Sec. 50. [34	42.51] LIMITATIO	NS.					
96.22	Subdivisi	on 1. Limitations of	n consumption;	locations of consun	<b>nption.</b> Nothing in			
96.23	sections 342.	42 to 342.56 permits	s any person to e	engage in, and does no	ot prevent the			
96.24	imposition of	f any civil, criminal,	or other penaltie	es for:				
96.25	(1) under	taking a task under tl	he influence of r	nedical cannabis that	would constitute			
96.26	negligence of	r professional malpra	actice;					
96.27	<u>(2) posses</u>	ssing or consuming r	nedical cannabis	<u>s:</u>				
96.28	<u>(i)</u> on a sc	chool bus or van;						
96.29	<u>(ii) in a co</u>	orrectional facility; o	<u>pr</u>					
96.30	(iii) on the	e grounds of a child	care facility or f	amily or group famil	y day care program;			
96.31	(3) vapori	izing or smoking me	dical cannabis:					

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97.1	(i) on any form of public transportation;								
97.2	(ii) whe	(ii) where the vapor would be inhaled by a nonpatient minor or where the smoke would							
97.3	<u>~                                    </u>	by a minor; or		•					
07.4	(iii) in a	ny public place, inclu	ding any indoor	or outdoor gross used	by or open to the				
97.4 97.5	<u>~ /</u>	blic or a place of emplo							
91.5									
97.6	<u>``/`</u>	ating, navigating, or b							
97.7		otorboat or working or	•						
97.8	under the in	nfluence of medical ca	nnabis or a med	ical cannabis produc	<u>t.</u>				
97.9	Subd. 2	<u>.</u> Health care facilitie	s. (a) Health car	e facilities licensed u	under chapter 144A;				
97.10	hospice pro	viders licensed under	chapter 144A; b	oarding care homes	or supervised living				
97.11	facilities lic	ensed under section 14	4.50; assisted liv	ing facilities under ch	apter 144G; facilities				
97.12	owned, con	trolled, managed, or ur	nder common con	ntrol with hospitals lie	censed under chapter				
97.13	144; and ot	her health care faciliti	es licensed by th	e commissioner of h	ealth may adopt				
97.14	reasonable	restrictions on the use o	of medical cannat	ois flower or medical o	cannabinoid products				
97.15	by a patient	enrolled in the registry	y program who r	esides at or is actively	receiving treatment				
97.16	or care at the	ne facility. The restrict	ions may includ	e a provision that the	facility must not				
97.17	store or ma	intain a patient's suppl	ly of medical car	nnabis flower or med	lical cannabinoid				
97.18	products, th	nat the facility is not rea	sponsible for pro	viding medical canna	abis for patients, and				
97.19	that medica	al cannabis flower or n	nedical cannabir	oid products are use	d only in a location				
97.20	specified by the facility or provider.								
97.21	<u>(b) An e</u>	employee or agent of a	1 facility or prov	ider listed in this sub	division or a person				
97.22	licensed un	der chapter 144E is no	ot violating this of	chapter or chapter 15	2 for the possession				
97.23	ofmedical	cannabis flower or med	lical cannabinoid	l products while carry	ving out employment				
97.24	duties, inclu	uding providing or sup	ervising care to	a patient enrolled in t	he registry program,				
97.25	or distribut	ion of medical cannab	is flower or med	lical cannabinoid pro	ducts to a patient				
97.26	enrolled in	the registry program v	vho resides at or	is actively receiving	treatment or care at				
97.27	the facility	or from the provider v	vith which the er	mployee or agent is a	iffiliated. Nothing in				
97.28	this subdivi	ision requires facilities	and providers 1	isted in this subdivis	ion to adopt such				
97.29	restrictions. No facility or provider listed in this subdivision may unreasonably limit a								
97.30	patient's ac	cess to or use of medio	cal cannabis flov	ver or medical canna	binoid products to				
97.31	the extent t	hat such use is authori	zed under sectio	ons 342.42 to 342.56.					
97.32	EFFEC	CTIVE DATE. This se	ection is effective	e 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 law enforcement authorities are prohibited from accessing							
99.2	<u> </u>				withstanding section			
99.3	13.09, a viola	ation of this paragrap	oh is a gross mise	lemeanor.				
99.4	(e) Notwi	thstanding any law t	o the contrary, the	e office and employe	es of the office must			
99.5	not release da	ata or information at	out an individua	l contained in any re	port or document or			
99.6	in the registry	and must not release	se data or informa	ation obtained about	a patient enrolled in			
99.7	the registry p	rogram, except as p	rovided in section	ns 342.42 to 342.56.	Notwithstanding			
99.8	section 13.09	, a violation of this	paragraph is a gro	oss misdemeanor.				
99.9	<u>(f)</u> No inf	ormation contained	in a report or doc	cument, contained in	the registry, or			
99.10	obtained from	n a patient under sec	tions 342.42 to 3	42.56 may be admit	ted as evidence in a			
99.11	criminal proc	eeding, unless:						
99.12	(1) the inf	formation is indepen	dently obtained;	or				
99.13	<u>(2)</u> admiss	sion of the informati	on is sought in a	criminal proceeding	involving a criminal			
99.14	violation of s	ections 342.42 to 34	2.56.					
99.15	(g) Posses	ssion of a registry ve	erification or an a	pplication for enroll	ment in the registry			
99.16	program:							
99.17	<u>(1) does n</u>	ot constitute probab	le cause or reaso	nable suspicion;				
99.18	<u>(2) must r</u>	not be used to suppo	rt a search of the	person or property of	of the person with a			
99.19	registry verif	ication or application	n to enroll in the	registry program; ar	nd			
99.20	<u>(3) must r</u>	not subject the perso	n or the property	of the person to ins	pection by any			
99.21	government a	igency.						
99.22	<u>Subd. 3.</u>	chool enrollment;	rental property.	(a) No school may	refuse to enroll a			
99.23	patient as a p	upil or otherwise pe	nalize a patient s	olely because the pa	tient is enrolled in			
99.24	the registry p	rogram, unless failir	ng to do so would	l violate federal law	or regulations or			
99.25	cause the sch	ool to lose a moneta	ry or licensing-re	elated benefit under	federal law or			
99.26	regulations.							
99.27	<u>(b) No lar</u>	ndlord may refuse to	lease to a patien	t or otherwise penal	ize a patient solely			
99.28	because the p	atient is enrolled in	the registry progr	am, unless failing to	do so would violate			
99.29	federal law o	r regulations or caus	se 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>	Medical care. For p	urposes of medic	al care, including or	gan transplants, a			
99.32	patient's use	of medical cannabis	according to sec	tions 342.42 to 342.4	56 is considered the			

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100.1	equivalent of the authorized use of a medication used at the discretion of a health care							
100.2	practitioner	and does not disqualif	y a patient fro	m needed medical care	<u>.</u>			
100.3	Subd. 5.	<b>Employment.</b> (a) Unl	less a failure to	o do so would violate f	federal or state law			
100.4		is or cause an employe						
100.5	federal law o	or regulations, an emp	loyer may not	discriminate against a	person in hiring,			
100.6	termination,	or any term or conditi	on of employr	nent, or otherwise pen	alize a person, if the			
100.7	discrimination	on is based on:						
100.8	(1) the po	erson's status as a patio	ent enrolled in	the registry program;	or			
100.9	<u>(2)</u> a pati	ent's positive drug tes	t for cannabis	components or metabo	olites, unless the			
100.10	patient used,	, possessed, sold, trans	sported, or was	s impaired by medical	cannabis flower or			
100.11	a medical ca	nnabinoid product on v	work premises	, during working hours	s, or while operating			
100.12	an employer	's machinery, vehicle,	or equipment.					
100.13	(b) An er	nployee who is a patier	nt and whose e	mployer requires the e	mployee to undergo			
100.14	drug testing according to section 181.953 may present the employee's registry verification							
100.15	as part of the	e employee's explanati	ion under secti	on 181.953, subdivisi	on 6.			
100.16	Subd. 6.	Custody; visitation; j	parenting tim	e. A person must not b	be denied custody of			
100.17	a minor chile	d or visitation rights of	r parenting tin	ne with a minor child b	based solely on the			
100.18	person's stat	us as a patient enrolled	l in the registr	y program. There mus	t be no presumption			
100.19	of neglect or	child endangerment f	for conduct all	owed under sections 3	42.42 to 342.56,			
100.20	unless the pe	erson's behavior create	es an unreason	able danger to the safe	ty of the minor as			
100.21	established b	by clear and convincin	g evidence.					
100.22	Subd. 7.	Action for damages.	In addition to a	ny other remedy provi	ded by law, a patient			
100.23	may bring a	n action for damages a	igainst any per	son who violates subd	livision 3, 4, or 5. A			
100.24	person who	violates subdivision 3,	, 4, or 5 is liab	le to a patient injured	by the violation for			
100.25	the greater o	f the person's actual da	images or a civ	il penalty of \$100 and	reasonable attorney			
100.26	fees.							
100.27	<b>EFFEC</b>	<b>FIVE DATE.</b> This sec	ction is effective	ve January 1, 2024.				
100.28	Sec. 52. <b>[3</b> 4	42.54] VIOLATION I	BY HEALTH	CARE PRACTITIO	NER; CRIMINAL			
100.29	PENALTY.	-						

100.30 <u>A health care practitioner who knowingly refers patients to a medical cannabis business</u>

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 sentenced to imprisonment for not more than 90 days or to payment of not more							
101.2	than \$1,000, or	both.						
101.3	<b>EFFECTIVE DATE.</b> This section is effective January 1, 2024.							
101.4	Sec. 53. [342.55] DATA PRACTICES.							
101.5	Subdivision	1. Data classifica	ation. Patient h	ealth records maintain	ed by the Office of			
101.6	Cannabis Manag	gement or the Div	ision of Medica	l Cannabis and govern	iment data in patient			
101.7	health records m	naintained by a he	ealth care practi	tioner are classified as	s private data on			
101.8	individuals, as d	efined in section	13.02, subdivis	ion 12, or nonpublic o	lata, as defined in			
101.9	section 13.02, su	ubdivision 9.						
101.10	Subd. 2. Alle	owable use; proh	<b>ibited use.</b> Dat	ta specified in subdivi	sion 1 may be used			
101.11	to comply with o	chapter 13, to com	ply with a requ	est from the legislative	e auditor or the state			
101.12	auditor in the performance of official duties, and for purposes specified in sections 342.42							
101.13	to 342.56. Data specified in subdivision 1 and maintained by the Office of Cannabis							
101.14	Management or Division of Medical Cannabis must not be used for any purpose not specified							
101.15	in sections 342.4	42 to 342.56 and	must not be con	nbined or linked in an	y manner with any			
101.16	other list, datase	t, or database. Da	ta specified in	subdivision 1 must no	t be shared with any			
101.17	federal agency,	federal departmer	nt, or federal en	tity unless specifically	ordered to do so by			
101.18	a state or federa	l court.						
101.19	<b>EFFECTIV</b>	<u>E DATE.</u> This se	ection is effective	ve January 1, 2024.				
101.20	Sec. 54. <b>[342.</b>	56] CLINICAL 7	<u>FRIALS.</u>					
101.21	The Division	of Medical Cann	abis may condu	ct, or award grants to h	nealth care providers			
101.22	or research orga	nizations to cond	uct, clinical tria	ls on the safety and et	fficacy of using			
101.23	medical cannabi	s flower or medica	al cannabinoid p	products to treat a speci	fic health condition.			
101.24	A health care pr	ovider or research	n organization 1	receiving a grant under	r this section must			
101.25	provide the offic	e with access to al	ll data collected	in a clinical trial funde	d under this section.			
101.26	The office may	use data from clir	nical trials cond	ucted or funded under	this section as			
101.27	evidence to appr	ove additional qu	alifying medica	l conditions or additio	nal allowable forms			
101.28	of medical cann	abis.						
101.29	<b>EFFECTIV</b>	<u>E DATE.</u> This se	ection is effective	ve 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 103.10 endorsement to import products, cannabis microbusiness, or medical cannabis business 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 cannabinoids, applied or added to the batch of cannabis flower, cannabinoid products, 103.13 artificially derived cannabinoids, or hemp-derived consumer products subject to testing. 103.14 Disclosure must be made to the cannabis testing facility and must include information about 103.15 all applications by any person, whether intentional or accidental. 103.16 103.17 (c) The cannabis testing facility shall select one or more representative samples from each batch, test the samples for the presence of contaminants, and test the samples for 103.18 potency and homogeneity and to allow the cannabis flower, cannabinoid product, artificially 103.19

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.

103.28Subd. 5. Test results. (a) If a sample meets the applicable testing standards, a cannabis103.29testing facility shall issue a certification to a cannabis cultivator, cannabis manufacturer,103.30cannabis wholesaler with an endorsement to import products, cannabis microbusiness, or103.31medical cannabis business, and the cannabis cultivator, cannabis manufacturer, cannabis103.32wholesaler with an endorsement to import products, cannabis manufacturer, cannabis

103.33 cannabis business may then sell or transfer the batch of cannabis flower, cannabinoid

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
- <sup>104.3</sup> <u>a substance identified pursuant to subdivision 4, paragraph (b), the batch from which the</u>
- 104.4 sample was taken shall be subject to procedures established by the office for such batches,
- 104.5 including destruction, remediation, or retesting. A cannabis cultivator, cannabis manufacturer,
- 104.6 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:
- 104.25 (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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105.1	(ii) contains	(ii) contains nonintoxicating cannabinoids;							
105.2	(iii) does not contain more than a combined total of 0.25 milligrams of intoxicating								
105.3	cannabinoids; an	nd							
105.4	(iv) does not	contain an artific	ially derived car	nabinoid.					
105.5	(c) If a canna	binoid product or a	hemp-derived a	consumer product is p	ackaged in a manner				
105.6	that includes more	re than a single ser	ving, each servin	g must be indicated b	y scoring, wrapping,				
105.7	or other indicate	ors designating the	individual serv	ing size. If the item	is a lower potency				
105.8	edible product, a	any indicator other	r than individua	l wrapping that desig	gnates the individual				
105.9	serving size mus	st appear on the ed	lible cannabinoi	d product.					
105.10	(d) An edible	e cannabinoid prod	duct containing	more than a single so	erving must be				
105.11	prepackaged or p	placed at the final j	point of sale in p	ackaging or a contain	ner that is resealable.				
105.12	Subd. 3. Pac	kaging prohibitio	ons. (a) Cannab	is flower, cannabinoi	id products, or				
105.13	hemp-derived co	onsumer products	sold to custome	rs or patients must n	ot be packaged in a				
105.14	manner that:								
105.15	(1) bears a re	asonable resembla	ance to any com	mercially available p	product that does not				
105.16	contain cannabir	noids, whether the	manufacturer of	f the product holds a 1	registered trademark				
105.17	or has registered	I the trade dress; o	<u>r</u>						
105.18	(2) is designed	ed to appeal to per	sons under 21 y	vears of age.					
105.19	<u>(b)</u> Packagin	g for cannabis flo	wer, cannabinoi	d products, and hem	p-derived consumer				
105.20	products must ne	ot contain or be co	pated with any p	erfluoroalkyl substa	nce.				
105.21	(c) Edible ca	nnabinoid product	ts must not be pa	ckaged in a material	that is not approved				
105.22	by the United St	ates Food and Dru	ug Administratio	on for use in packagi	ng food.				
105.23	Sec. 57. <b>[342.(</b>	64] LABELING.							
105.24	Subdivision	1. General. All ca	annabis flower, o	cannabinoid products	s, and hemp-derived				
105.25	consumer produ	cts sold to custom	ers or patients n	nust be labeled as req	uired by this section				
105.26	and rules adopte	ed under this chapt	ter.						
105.27	Subd. 2. Cor	ntent of label; car	nabis. All cann	abis flower and hem	p-derived consumer				
105.28	products that con	nsist of hemp plar	nt parts sold to c	ustomers or patients	must have affixed				
105.29	on the packaging	g or container of t	he cannabis flow	ver or hemp-derived	consumer product a				
105.30	label that contain	ns at least the follo	owing informati	on:					

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106.1	(1) the r	name and license num	per of the canna	abis cultivator, cannabi	s microbusiness,		
106.2	(1) the name and license number of the cannabis cultivator, cannabis microbusiness, medical cannabis cultivator, or industrial hemp grower where the cannabis flower or hemp						
106.3	plant part was cultivated;						
106.4	(2) the n	et weight or volume o	of cannabis flov	ver or hemp plant parts	in the package or		
106.5	container;						
106.6	(3) the b	batch number;					
106.7	(4) the c	annabinoid profile;					
106.8	<u>(5)</u> a uni	versal symbol establis	hed by the officient	ce indicating that the pa	ackage or container		
106.9	contains cannabis flower, a cannabis product, or a hemp-derived consumer product;						
106.10	<u>(6) verif</u>	ication that the cannal	ois flower or he	emp plant part was teste	ed according to		
106.11	section 342	.60 and that the cannab	ois flower or her	mp plant part complies	with the applicable		
106.12	standards;						
106.13	(7) the n	naximum dose, quanti	ty, or consumpt	ion that may be conside	ered medically safe		
106.14	within a 24-	-hour period;					
106.15	<u>(8) the f</u>	ollowing statement: "I	Keep this produ	ict out of reach of child	lren."; and		
106.16	<u>(9)</u> any o	other statements or inf	formation requi	red by the office.			
106.17	<u>Subd. 3.</u>	Content of label; ca	nnabinoid pro	<b>ducts.</b> (a) All cannabir	noid products and		
106.18	hemp-deriv	ed consumer products	other than pro	ducts subject to the req	uirements under		
106.19	subdivision	2 and hemp-derived t	opical products	s sold to customers or p	patients must have		
106.20	affixed to the	ne packaging or contai	ner of the cann	abis product a label that	at contains at least		
106.21	the following	ng information:					
106.22	(1) the n	name and license num	per of the canna	bis cultivator, cannabi	s microbusiness,		
106.23	medical car	mabis cultivator, or in	dustrial hemp g	grower that cultivated the	ne cannabis flower		
106.24	or hemp pla	int parts used in the ca	nnabinoid proc	luct;			
106.25				bis manufacturer, canna			
106.26				the cannabis concentra			
106.27				nd license number of th			
106.28			ness, or medica	al cannabis business that	it manufactured the		
106.29	<u>cannabinoic</u>	<u>i product;</u>					
106.30	<u>(3) the n</u>	et weight or volume o	of the cannabing	oid product or hemp-de	erived consumer		
106.31	product in t	he package or contain	er;				
106.32	(4) the t	ype of cannabinoid pr	oduct or hemp-	derived consumer prod	luct;		

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107.1	(5) the bate	h number <u>;</u>							
107.2	(6) the serving size;								
107.3	(7) the cannabinoid profile per serving and in total;								
107.4	(8) a list of ingredients;								
107.5	(9) a universal symbol established by the office indicating that the package or container								
107.6	contains cannabis flower, a cannabis product, or a hemp-derived consumer product;								
107.7	(10) verification that the cannabinoid product or hemp-derived consumer product was								
107.8	tested according to section 342.60 and that the cannabinoid product or hemp-derived								
107.9	consumer product complies with the applicable standards;								
107.10	(11) the maximum dose, quantity, or consumption that may be considered medically								
107.11	safe within a 24-hour period;								
107.12	(12) the following statement: "Keep this product out of reach of children."; and								
107.13	(13) any other statements or information required by the office.								
107.14	(b) The office may by rule establish alternative labeling requirements for lower potency								
107.15	edible products that are imported into the state provided that those requirements provide								
107.16	consumers with information that is substantially similar to the information described in								
107.17	paragraph (a).								
107.18	Subd. 4. Ac	Iditional content of	f label; medica	al cannabis flower a	nd medical				
107.19	<u>cannabinoid p</u>	cannabinoid products. In addition to the applicable requirements for labeling under							
107.20	subdivision 2 c	subdivision 2 or 3, all medical cannabis flower and medical cannabinoid products must							
107.21	include at least the following information on the label affixed to the packaging or container								
107.22	of the medical cannabis flower or medical cannabinoid product:								
107.23	(1) the patient's name and date of birth;								
107.24	(2) the name	e and date of birth o	of the patient's r	egistered designated	caregiver or, if listed				
107.25	on the registry verification, the name of the patient's parent, legal guardian, or spouse, if								
107.26	applicable; and								
107.27	(3) the patie	ent's registry identif	fication number	-					
107.28	Subd. 5. Content of label; hemp-derived topical products. (a) All hemp-derived topical								
107.29	products sold to	o customers must h	ave affixed to t	he packaging or cont	ainer of the product				
107.30	a label that contains at least the following information:								
107.31	<u>(1) the man</u>	ufacturer name, loc	eation, phone n	umber, and website;					

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108.1	(2) the name and address of the independent, accredited laboratory used by the							
108.2	manufacturer to test the product;							
108.3	(3) the net weight or volume of the product in the package or container;							
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 serving and in total;							
108.7	(6) a list of ingredients;							
108.8	(7) a statement that the product does not claim to diagnose, treat, cure, or prevent any							
108.9	disease and that the product has not been evaluated or approved by the United States Food							
108.10	and Drug Administration, unless the product has been so approved; and							
108.11	(8) any other statements or information required by the office.							
108.12	(b) The information required in paragraph (a), clauses (1), (2), and (5), may be provided							
108.13	through the use of a scannable barcode or matrix 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 the	nis subdivision.						
108.16	Subd. 6. Additional information. A cannabis retailer, cannabis microbusiness, or							
108.17	medical canna	medical cannabis retailer must provide customers and patients with the following information						
108.18	by including the information on the label affixed to the packaging or container of cannabis							
108.19	flower, a canr	nabinoid product, or a h	emp-derived	l consumer product; l	by posting the			
108.20	information in the premises of the cannabis retailer, cannabis microbusiness, or medical							
108.21	cannabis retailer; by providing the information on a separate document or pamphlet provided							
108.22	to customers or patients when the customer purchases cannabis flower, a cannabinoid							
108.23	product, or a hemp-derived consumer product:							
108.24	(1) factual	information about imp	airment effec	ets and the expected the	iming of impairment			
108.25	effects, side effects, adverse effects, and health risks of cannabis flower, cannabinoid							
108.26	products, and hemp-derived consumer products;							
108.27	(2) a state:	ment that customers and	d patients m	ust not operate a mot	or vehicle or heavy			
108.28	machinery wh	machinery while under the influence of cannabis flower or a cannabinoid product;						
108.29	(3) resources customers and patients may consult to answer questions about cannabis							
108.30	flower, canna	flower, cannabinoid products, hemp-derived consumer products, and any side effects and						
108.31	adverse effects;							

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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;
- 109.4 (5) substance abuse disorder treatment options; and
- 109.5 (6) any other information specified by the office.
- 109.6 All labels affixed to the packaging of cannabis flower, cannabinoid products, and
- 109.7 hemp-derived consumer products sold to customers or patients must include the following
- 109.8 warning: "Cannabis can harm your health, and your baby's health if you are pregnant."
- 109.9 Sec. 58. [342.66] ADVERTISEMENT.

109.10 Subdivision 1. Limitations applicable to all advertisements. No cannabis business or

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

109.12 cannabis business, a cannabinoid product, or a hemp-derived consumer product in a manner

109.13 <u>that:</u>

109.14 (1) contains false or misleading statements;

- 109.15 (2) contains unverified claims about the health or therapeutic benefits or effects of
- 109.16 consuming cannabis or a cannabis product;

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

- 109.18 <u>hemp-derived consumer products;</u>
- 109.19 (4) depicts a person under 21 years of age consuming cannabis flower, cannabinoid
- 109.20 products, or hemp-derived consumer products;
- 109.21 (5) includes an image designed or likely to appeal to individuals under 21 years of age,
- 109.22 including cartoons, toys, animals, or children, or any other likeness to images, characters,
- 109.23 or phrases that is designed to be appealing to individuals under 21 years of age or encourage
- 109.24 consumption by individuals under 21 years of age; or
- 109.25 (6) does not contain a warning as specified by the office regarding impairment and health
- 109.26 risks, including driving while impaired, side effects, adverse reactions, and pregnancy
- 109.27 complications.
- 109.28 Subd. 2. Outdoor advertisements; cannabis business signs. (a) A cannabis business
- 109.29 may erect or utilize an outdoor advertisement of cannabis flower, a cannabis business, a
- 109.30 cannabinoid product, or a hemp-derived consumer product.

.1	(b) A cannabis business may erect up to two fixed outdoor signs on the exterior of the
	building or property of the cannabis business. A fixed outdoor sign:
	(1) may contain the name of the cannabis business and the address and nature of the
•	cannabis business; and
	(2) shall not include a logo or an image of any kind.
	(c) All outdoor advertisements on land adjacent to an interstate or trunk highway must
	comply with the requirements of chapter 173.
	Subd. 3. Audience under 21 years of age. Except as provided in subdivision 2, a
	cannabis business or other person shall not publish or cause to be published an advertisement
f	For cannabis flower, a cannabis business, a cannabinoid product, or a hemp-derived consumer
]	product in any print publication or on radio, television, or any other medium if 30 percent
•	or more of the audience of that medium is reasonably expected to be individuals who are
	under 21 years of age, as determined by reliable, current audience composition data.
	Subd. 4. Certain unsolicited advertising. A cannabis business or another person shall
	not utilize unsolicited pop-up advertisements on the internet to advertise cannabis flower,
	a cannabis business, a cannabinoid product, or a hemp-derived consumer product.
	Subd. 5. Advertising using direct, individualized communication or dialogue. Before
ł	a cannabis business or another person may advertise cannabis flower, a cannabis business,
ć	a cannabinoid product, or a hemp-derived consumer product through direct, individualized
<u>(</u>	communication or dialogue controlled by the cannabis business or other person, the cannabis
ł	business or other person must use a method of age affirmation to verify that the recipient
<u>C</u>	of the direct, individualized communication or dialogue is 21 years of age or older. For
ľ	purposes of this subdivision, the method of age affirmation may include user confirmation,
<u>t</u>	birth date disclosure, or another similar registration method.
	Subd. 6. Advertising using location-based devices. A cannabis business or another
	person shall not advertise cannabis flower, a cannabis business, a cannabinoid product, or
	a hemp-derived consumer product with advertising directed toward location-based devices,
	including but not limited to cellular telephones, unless:
	(1) the advertising occurs via a mobile device application that is installed on the device
	by the device's owner and includes a permanent and easy to implement opt-out feature; and
	(2) the owner of the device is 21 years of age or older.

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111.1	<u>Subd. 7.</u> Adv	vertising restriction	ons for health	care practitioners und	er the medical
111.2	<u>cannabis progr</u>	<b>am.</b> (a) A health c	are practitione	r shall not publish or cau	se to be published
111.3	an advertisemer	it that:			
111.4	(1) contains	false or misleading	g statements al	bout the registry program	<u>1;</u>
111.5	(2) uses colle	oquial terms to ref	er to medical of	cannabis flower or medic	al cannabinoid
111.6	products, such a	s pot, weed, or gra	ass;		
111.7	(3) states or i	mplies that the hea	lth care practit	ioner is endorsed by the o	ffice, the Division
111.8	of Medical Can	nabis, or the regist	ry program;		
111.9	(4) includes	images of cannabi	s flower, hemp	o plant parts, or images o	of paraphernalia
111.10	commonly used	to smoke cannabi	s flower;		
111.11	(5) contains	medical symbols t	hat could rease	onably be confused with	symbols of
111.12	established med	ical associations o	r groups; or		
111.13	<u>(6)</u> does not o	contain a warning a	as specified by	the office regarding impa	urment and health
111.14	risks, including	driving while imp	aired, side effe	ects, adverse reactions, and	nd pregnancy
111.15	complications.				
111.16	(b) A health	care practitioner f	ound by the of	fice to have violated this	subdivision is
111.17	prohibited from	certifying that pat	ients have a qu	ualifying medical condition	on for purposes
111.18	of patient partic	ipation in the regis	stry program. A	A decision by the office t	that a health care
111.19	practitioner has	violated this subdiv	vision is a final	decision and is not subje	ct to the contested
111.20	case procedures	in chapter 14.			
111.21	Sec. 59. [342.	68] INDUSTRIAI	L HEMP.		
111.22	Nothing in the second s	nis chapter shall lin	mit the ability	of a person licensed und	er chapter 18K to
111.00	anarri in dreatuial	hamme for a more and			- 4

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

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

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

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

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

### 111.28 Sec. 60. [342.69] HEMP-DERIVED TOPICAL PRODUCTS.

111.29 <u>Subdivision 1. Scope. This section applies to the manufacture, marketing, distribution,</u>
111.30 and sale of hemp-derived topical products.

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112.1	Subd. 2. Approved cannabinoids. (a) Products manufactured, marketed, distributed,
112.2	and sold under this section may contain cannabidiol or cannabigerol. Except as provided
112.3	in paragraph (c), products may not contain any other cannabinoid unless approved by the
112.4	office.
112.5	(b) The office may approve any cannabinoid, other than any tetrahydrocannabinol, and
112.6	authorize its use in manufacturing, marketing, distribution, and sales under this section if
112.7	the office determines that the cannabinoid is a nonintoxicating cannabinoid.
112.8	(c) A product manufactured, marketed, distributed, and sold under this section may
112.9	contain cannabinoids other than cannabidiol, cannabigerol, or any other cannabinoid approved
112.10	by the office provided that the cannabinoids are naturally occurring in hemp plants or hemp
112.11	plant parts and the total of all other cannabinoids present in a product does not exceed one
112.12	milligram per package.
112.13	Subd. 3. Approved products. Products sold to consumers under this section may only
112.14	be manufactured, marketed, distributed, intended, or generally expected to be used by
112.15	applying the product externally to a part of the body of a human or animal.
112.16	Subd. 4. Prohibitions. (a) A product sold to consumers under this section must not be
112.17	manufactured, marketed, distributed, or intended:
112.18	(1) for external or internal use in the diagnosis, cure, mitigation, treatment, or prevention
112.19	of disease in humans or other animals;
112.20	(2) to affect the structure or any function of the bodies of humans or other animals;
112.21	(3) to be consumed by combustion or vaporization of the product and inhalation of
112.22	smoke, aerosol, or vapor from the product;
112.23	(4) to be consumed through chewing; or
112.24	(5) to be consumed through injection or application to a mucous membrane or nonintact
112.25	<u>skin.</u>
112.26	(b) A product manufactured, marketed, distributed, or sold to consumers under this
112.27	section must not:
112.28	(1) consist, in whole or in part, of any filthy, putrid, or decomposed substance;
112.29	(2) have been produced, prepared, packed, or held under unsanitary conditions where
112.30	the product may have been rendered injurious to health, or where the product may have
112.31	been contaminated with filth;

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112.1	(2) has	antraged in a container	that is some	ad in whole or in part	of any poisonous
113.1 113.2		backaged in a container ous substance that may			
113.2					
113.3	<u> </u>	tain any additives or ex	-		
113.4	and Drug A	Administration to be un	safe for huma	n or animal consumption	<u>on;</u>
113.5	<u>(5) con</u>	tain a cannabinoid or a	n amount or pe	ercentage of cannabino	ids that is different
113.6	than the in	formation stated on the	label;		
113.7	<u>(6) con</u>	tain a cannabinoid, oth	er than cannab	idiol, cannabigerol, or	a cannabinoid
113.8	approved b	by the office, in an amo	unt that exceed	ds the standard establis	hed in subdivision
113.9	2, paragrap	oh (c); or			
113.10	<u>(</u> 7) con	tain any contaminants f	for which testin	ng is required by the of	fice in amounts that
113.11	exceed the	acceptable minimum s	tandards estab	lished by the office.	
113.12	<u>(c) No</u>	product containing any	cannabinoid n	nay be sold to any indiv	vidual who is under
113.13	21 years of	f age.			
113.14	Subd. 5	5. Enforcement. The of	fice may enfor	ce this section under the	relevant provisions
113.15	of section	342.18.			
112.16	Sec. (1		ISTANCE TO	A CANINA DIG DUGINI	FARES
113.16	Sec. 01.	[342.70] LEGAL ASS	ISTANCE IC	CANNADIS DUSIN	<u>LSSLS.</u>
113.17	An atto	orney must not be subject	et to disciplination	ry action by the Minnes	sota Supreme Court
113.18	or professi	onal responsibility boar	d for providing	g legal assistance to pro	spective or licensed
113.19	<u>cannabis b</u>	usinesses or others for	activities that o	do not violate this chap	ter or chapter 152.
113.20	Sec 67	[342.71] CANNABIS ]	INDUSTRV (	COMMUNITY PENE	WAL CRANTS
115.20	Sec. 02.				WAL GRAITIS.
113.21	Subdiv	ision 1. Establishment	The Office of	f Cannabis Managemen	nt shall establish
113.22	CanRenew	y, a program to award g	rants to eligibl	e organizations for invo	estments in
113.23	<u>communiti</u>	ies where long-term res	idents are elig	ible to be social equity	applicants.
113.24	Subd. 2	2. Definitions. (a) For t	he purposes of	this section, the follow	ving terms have the
113.25	meanings g	given.			
113.26	<u>(b)</u> "Co	ommunity investment"	means a projec	t or program designed	to improve
113.27	community	y-wide outcomes or exp	periences and r	may include efforts targ	eting economic
113.28	developme	ent, violence preventior	, youth develo	pment, or civil legal ai	d, among others.
113.29	<u>(c) "Eli</u>	gible community" mea	ns a communit	y where long-term resi	dents are eligible to
113.30	be social e	quity applicants.			

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(d) "Eligible organization" means any organization able to make an investment in a 114.1 community where long-term residents are eligible to be social equity applicants and may 114.2 include educational institutions, nonprofit organizations, private businesses, community 114.3 groups, units of local government, or partnerships between different types of organizations. 114.4 114.5 (e) "Program" means the CanRenew grant program. (f) "Social equity applicant" means a person who meets the qualification requirements 114.6 in section 342.16. 114.7 114.8 Subd. 3. Grants to organizations. (a) The office must award grants to eligible organizations through a competitive grant process. 114.9 (b) To receive grant money, an eligible organization must submit a written application 114.10

114.11 to the office, using a form developed by the office, explaining the community investment

114.12 the organization wants to make in an eligible community.

114.13 (c) An eligible organization's grant application must also include:

114.14 (1) an analysis of the community's need for the proposed investment;

- 114.15 (2) a description of the positive impact that the proposed investment is expected to
- 114.16 generate for that community;

114.17 (3) any evidence of the organization's ability to successfully achieve that positive impact;

114.18 (4) any evidence of the organization's past success in making similar community

114.19 investments;

114.20 (5) an estimate of the cost of the proposed investment;

114.21 (6) the sources and amounts of any nonstate funds or in-kind contributions that will

114.22 supplement grant money; and

114.23 (7) any additional information requested by the office.

114.24 (d) In awarding grants under this subdivision, the office shall give weight to applications

- 114.25 from organizations that demonstrate a history of successful community investments,
- 114.26 particularly in geographic areas that are now eligible communities. The office shall also
- 114.27 give weight to applications where there is demonstrated community support for the proposed
- 114.28 investment. The office shall fund investments in eligible communities throughout the state.

114.29 Subd. 4. Program outreach. The office shall make extensive efforts to publicize these

- 114.30 grants, including through partnerships with community organizations, particularly those
- 114.31 located in eligible communities.

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115.1	Subd. 5. R	Reports to the legislat	t <b>ure.</b> By Janua	ry 15, 2024, and each.	January 15 thereafter,
115.2	the office mus	st submit a report to th	e chairs and ra	nking minority memb	ers of the committees
115.3	of the house of	of representatives and	l the senate ha	ving jurisdiction over	r community
115.4	development	that details awards gi	ven through th	ne CanRenew program	n and the use of grant
115.5	money, includ	ling any measures of	successful co	mmunity impact from	n the grants.
115.6	Sec. 63. [342	2.72] SUBSTANCE (	JSE DISORD	ER TREATMENT A	ND PREVENTION
115.7	GRANTS.				
115.8	Subdivisio	on 1. Account establi	shed; approp	riation. A substance u	ise disorder treatment
115.9	and preventio	n grant account is cre	eated in the sp	ecial revenue fund. M	Ioney in the account,
115.10	including inte	erest earned, is approj	priated to the	office for the purpose	s specified in this
115.11	section.				
115.12	<u>Subd. 2.</u> A	cceptance of gifts an	<b>id grants.</b> Not	withstanding sections	16A.013 to 16A.016,
115.13	the office may	y accept money contr	ributed by ind	ividuals and may appl	ly for grants from
115.14	charitable fou	indations to be used f	for the purpose	es identified in this se	ction. The money
115.15	accepted under	er this section must b	e deposited in	the substance use dis	sorder treatment and
115.16	prevention gr	ant account created u	nder subdivis	ion 1.	
115.17	<u>Subd. 3.</u> D	bisposition of money;	grants. (a) M	oney in the substance u	use disorder treatment
115.18	and preventio	on grant account must	t be distributed	d as follows:	
115.19	<u>(1)</u> 75 perc	cent of the money is f	or grants for s	ubstance use disorder	treatment, as defined
115.20	in section 245	G.01, subdivision 24	I, and may be	used for substance us	e disorder treatment
115.21	provider rate	increases and program	ms to provide	education and trainin	g to providers of
115.22	substance use	disorder treatment o	n the signs of	substance use disorde	er and effective
115.23	treatments for	substance use disord	der. The office	shall consult with the	e commissioner of
115.24	human service	es to determine appro	priate provide	r rate increases or mod	lifications to existing
115.25	payment meth	10dologies;			
115.26	<u>(2) 20 per</u>	cent of the money is	for grants for	substance use disorde	r prevention; and
115.27	(3) five pe	creent of the money is	s for grants to	educate pregnant wor	men, breastfeeding
115.28	women, and w	women who may beca	ome pregnant	on the adverse health	effects of substance
115.29	use.				
115.30	<u>(b)</u> The of	fice shall consult with	n the commiss	ioner of human servic	es, the commissioner
115.31	of health, and	the Substance Use I	Disorder Advis	sory Council to develo	op an appropriate
115.32	application pr	ocess, establish grant	requirements	, determine what orga	nizations are eligible
115.33	to receive gra	nts, and establish rep	orting require	ments for grant recipi	ients.

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Subd. 4. Reports to the legislature. By January 15, 2024, and each January 15 thereafter, 116.1 the office must submit a report to the chairs and ranking minority members of the committees 116.2 116.3 of the house of representatives and the senate having jurisdiction over health and human services policy and finance that details grants awarded from the substance use disorder 116.4 treatment and prevention grant account, including the total amount awarded, total number 116.5 of recipients, and geographic distribution of those recipients. 116.6 Sec. 64. [342.73] CANNABIS GROWER GRANTS. 116.7 Subdivision 1. Establishment. The office, in consultation with the commissioner of 116.8 116.9 agriculture, shall establish CanGrow, a program to award grants to (1) eligible organizations to help farmers navigate the regulatory structure of the legal cannabis industry, and (2) 116.10 nonprofit corporations to fund loans to farmers for expansion into the legal cannabis industry. 116.11 Subd. 2. Definitions. (a) For the purposes of this section, the following terms have the 116.12 meanings given. 116.13 (b) "Eligible organization" means any organization capable of helping farmers navigate 116.14 the regulatory structure of the legal cannabis industry, particularly individuals facing barriers 116.15 116.16 to education or employment, and may include educational institutions, nonprofit organizations, private businesses, community groups, units of local government, or 116.17 partnerships between different types of organizations. 116.18 116.19 (c) "Industry" means the legal cannabis industry in the state of Minnesota. (d) "Program" means the CanGrow grant program. 116.20 (e) "Social equity applicant" means a person who meets the qualification requirements 116.21 116.22 in section 342.16. Subd. 3. Technical assistance grants. (a) Grant money awarded to eligible organizations 116.23 116.24 may be used for both developing technical assistance resources relevant to the regulatory structure of the legal cannabis industry and for providing such technical assistance or 116.25 navigation services to farmers. 116.26 (b) The office must award grants to eligible organizations through a competitive grant 116.27 process. 116.28 (c) To receive grant money, an eligible organization must submit a written application 116.29 to the office, using a form developed by the office, explaining the organization's ability to 116.30 116.31 assist farmers in navigating the regulatory structure of the legal cannabis industry, particularly 116.32 farmers facing barriers to education or employment.

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117.1	<u>(d)</u> An e	ligible organization's g	grant applicatio	n must also include:		
117.2	(1) a des	cription of the propos	ed technical ass	sistance or navigation s	services, including	
117.3	the types of farmers targeted for assistance;					
117.4	<u>(2)</u> any e	vidence of the organiz	zation's past su	ccess in providing tech	nical assistance or	
117.5	navigation s	ervices to farmers, par	rticularly farme	ers who live in areas w	here long-term	
117.6	residents are	e eligible to be social e	equity applican	<u>ts;</u>		
117.7	<u>(3)</u> an es	timate of the cost of p	roviding the te	chnical assistance;		
117.8	(4) the so	ources and amounts of	f any nonstate f	unds or in-kind contrib	outions that will	
117.9	supplement	grant money, includin	g any amounts	that farmers will be ch	larged to receive	
117.10	assistance; a	und				
117.11	<u>(5)</u> any a	dditional information	requested by tl	ne office.		
117.12	(e) In aw	arding grants under th	is subdivision,	the office shall give we	ight to applications	
117.13	from organiz	zations that demonstrat	e a history of su	ccessful technical assis	stance or navigation	
117.14	services, par	rticularly for farmers f	facing barriers	o education or employ	ment. The office	
117.15	shall also gi	ve weight to application	ons where the p	proposed technical assi	stance will serve	
117.16	areas where	long-term residents an	re eligible to be	social equity applican	ts. The office shall	
117.17	fund technic	cal assistance to farmer	rs throughout t	he state.		
117.18	<u>Subd. 4.</u>	Loan financing gran	ts. (a) The offic	e shall establish a revo	olving loan account	
117.19	to make loar	n financing grants und	er the CanGrov	v program.		
117.20	<u>(b)</u> The c	office must award grar	nts to nonprofit	corporations through a	a competitive grant	
117.21	process.					
117.22	<u>(c)</u> To re	ceive grant money, a r	nonprofit corpo	ration must submit a w	vritten application	
117.23	to the office	using a form develop	ed by the office	<u>.</u>		
117.24	<u>(d)</u> In aw	varding grants under th	nis subdivision	the office shall give w	eight to whether	
117.25	the nonprofi	it corporation:				
117.26	<u>(1) has a</u>	board of directors that	includes indivi	duals experienced in ag	gricultural business	
117.27	developmen	<u>t;</u>				
117.28	<u>(2) has t</u>	he technical skills to a	nalyze projects	2		
117.29	<u>(3) is far</u>	niliar with other availa	able public and	private funding source	es and economic	
117.30	developmen	t programs;				
117.31	<u>(4) can in</u>	nitiate and implement	economic deve	elopment projects;		

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118.1	<u>(5) can esta</u>	ablish and administ	er a revolving l	oan account; and	
118.2	(6) has esta	blished relationship	os with commun	ities where long-ter	rm residents are eligible
118.3	to be social eq	uity applicants.			
118.4	The office sha	ll make grants that	will help farme	rs enter the legal c	annabis industry
118.5	throughout the	state.			
118.6	(e) A nonp	rofit corporation th	at receives grar	nts under the progra	am must:
118.7	(1) establis	h an office-certified	l revolving loan	account for the pur	pose of making eligible
118.8	loans; and				
118.9	(2) enter in	to an agreement w	ith the office the	at the office shall f	und loans that the
118.10	nonprofit corp	oration makes to fa	rmers entering t	he legal cannabis in	ndustry. The office shall
118.11	review existing	g agreements with	nonprofit corpo	rations every five y	years and may renew or
118.12	terminate an ag	greement based on t	hat review. In m	aking this review, t	he office shall consider,
118.13	among other c	riteria, the criteria	in paragraph (d	<u>).</u>	
118.14	Subd. 5. L	oans to farmers. (a	a) The criteria i	n this subdivision a	apply to loans made by
118.15	nonprofit corp	orations under the	program.		
118.16	(b) A loan	must be used to su	pport a farmer i	n entering the lega	l cannabis industry.
118.17	Priority must b	be given to loans to	businesses own	ed by farmers who	are eligible to be social
118.18	equity applicat	nts and businesses	located in comr	nunities where long	g-term residents are
118.19	eligible to be s	ocial equity applic	ants.		
118.20	(c) Loans r	nust be made to bu	sinesses that are	e not likely to unde	ertake the project for
118.21	which loans ar	e sought without a	ssistance from t	he program.	
118.22	<u>(d) The min</u>	nimum state contri	bution to a loan	is \$2,500 and the	maximum is either:
118.23	<u>(1) \$50,000</u>	); or			
118.24	(2) \$150,00	00, if state contribu	tions are match	ed by an equal or g	greater amount of new
118.25	private investr	nent.			
118.26	<u>(e) Loan ap</u>	pplications given p	reliminary appro	oval by the nonpro	fit corporation must be
118.27	forwarded to the	ne office for approv	al. The office m	ust give final appro	oval for each loan made
118.28	by the nonprof	fit corporation unde	er the program.		
118.29	<u>(f) If the bo</u>	prrower has met len	der criteria, inc	luding being currer	nt with all payments for
118.30	a minimum of	three years, the offi	ce may approve	either full or partia	l forgiveness of interest
118.31	or principal an	nounts.			

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Subd. 6. Revolving loan account administration. (a) The office shall establish a 119.1 minimum interest rate for loans or guarantees to ensure that necessary loan administration 119.2 119.3 costs are covered. The interest rate charged by a nonprofit corporation for a loan under this section must not exceed the Wall Street Journal prime rate. For a loan under this section, 119.4 the nonprofit corporation may charge a loan origination fee equal to or less than one percent 119.5 of the loan value. The nonprofit corporation may retain the amount of the origination fee. 119.6 119.7 (b) Loan repayment of principal must be paid to the office for deposit in the revolving 119.8 loan account. Loan interest payments must be deposited in a revolving loan account created by the nonprofit corporation originating the loan being repaid for further distribution or use, 119.9 consistent with the criteria of this section. 119.10 119.11 (c) Administrative expenses of the nonprofit corporations with whom the office enters into agreements, including expenses incurred by a nonprofit corporation in providing 119.12 financial, technical, managerial, and marketing assistance to a business receiving a loan 119.13 under this section, are eligible program expenses that the office may agree to pay under the 119.14 119.15 grant agreement. Subd. 7. Program outreach. The office shall make extensive efforts to publicize these 119.16 grants, including through partnerships with community organizations, particularly those 119.17 located in areas where long-term residents are eligible to be social equity applicants. 119.18 119.19 Subd. 8. Reporting requirements. (a) A nonprofit corporation that receives a grant under subdivision 4 shall: 119.20 (1) submit an annual report to the office by January 15 of each year that the nonprofit 119.21 corporation participates in the program that includes a description of agricultural businesses 119.22 supported by the grant program, an account of loans made during the calendar year, the 119.23 program's impact on farmers' ability to expand into the legal cannabis industry, the source 119.24 and amount of money collected and distributed by the program, the program's assets and 119.25 liabilities, and an explanation of administrative expenses; and 119.26 119.27 (2) provide for an independent annual audit to be performed in accordance with generally accepted accounting practices and auditing standards and submit a copy of each annual 119.28 audit report to the office. 119.29 119.30 (b) By February 15, 2024, and each February 15 thereafter, the office must submit a report to the chairs and ranking minority members of the committees of the house of 119.31 representatives and the senate having jurisdiction over agriculture that details awards given 119.32 through the CanGrow program and the use of grant money, including any measures of 119.33 success toward helping farmers enter the legal cannabis industry. The report must include 119.34

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120.1	geographic info	ormation regarding the	e issuance of g	rants and loans und	er this section, the
120.2	repayment rate	of loans issued under	subdivision 5	, and a summary of	the amount of loans
120.3	forgiven.				
120.4	Sec. 65. [342	.79] SUBSTANCE U	SE DISORDI	ER ADVISORY CO	OUNCIL.
120.5	Subdivision	<u>1.</u> Establishment. T	he Substance V	Use Disorder Advis	ory Council is
120.6	established to c	evelop and implement	nt a comprehen	sive and effective s	tatewide approach
120.7	to substance us	e disorder prevention	and treatment	The council shall:	
120.8		priorities to address p	oublic educatio	n and substance use	disorder prevention
120.9	and treatment r	eeds;			
120.10	<u>(2) make re</u>	commendations to the	e legislature on	the amount of mon	ney to be allocated
120.11	for substance u	se disorder prevention	n and treatmen	t initiatives;	
120.12	(3) make red	commendations to the	commissioner	of human services of	on grant and funding
120.13	options for mon	ey appropriated from	the general fun	d to the commission	er of human services
120.14	for substance u	se disorder prevention	n and treatmen	<u>t;</u>	
120.15	(4) recomm	end to the commission	ner of human s	ervices specific prog	grams, projects, and
120.16	initiatives to be	funded; and			
120.17	(5) consult	with the commissione	ers of human se	ervices, health, and	management and
120.18	budget to develop	op measurable outcom	es to determine	e the effectiveness of	f programs, projects,
120.19	and initiatives	funded.			
120.20	<u>Subd. 2.</u> Me	embership. (a) The co	uncil shall cons	sist of the following	members, appointed
120.21	by the commiss	sioner of human servi	ces, except as	otherwise specified	<u>-</u>
120.22	<u>(1) two mer</u>	nbers of the house of	representatives	, one from the majo	rity party appointed
120.23	by the speaker	and one from the min	ority party app	pointed by the minor	rity leader of the
120.24	house of repres	entatives;			
120.25	<u>(2) two mer</u>	nbers of the senate, or	ne from the ma	ajority party appoint	ted by the senate
120.26	majority leader	and one from the min	nority party ap	pointed by the senat	te minority leader;
120.27	(3) the com	missioner of human s	ervices or a de	signee;	
120.28	(4) the direct	ctor of the Office of C	annabis Mana	gement or a designe	ee;
120.29	<u>(5) two men</u>	bers representing sub	ostance use disc	order treatment prog	rams licensed under
120.30	chapter 245G;				

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121.1	<u>(6) one publ</u>	ic member who is	a Minnesota res	sident and in recover	y from a substance
121.2	use disorder;				
121.3	(7) one publi	<u>c member who is a</u>	family member	of a person with a sul	bstance use disorder;
121.4	(8) one mem	iber who is a phys	ician with exper	rience in substance u	se disorders;
121.5	(9) one mem	ber who is a licens	ed psychologist	, licensed profession	al clinical counselor,
121.6	licensed marriag	ge and family ther	apist, or license	d social worker;	
121.7 121.8	<u> </u>	mber of each feder ne state of Minneso		Tribal Nation within	n the geographical
121.9	(11) one mer	ntal health advoca	te representing j	persons with mental	illness;
121.10	<u>(12) one me</u>	mber representing	county social so	ervices agencies;	
121.11	(13) one pat	ient advocate;			
121.12	(14) a repres	sentative from a co	ommunity that e	xperienced a disprop	ortionate, negative
121.13	impact from car	nabis prohibition;	<u>.</u>		
121.14	(15) one vet	eran; and			
121.15	<u>(16) one par</u>	ent of a medical ca	annabis patient	who is under age 21.	
121.16	(b) The com	missioner of huma	an services shall	coordinate appointn	nents to ensure the
121.17	geographic dive	rsity of council m	embers and shal	ll ensure that at least	one-third of council
121.18	members reside	outside of the sev	en-county metro	opolitan area.	
121.19	(c) The coun	cil is governed by	section 15.059,	except that members	s of the council shall
121.20	receive no com	pensation other that	in reimbursemen	nt for expenses. Notv	withstanding section
121.21	15.059, subdivis	sion 6, the council	shall not expire	<u>).</u>	
121.22	(d) The chai	r shall convene the	e council on a qu	uarterly basis and ma	ay convene other
121.23	meetings as nec	essary. The chair s	shall convene m	eetings at different lo	ocations in the state
121.24	to provide geog	raphic access to m	embers of the p	ublic.	
121.25	(e) The com	missioner of huma	n services shall	provide staff and add	ministrative services
121.26	for the advisory	council.			
121.27	(f) The coun	cil is subject to ch	apter 13D.		
121.28	<u>Subd. 3.</u> <b>Re</b>	<u>port and grants. (</u>	a) The commiss	sioner of human serv	ices shall submit a
121.29	report of the gra	ints and funding re	ecommended by	the advisory council	l to be awarded for
121.30	the upcoming fi	scal year to the ch	airs and ranking	g minority members of	of the legislative

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122.1	committees wit	h jurisdiction over	r health and hum	an services policy and	d finance by March
122.2	1 of each year, l	beginning March	1, 2024.		
122.3	(b) When av	varding grants, the	e commissioner	of human services sha	all consider the
122.4	programs, proje	ects, and initiative	s recommended	by the council that ad	dress the priorities
122.5	established by t	he council, unless	otherwise appro	opriated by the legisla	ture.

- 122.6 Sec. 66. [342.80] LAWFUL ACTIVITIES.
- 122.7 (a) Notwithstanding any law to the contrary, the cultivation, manufacturing, possessing,
- 122.8 and selling of cannabis flower, cannabinoid products, artificially derived cannabinoids, and
- 122.9 <u>hemp-derived consumer products by a licensed cannabis business in conformity with the</u>
- 122.10 rights granted by a cannabis business license is lawful and may not be the grounds for the
- 122.11 seizure or forfeiture of property, arrest or prosecution, or search or inspections except as
- 122.12 provided by this chapter.
- 122.13 (b) A person acting as an agent of a licensed cannabis retailer or licensed cannabis
- 122.14 microbusiness who sells or otherwise transfers cannabis flower, cannabinoid products, or
- 122.15 hemp-derived consumer products to a person under 21 years of age is not subject to arrest,
- 122.16 prosecution, or forfeiture of property if the person complied with section 342.27, subdivision
- 122.17 3, and any rules promulgated pursuant to this chapter.
- 122.18 Sec. 67. [342.81] CIVIL ACTIONS.
- 122.19 Subdivision 1. Right of action. A spouse, child, parent, guardian, employer, or other
- 122.20 person injured in person, property, or means of support or who incurs other pecuniary loss
- 122.21 by an intoxicated person or by the intoxication of another person, has a right of action in
- 122.22 the person's own name for all damages sustained against a person who caused the intoxication
- 122.23 of that person by illegally selling cannabis flower or cannabinoid products. All damages
- 122.24 recovered by a minor under this section must be paid either to the minor or to the minor's
- 122.25 parent, guardian, or next friend as the court directs.
- 122.26 Subd. 2. Actions. All suits for damages under this section must be by civil action in a
  122.27 court of this state having jurisdiction.
- Subd. 3. Comparative negligence. Actions under this section are governed by section
  604.01.
- 122.30 Subd. 4. Defense. It is a defense for the defendant to prove by a preponderance of the
- 122.31 evidence that the defendant reasonably and in good faith relied upon representations of
- 122.32 proof of age in selling, bartering, furnishing, or giving the cannabis or cannabis product.

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123.1	<u>Subd. 5.</u> Co	mmon law claims.	Nothing in this	chapter precludes con	nmon law tort claims
123.2	against any per	son 21 years old or	r older who kno	wingly provides or fu	ırnishes cannabis
123.3	flower or canna	abinoid products to	a person under	the age of 21 years.	
123.4	Sec. 68. <u>REP</u>	ORT; TRAFFIC	AND TRANSI	PORTATION ISSUE	<u>28.</u>
123.5	By January	31, 2024, the Offic	ce of Cannabis	Management must sul	bmit a report to the
123.6	chairs and rank	ing minority meml	bers of the legis	lative committees wit	th jurisdiction over
123.7	transportation p	policy and finance.	At a minimum,	the report must inclu	<u>ıde:</u>
123.8	(1) a descrij	otion of all rules ad	lopted that relat	e to traffic and transp	ortation laws and
123.9	cannabis transp	orter licensing and	l operations;		
123.10	<u>(2)</u> recomm	endations on chang	ges to statutes tl	nat would codify the r	rules; and
123.11	(3) recomm	endations on how t	to improve any	aspects of this act. Th	e recommendations
123.12	must be develop	ped in consultation	with the commis	sioner of transportatio	n, the commissioner
123.13	of public safety	y, the colonel of the	e State Patrol, an	nd the director of the	Office of Traffic
123.14	Safety in the D	epartment of Publi	c Safety.		
123.15	Sec. 69. <u>SUB</u>	STANCE USE DI	SORDER ADV	ISORY COUNCIL I	FIRST MEETING.
123.16	The commi	ssioner of human s	ervices shall co	nvene the first meetir	ng of the Substance
123.17	Use Disorder A	dvisory Council e	stablished unde	r Minnesota Statutes,	section 342.79, no
123.18	later than Octo	ber 1, 2023. The m	embers shall el	ect a chair at the first	meeting.
123.19	Sec. 70. <u>TRA</u>	ANSPORTER LIC	CENSE ESTAB	LISHMENT.	
123.20	When estab	lishing the process	for issuing tran	sporter licenses and t	he requirements for
123.21	obtaining a trar	nsporter license, the	e Office of Can	nabis Management m	ust consult with the
123.22	Commissioner	of Transportation a	about best pract	ices for issuing licens	ses.
123.23	Sec. 71. <u>EFF</u>	ECTIVE DATE.			
123.24	Except as o	therwise provided,	each section of	this article is effectiv	ve July 1, 2023.
123.25			ARTICLE	2 2	
123.26			TAXES		
123.27	Section 1. Mi	nnesota Statutes 20	022, section 273	3.13, subdivision 24, i	is amended to read:
123.28	Subd. 24. C	lass 3. Commercia	al and industrial	property and utility r	eal and personal
123.29	property is clas	os 3a.			

Article 2 Section 1.

(1) Except as otherwise provided, each parcel of commercial, industrial, or utility real 124.1 property has a classification rate of 1.5 percent of the first tier of market value, and 2.0 124.2 percent of the remaining market value. In the case of contiguous parcels of property owned 124.3 by the same person or entity, only the value equal to the first-tier value of the contiguous 124.4 parcels qualifies for the reduced classification rate, except that contiguous parcels owned 124.5 by the same person or entity shall be eligible for the first-tier value classification rate on 124.6 each separate business operated by the owner of the property, provided the business is 124.7 124.8 housed in a separate structure. For the purposes of this subdivision, the first tier means the first \$150,000 of market value. Real property owned in fee by a utility for transmission line 124.9 right-of-way shall be classified at the classification rate for the higher tier. 124.10

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.

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

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

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

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

124.34 "cannabis flower" has the meaning given in section 342.01, subdivision 16; "cannabinoid

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125.1	product" has	the meaning given in	section 342.01,	subdivision 12; and "le	ower potency edible
125.2	product" has	s the meaning given i	n section 342.02	l, subdivision 45.	
125.3	<b>EFFEC</b>	<b>FIVE DATE.</b> This se	ection is effectiv	e beginning with prop	perty taxes payable

in 2024 and thereafter.

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

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

125.7 "commercial-industrial tax capacity" means the tax capacity of all taxable property classified
125.8 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<sub>2</sub> (2), and (4);

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

125.13 (3) property described in section 473.625.

125.14 County commercial-industrial tax capacity amounts are not adjusted for the captured 125.15 net tax capacity of a tax increment financing district under section 469.177, subdivision 2, the net tax capacity of transmission lines deducted from a local government's total net tax 125.16 capacity under section 273.425, or fiscal disparities contribution and distribution net tax 125.17 capacities under chapter 276A or 473F. For purposes of this subdivision, the procedures 125.18 for determining eligibility for tier 1 under section 273.13, subdivision 24, clauses (1) and 125.19 (2), shall apply in determining the portion of a property eligible to be considered within the 125.20 first \$150,000 of market value. 125.21

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

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

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

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

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

125.28 file returns and remit taxes lawfully due in the form and manner prescribed by the

125.29 commissioner of revenue.

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

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126.1 Sec. 4. Minnesota Statutes 2022, section 290.0132, subdivision 29, is amended to read:

126.2 Subd. 29. Disallowed section 280E expenses; medical cannabis manufacturers

<u>licensees</u>. The amount of expenses of a medical cannabis manufacturer business, as defined
under section 152.22, subdivision 7 342.01, subdivision 48, related to the business of medical
cannabis under sections 152.21 to 152.37 342.42 to 342.56, or a license holder under chapter
342, related to the business of nonmedical cannabis under that chapter, and not allowed for
federal income tax purposes under section 280E of the Internal Revenue Code is a subtraction.

## 126.8 EFFECTIVE DATE. This section is effective for taxable years beginning after December 126.9 31, 2022.

126.10 Sec. 5. Minnesota Statutes 2022, section 290.0134, subdivision 19, is amended to read:

126.11 Subd. 19. Disallowed section 280E expenses; medical cannabis manufacturers

126.12 licensees. The amount of expenses of a medical cannabis manufacturer business, as defined

under section  $\frac{152.22}{\text{subdivision 7}}$   $\frac{342.01}{\text{subdivision 48}}$ , related to the business of medical

126.14 cannabis under sections  $\frac{152.21 \text{ to } 152.37}{342.42 \text{ to } 342.56}$ , or a license holder under chapter

126.15 <u>342</u>, related to the business of nonmedical cannabis under that chapter, and not allowed for

126.16 federal income tax purposes under section 280E of the Internal Revenue Code is a subtraction.

126.17 EFFECTIVE DATE. This section is effective for taxable years beginning after December
 126.18 31, 2022.

## 126.19 Sec. 6. [295.81] ADULT-USE CANNABIS FLOWER AND ADULT-USE 126.20 CANNABINOID PRODUCTS GROSS RECEIPTS TAX.

# 126.21 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have 126.22 the meanings given.

(b) "Adult-use cannabis flower" has the meaning given in section 342.01, subdivision
4.

## (c) "Adult-use cannabinoid product" has the meaning given in section 342.01, subdivision 2, and includes adult-use cannabis concentrate as defined in section 342.01, subdivision 3.

126.27 (d) "Adult-use cannabis solution product" means any cartridge, bottle, or other package

126.28 that contains adult-use cannabis flower or an adult-use cannabinoid product in a solution

- 126.29 that is consumed or meant to be consumed through the use of a heating element, power
- 126.30 source, electronic circuit, or other electronic, chemical, or mechanical means that produces
- 126.31 vapor or aerosol. An adult-use cannabis solution product includes any electronic adult-use
- 126.32 cannabis concentrate delivery system, electronic vaping device, electronic vape pen,

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electronic oral device, electronic delivery device, or similar product or device, and any 127.1 batteries, heating elements, or other components, parts, or accessories sold with and meant 127.2 to be used in the consumption of a solution containing adult-use cannabis or an adult-use 127.3 cannabis product. 127.4 (e) "Cannabis microbusiness" means a cannabis business licensed under section 342.34. 127.5 (f) "Cannabis retailer" means a retailer that sells adult-use cannabis flower, adult-use 127.6 cannabinoid products, adult-use cannabis solution products, or lower potency edible products. 127.7 Cannabis retailer includes a: 127.8 (1) retailer maintaining a place of business in this state; 127.9 (2) marketplace provider maintaining a place of business in this state, as defined in 127.10 section 297A.66, subdivision 1, paragraph (a); 127.11 (3) retailer not maintaining a place of business in this state; and 127.12 (4) marketplace provider not maintaining a place of business in this state, as defined in 127.13 section 297A.66, subdivision 1, paragraph (b). 127.14 (g) "Commissioner" means the commissioner of revenue. 127.15 (h) "Gross receipts" means the total amount received, in money or by barter or exchange, 127.16 for all adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis solution 127.17 products, or lower potency edible product sales at retail as measured by the sales price. 127.18 Gross receipts include but are not limited to delivery charges and packaging costs. Gross 127.19 receipts do not include: 127.20 127.21 (1) any taxes imposed directly on the customer that are separately stated on the invoice, 127.22 bill of sale, or similar document given to the purchaser; and 127.23 (2) discounts, including cash, terms, or coupons, that are not reimbursed by a third party 127.24 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 127.25 127.26 45. (j) "On-site sale" means the sale of adult-use cannabis or adult-use cannabinoid products 127.27 for consumption on the premises of a cannabis microbusiness or the sale of lower potency 127.28 edible products for consumption on the premises of a lower potency edible product retailer. 127.29 (k) "Retail sale" has the meaning given in section 297A.61, subdivision 4. 127.30

Subd. 2. Gross receipts tax imposed. (a) A tax equal to eight percent of gross receipts 128.1 from retail and on-site sales in Minnesota of adult-use cannabis flower, adult-use cannabinoid 128.2 128.3 products, adult-use cannabis solution products, and lower potency edible products is imposed on any cannabis retailer, cannabis microbusiness, or lower potency edible product retailer 128.4 that sells these products to customers. A cannabis retailer, cannabis microbusiness, or lower 128.5 potency edible product retailer may but is not required to collect the tax imposed by this 128.6 section from the purchaser as long as the tax is separately stated on the receipt, invoice, bill 128.7 128.8 of sale, or similar document given to the purchaser. (b) If a product subject to the tax imposed by this section is bundled in a single transaction 128.9 128.10 with a product or service that is not subject to the tax imposed by this section, the entire sales price of the transaction is subject to the tax imposed by this section. 128.11 (c) The tax imposed under this section is in addition to any other tax imposed on the 128.12 sale or use of adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis 128.13 solution products, and lower potency edible products. 128.14

Subd. 3. Use tax imposed; credit for taxes paid. (a) A person that receives adult-use 128.15 cannabis flower, adult-use cannabinoid products, adult-use cannabis solution products, or 128.16 lower potency edible products for use or storage in Minnesota, other than from a cannabis 128.17 128.18 retailer, cannabis microbusiness, or lower potency edible product retailer that paid the tax under subdivision 2, is subject to tax at the rate imposed under subdivision 2. Liability for 128.19 the tax is incurred when the person has possession of the adult-use cannabis flower, adult-use 128.20 cannabinoid product, or lower potency edible product in Minnesota. The tax must be remitted 128.21 to the commissioner in the same manner prescribed for taxes imposed under chapter 297A. 128.22 (b) A person that has paid taxes to another state or any subdivision thereof on the same 128.23 transaction and is subject to tax under this section is entitled to a credit for the tax legally 128.24 due and paid to another state or subdivision thereof to the extent of the lesser of (1) the tax 128.25 128.26 actually paid to the other state or subdivision thereof, or (2) the amount of tax imposed by Minnesota on the transaction subject to tax in the other state or subdivision thereof. 128.27 128.28 Subd. 4. Exemptions. (a) The use tax imposed under subdivision 2, paragraph (b), does not apply to the possession, use, or storage of adult-use cannabis flower, adult-use 128.29 cannabinoid products, adult-use cannabis solution products, or lower potency edible products 128.30 if (1) the adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis 128.31 solution products, or lower potency edible products have an aggregate cost in any calendar 128.32

128.33 month to the customer of \$100 or less, and (2) the adult-use cannabis flower, adult-use

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129.1	cannabinoid produ	cts, adult-use ca	nnabis solution	products, or lower pot	ency edible products
129.2	were carried into t	his state by the	customer.		
129.3	(b) The tax imr	osed under this	section does not	apply to sales of med	lical cannabis flower
129.4	<u></u>			or for the patients enr	
129.5	program.		1 5	•	
129.6	(c) Unless othe	rwise specified i	n this section th	e exemptions applica	ble to taxes imposed
129.0	<u>.</u>	-		s imposed under this	
129.8		-		retailer, cannabis mic	
129.9	• • •			ho is not subject to ta	
129.10				odivision 3 from the p	
129.11	adult-use cannabis	flower, adult-u	se cannabinoid	product, adult-use ca	nnabis solution
129.12	product, or lower	potency edible p	product and give	e the purchaser a rece	eipt for the tax paid.
129.13	The tax collected i	must be remitted	d to the commis	sioner in the same ma	anner prescribed for
129.14	the taxes imposed	under chapter 2	07A.		
129.15	Subd. 6. Taxes	paid to anothe	er state or any	subdivision thereof;	credit. A cannabis
129.16	retailer, cannabis r	nicrobusiness, c	or lower potency	y edible retailer that h	nas paid taxes to
129.17	another state or an	y subdivision th	nereof measured	l by gross receipts and	d is subject to tax
129.18	under this section	on the same gro	oss receipts is er	ntitled to a credit for t	he tax legally due
129.19	and paid to anothe	r state or any su	bdivision there	of to the extent of the	lesser of $(1)$ the tax
129.20	actually paid to the	e other state or a	ny subdivision	thereof, or (2) the am	ount of tax imposed
129.21	by Minnesota on th	ne gross receipts	s subject to tax i	n the other taxing stat	e or any subdivision
129.22	thereof.				
129.23	Subd. 7. Sourc	ting of sales. Se	ection 297A.668	applies to the taxes i	imposed by this
129.24	section.				
129.25	Subd. 8. Admi	nistration. Unl	ess specifically	provided otherwise, th	ne audit, assessment,
129.26	refund, penalty, in	terest, enforcem	ent, collection	remedies, appeal, and	l administrative
129.27	provisions of chap	oters 270C and 2	289A that are ap	plicable to taxes imp	osed under chapter
129.28	297A, except the r	equirement to fi	le returns and r	emit taxes due electro	onically, apply to the
129.29	tax imposed under	this section.			
129.30	Subd. 9. Retur	ns; payment o	<b>f tax.</b> (a) A can	nabis retailer, cannab	is microbusiness, or
129.31	lower potency edi	ble product reta	iler must report	the tax on a return pr	rescribed by the
129.32	commissioner and	must remit the t	ax in a form and	l manner prescribed b	y the commissioner.
129.33	The return and the	tax must be file	ed and paid usin	g the filing cycle and	l due dates provided
129.34	for taxes imposed	under section 2	89A.20, subdiv	ision 4, and chapter 2	297A.

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(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
 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.

Subd. 11. Personal debt. The tax imposed by this section, and interest and penalties 130.7 imposed with respect to it, are a personal debt of the person required to file a return from 130.8 the time that the liability for it arises, irrespective of when the time for payment of the 130.9 130.10 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 130.11 fiduciary capacity only, unless the person has voluntarily distributed the assets held in that 130.12 capacity without reserving sufficient assets to pay the tax, interest, and penalties, in which 130.13 event the person is personally liable for any deficiency. 130.14

### 130.15 EFFECTIVE DATE. This section is effective for gross receipts received after December 130.16 31, 2023.

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

130.18 Subd. 3. Sale and purchase. (a) "Sale" and "purchase" include, but are not limited to, each of the transactions listed in this subdivision. In applying the provisions of this chapter, 130.19 the terms "tangible personal property" and "retail sale" include the taxable services listed 130.20 in paragraph (g), clause (6), items (i) to (vi) and (viii), and the provision of these taxable 130.21 services, unless specifically provided otherwise. Services performed by an employee for 130.22 an employer are not taxable. Services performed by a partnership or association for another 130.23 partnership or association are not taxable if one of the entities owns or controls more than 130.24 80 percent of the voting power of the equity interest in the other entity. Services performed 130.25 between members of an affiliated group of corporations are not taxable. For purposes of 130.26 the preceding sentence, "affiliated group of corporations" means those entities that would 130.27 be classified as members of an affiliated group as defined under United States Code, title 130.28 26, section 1504, disregarding the exclusions in section 1504(b). 130.29

130.30 (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:

131.9 (1) prepared food sold by the retailer;

131.10 (2) soft drinks;

131.11 (3) candy; and

131.12 (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 periodicbasis, except for parking at a meter;

131.31 (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.

132.6 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:

132.14 (i) public roads;

132.15 (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

132.18 (6) services as provided in this clause:

(i) laundry and dry cleaning services including cleaning, pressing, repairing, altering,

132.20 and storing clothes, linen services and supply, cleaning and blocking hats, and carpet,

132.21 drapery, upholstery, and industrial cleaning. Laundry and dry cleaning services do not

132.22 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

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

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133.3 (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

133.24 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.

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

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

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

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

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

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

134.18 has the meaning given in section 342.01, subdivision 45.

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

134.21 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, 134.22 food and food ingredients are exempt. For purposes of this subdivision, "food" and "food 134.23 ingredients" mean substances, whether in liquid, concentrated, solid, frozen, dried, or 134.24 134.25 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 134.26 not include candy, soft drinks, dietary supplements, and prepared foods. Food and food 134.27 ingredients do not include alcoholic beverages and tobacco. Food and food ingredients do 134.28 not include adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis 134.29 134.30 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 134.31 given in section 342.01, subdivision 4; "adult-use cannabinoid product" has the meaning 134.32 given in section 342.01, subdivision 2; "adult-use cannabis solution product" has the meaning 134.33 given in section 295.81, subdivision 1, paragraph (d); "lower potency edible product" has 134.34

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

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

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

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

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

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

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

135.8 than tobacco, intended to supplement the diet that:

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

135.11 (ii) a mineral;

135.12 (iii) an herb or other botanical;

135.13 (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.

### 135.24 EFFECTIVE DATE. This section is effective for sales and purchases made after 135.25 December 31, 2023.

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

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

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

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

135.31 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;

136.3 (4) prosthetic devices;

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

136.5 (6) mobility enhancing equipment;

136.6 (7) prescription corrective eyeglasses; and

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

136.8 (b) Items purchased in transactions covered by:

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

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

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

136.12 title 42, section 1396, et seq.

136.13 (c) For purposes of this subdivision:

136.14 (1) "Drug" means a compound, substance, or preparation, and any component of a

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

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

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

136.18 (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

136.23 (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:

136.27 (i) can withstand repeated use;

136.28 (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

136.30 (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;

137.8 (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:

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

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

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

137.26 Prosthetic device does not include corrective eyeglasses.

137.27 (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 138.1 item purchased in the transaction is paid for or reimbursed by the federal government or 138.2 138.3 the state of Minnesota pursuant to the Medicare or Medicaid program, by a private insurance company administering the Medicare or Medicaid program on behalf of the federal 138.4 government or the state of Minnesota, or by a managed care organization for the benefit of 138.5 a patient enrolled in a prepaid program that furnishes medical services in lieu of conventional 138.6 Medicare or Medicaid coverage pursuant to agreement with the federal government or the 138.7 138.8 state of Minnesota.

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

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

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

138.17 Subd. 2. **Sales to government.** (a) All sales, except those listed in paragraph (b), to the 138.18 following governments and political subdivisions, or to the listed agencies or instrumentalities 138.19 of governments and political subdivisions, are exempt:

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

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

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

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

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

(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,

139.16 subdivision  $2_{\overline{2}}$ ; adult-use cannabis flower as defined in section 342.01, subdivision 4;

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

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

139.19 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

139.22 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.

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

140.7 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.

140.17 (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
cannabinoid products as defined in section 342.01, subdivision 2; adult-use cannabis solution

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

140.30 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.

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

141.10 Sec. 12. Minnesota Statutes 2022, section 297A.99, is amended by adding a subdivision141.11 to read:

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

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

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

141.15 potency edible products.

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

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

#### 141.18 **297D.01 DEFINITIONS.**

141.19 Subdivision 1. Marijuana Illegal cannabis. "Marijuana" "Illegal cannabis" means any

141.20 marijuana cannabinoid product as defined in section 342.01, subdivision 12; cannabis plant

141.21 as defined in section 342.01, subdivision 19; cannabis flower as defined in section 342.01,

141.22 subdivision 16; or artificially derived cannabinoid as defined in section 342.01, subdivision

141.23 6, whether real or counterfeit, as defined in section 152.01, subdivision 9, that is held,

141.24 possessed, transported, transferred, sold, or offered to be sold in violation of <u>chapter 342</u>

141.25 <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

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

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

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

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

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

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

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

142.8 Subd. 4. **Commissioner.** "Commissioner" means the commissioner of revenue.

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

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

#### 142.11 **297D.04 TAX PAYMENT REQUIRED FOR POSSESSION.**

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

142.13 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.

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

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

#### 142.18 **297D.06 PHARMACEUTICALS.**

142.19 Nothing in this chapter requires persons registered under chapter 151 or otherwise
142.20 lawfully in possession of marijuana illegal cannabis or a controlled substance to pay the tax
142.21 required under this chapter.

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

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

#### 142.24 **297D.07 MEASUREMENT.**

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

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

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

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

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

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

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143.1	Sec. 17. Minn	esota Statutes 202	2, section 297E	0.08, is amended to rea	ad:
143.2	297D.08 TA	X RATE.			
143.3	A tax is imp	osed on <del>marijuana</del>	a illegal cannab	is and controlled subs	tances as defined in
143.4	section 297D.0	l at the following	rates:		
143.5	(1) on each	gram of <del>marijuana</del>	illegal cannabi	<u>s</u> , or each portion of a	gram, \$3.50; and
143.6	(2) on each	gram of controlled	l substance, or p	portion 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.

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

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

#### 143.11 **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.

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

143.20 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 illegal cannabis 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.

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

144.1	Sec. 20. Minnesota Statutes 2022, section 297D.10, is amended to read:
144.2	297D.10 STAMP PRICE.
144.3	Official stamps, labels, or other indicia to be affixed to all marijuana illegal cannabis or
144.4	controlled substances shall be purchased from the commissioner. The purchaser shall pay
144.5	100 percent of face value for each stamp, label, or other indicia at the time of the purchase.
144.6	<b>EFFECTIVE DATE.</b> This section is effective January 1, 2025.
144.7	Sec. 21. Minnesota Statutes 2022, section 297D.11, is amended to read:
144.8	297D.11 PAYMENT DUE.
144.9	Subdivision 1. Stamps affixed. When a tax obligor purchases, acquires, transports, or
144.10	imports into this state marijuana illegal cannabis or controlled substances on which a tax is
144.11	imposed by section 297D.08, and if the indicia evidencing the payment of the tax have not
144.12	already been affixed, the tax obligor shall have them permanently affixed on the marijuana
144.13	illegal cannabis or controlled substance immediately after receiving the substance. Each
144.14	stamp or other official indicia may be used only once.
144.15	Subd. 2. Payable on possession. Taxes imposed upon marijuana illegal cannabis or
144.16	controlled substances by this chapter are due and payable immediately upon acquisition or
144.17	possession in this state by a tax obligor.
144.18	<b>EFFECTIVE DATE.</b> This section is effective January 1, 2025.
144.19	ARTICLE 3
144.20	<b>BUSINESS DEVELOPMENT</b>
144.21	Section 1. [116J.659] CANNABIS INDUSTRY STARTUP FINANCING GRANTS.
144.22	Subdivision 1. Establishment. The commissioner of employment and economic
144.23	development shall establish CanStartup, a program to award grants to nonprofit corporations
144.24	to fund loans to new businesses in the legal cannabis industry and to support job creation
144.25	in communities where long-term residents are eligible to be social equity applicants.
144.26	Subd. 2. Definitions. (a) For the purposes of this section, the following terms have the
144.27	meanings given.
144.28	(b) "Commissioner" means the commissioner of employment and economic development.
144.29	(c) "Industry" means the legal cannabis industry in the state of Minnesota.

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145.1	(d) "New bus	siness" means a leg	al cannabis b	pusiness that has been in	n existence for three
145.2	years or less.				
145.3	(e) "Program	n" means the CanSt	artup grant p	rogram.	
145.4	(f) "Social ed	quity applicant" me	eans a person	who meets the qualified	cation requirements
145.5	in section 342.1	<u>6.</u>			
145.6	Subd. 3. Gra	ants. (a) The comm	issioner shall	l establish a revolving l	oan account to make
145.7	grants under the	CanStartup progra	um.		
145.8	(b) The com	missioner must awa	rd grants to n	onprofit corporations th	rough a competitive
145.9	grant process.				
145.10	(c) To receiv	e grant money, a no	onprofit corp	oration must submit a	written application
145.11	to the commission	oner using a form o	leveloped by	the commissioner.	
145.12	(d) In award	ing grants under th	is subdivision	n, the commissioner sh	all give weight to
145.13	whether the non	profit corporation:			
145.14	<u>(1) has a boan</u>	rd of directors that i	ncludes citize	ens experienced in busi	ness and community
145.15	development, ne	ew business enterpr	rises, and crea	ating jobs for people fa	icing barriers to
145.16	education or em	ployment;			
145.17	(2) has the te	echnical skills to an	alyze project	ts;	
145.18	(3) is familia	ar with other availa	ble public an	d private funding source	ces and economic
145.19	development pro	ograms;			
145.20	(4) can initia	te and implement e	economic dev	velopment projects;	
145.21	(5) can estab	lish and administer	a revolving	loan account;	
145.22	<u>(6)</u> can work	with job referral n	etworks that	assist people facing ba	rriers to education
145.23	or employment;	and			
145.24	(7) has establ	lished relationships	with commu	nities where long-term	residents are eligible
145.25	to be social equi	ity applicants.			
145.26	The commission	ner shall make grant	ts that will as	sist a broad range of bu	usinesses in the legal
145.27	cannabis industr	ry, including the pro	ocessing and	retail sectors.	
145.28	(e) A nonpro	ofit corporation that	t receives a g	rant under the program	<u>ı must:</u>
145.29	(1) establish	a commissioner-ce	rtified revolv	ing loan account for the	e purpose of making
145.30	eligible loans; a	nd			

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(2) enter into an agreement with the commissioner that the commissioner shall fund 146.1 loans that the nonprofit corporation makes to new businesses in the legal cannabis industry. 146.2 146.3 The commissioner shall review existing agreements with nonprofit corporations every five years and may renew or terminate an agreement based on that review. In making this review, 146.4 the commissioner shall consider, among other criteria, the criteria in paragraph (d). 146.5 146.6 Subd. 4. Loans to businesses. (a) The criteria in this subdivision apply to loans made by nonprofit corporations under the program. 146.7 (b) Loans must be used to support a new business in the legal cannabis industry. Priority 146.8 must be given to loans to businesses owned by individuals who are eligible to be social 146.9 146.10 equity applicants and businesses located in communities where long-term residents are eligible to be social equity applicants. 146.11 146.12 (c) Loans must be made to businesses that are not likely to undertake the project for which loans are sought without assistance from the program. 146.13 (d) The minimum state contribution to a loan is \$2,500 and the maximum is either: 146.14 146.15 (1) \$50,000; or (2) \$150,000, if state contributions are matched by an equal or greater amount of new 146.16 private investment. 146.17 146.18 (e) Loan applications given preliminary approval by the nonprofit corporation must be forwarded to the commissioner for approval. The commissioner must give final approval 146.19 for each loan made by the nonprofit corporation under the program. 146.20 (f) A business that receives a loan may apply to renew the loan. Renewal applications 146.21 must be made on an annual basis and a business may receive loans for up to six consecutive 146.22 years. A nonprofit corporation may renew a loan to a business that is no longer a new 146.23 business provided the business would otherwise qualify for an initial loan and is in good 146.24 standing with the nonprofit corporation and the commissioner. A nonprofit corporation may 146.25 adjust the amount of a renewed loan, or not renew a loan, if the nonprofit corporation 146.26 146.27 determines that the business is financially stable and is substantially likely to continue the project for which the loan renewal is sought. 146.28 (g) If a borrower has met lender criteria, including being current with all payments for 146.29 a minimum of three years, the commissioner may approve either full or partial forgiveness 146.30 146.31 of interest or principal amounts. Subd. 5. Revolving loan account administration. (a) The commissioner shall establish 146.32 a minimum interest rate for loans or guarantees to ensure that necessary loan administration 146.33

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11/.1	costs are covered. The interest rate charged by a nonprofit corporation for a loan under this
147.2	section must not exceed the Wall Street Journal prime rate. For a loan under this section,
147.3	the nonprofit corporation may charge a loan origination fee equal to or less than one percent
147.4	of the loan value. The nonprofit corporation may retain the amount of the origination fee.
147.5	(b) Loan repayment of principal must be paid to the commissioner for deposit in the
147.6	revolving loan account. Loan interest payments must be deposited in a revolving loan
147.7	account created by the nonprofit corporation originating the loan being repaid for further
147.8	distribution or use, consistent with the criteria of this section.
147.9	(c) Administrative expenses of the nonprofit corporations with whom the commissioner
147.10	enters into agreements, including expenses incurred by a nonprofit corporation in providing
147.11	financial, technical, managerial, and marketing assistance to a business receiving a loan
147.12	under this section, are eligible program expenses the commissioner may agree to pay under
147.13	the grant agreement.
147.14	Subd. 6. Program outreach. The commissioner shall make extensive efforts to publicize
147.15	this program, including through partnerships with community organizations, particularly
147.16	those organizations located in areas where long-term residents are eligible to be social equity
147.17	applicants.
147.18	Subd. 7. Reporting requirements. (a) A nonprofit corporation that receives a grant
147.19	shall:
147.19 147.20	<u>shall:</u> (1) submit an annual report to the commissioner by February 1 of each year that the
147.20	(1) submit an annual report to the commissioner by February 1 of each year that the
147.20 147.21	(1) submit an annual report to the commissioner by February 1 of each year that the nonprofit corporation participates in the program that includes a description of businesses
147.20 147.21 147.22	(1) submit an annual report to the commissioner by February 1 of each year that the nonprofit corporation participates in the program that includes a description of businesses supported by the grant program, an account of loans made during the calendar year, the
147.20 147.21 147.22 147.23	(1) submit an annual report to the commissioner by February 1 of each year that the nonprofit corporation participates in the program that includes a description of businesses supported by the grant program, an account of loans made during the calendar year, the program's impact on business creation and job creation, particularly in communities where
<ul> <li>147.20</li> <li>147.21</li> <li>147.22</li> <li>147.23</li> <li>147.24</li> </ul>	(1) submit an annual report to the commissioner by February 1 of each year that the nonprofit corporation participates in the program that includes a description of businesses supported by the grant program, an account of loans made during the calendar year, the program's impact on business creation and job creation, particularly in communities where long-term residents are eligible to be social equity applicants, the source and amount of
<ul> <li>147.20</li> <li>147.21</li> <li>147.22</li> <li>147.23</li> <li>147.24</li> <li>147.25</li> </ul>	(1) submit an annual report to the commissioner by February 1 of each year that the nonprofit corporation participates in the program that includes a description of businesses supported by the grant program, an account of loans made during the calendar year, the program's impact on business creation and job creation, particularly in communities where long-term residents are eligible to be social equity applicants, the source and amount of money collected and distributed by the program, the program's assets and liabilities, and an
<ul> <li>147.20</li> <li>147.21</li> <li>147.22</li> <li>147.23</li> <li>147.24</li> <li>147.25</li> <li>147.26</li> </ul>	(1) submit an annual report to the commissioner by February 1 of each year that the nonprofit corporation participates in the program that includes a description of businesses supported by the grant program, an account of loans made during the calendar year, the program's impact on business creation and job creation, particularly in communities where long-term residents are eligible to be social equity applicants, the source and amount of money collected and distributed by the program, the program's assets and liabilities, and an explanation of administrative expenses; and
147.20 147.21 147.22 147.23 147.24 147.25 147.26 147.27	(1) submit an annual report to the commissioner by February 1 of each year that the nonprofit corporation participates in the program that includes a description of businesses supported by the grant program, an account of loans made during the calendar year, the program's impact on business creation and job creation, particularly in communities where long-term residents are eligible to be social equity applicants, the source and amount of money collected and distributed by the program, the program's assets and liabilities, and an explanation of administrative expenses; and (2) provide for an independent annual audit to be performed in accordance with generally
147.20 147.21 147.22 147.23 147.24 147.25 147.26 147.27 147.28	(1) submit an annual report to the commissioner by February 1 of each year that the nonprofit corporation participates in the program that includes a description of businesses supported by the grant program, an account of loans made during the calendar year, the program's impact on business creation and job creation, particularly in communities where long-term residents are eligible to be social equity applicants, the source and amount of money collected and distributed by the program, the program's assets and liabilities, and an explanation of administrative expenses; and (2) provide for an independent annual audit to be performed in accordance with generally accepted accounting practices and auditing standards and submit a copy of each annual
<ul> <li>147.20</li> <li>147.21</li> <li>147.22</li> <li>147.23</li> <li>147.24</li> <li>147.25</li> <li>147.26</li> <li>147.27</li> <li>147.28</li> <li>147.29</li> </ul>	(1) submit an annual report to the commissioner by February 1 of each year that the nonprofit corporation participates in the program that includes a description of businesses supported by the grant program, an account of loans made during the calendar year, the program's impact on business creation and job creation, particularly in communities where long-term residents are eligible to be social equity applicants, the source and amount of money collected and distributed by the program, the program's assets and liabilities, and an explanation of administrative expenses; and (2) provide for an independent annual audit to be performed in accordance with generally accepted accounting practices and auditing standards and submit a copy of each annual audit report to the commissioner.
147.20 147.21 147.22 147.23 147.24 147.25 147.26 147.27 147.28 147.29 147.30	<ul> <li>(1) submit an annual report to the commissioner by February 1 of each year that the nonprofit corporation participates in the program that includes a description of businesses supported by the grant program, an account of loans made during the calendar year, the program's impact on business creation and job creation, particularly in communities where long-term residents are eligible to be social equity applicants, the source and amount of money collected and distributed by the program, the program's assets and liabilities, and an explanation of administrative expenses; and</li> <li>(2) provide for an independent annual audit to be performed in accordance with generally accepted accounting practices and auditing standards and submit a copy of each annual audit report to the commissioner.</li> <li>(b) By March 1, 2024, and each March 1 thereafter, the commissioner must submit a</li> </ul>
147.20 147.21 147.22 147.23 147.24 147.25 147.26 147.27 147.28 147.29 147.30 147.31	<ul> <li>(1) submit an annual report to the commissioner by February 1 of each year that the nonprofit corporation participates in the program that includes a description of businesses supported by the grant program, an account of loans made during the calendar year, the program's impact on business creation and job creation, particularly in communities where long-term residents are eligible to be social equity applicants, the source and amount of money collected and distributed by the program, the program's assets and liabilities, and an explanation of administrative expenses; and</li> <li>(2) provide for an independent annual audit to be performed in accordance with generally accepted accounting practices and auditing standards and submit a copy of each annual audit report to the commissioner.</li> <li>(b) By March 1, 2024, and each March 1 thereafter, the commissioner must submit a report to the chairs and ranking minority members of the committees of the house of</li> </ul>

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148.1	creating jobs i	n communities where	long-term re	sidents are eligible to	be social equity
148.2	applicants.				
148.3	Sec. 2. [116]	J.6595] CANNABIS	INDUSTRY	NAVIGATION GRA	ANTS.
148.4	Subdivisio	n 1. <mark>Establishment.</mark>	The commiss	ioner of employment	and economic
148.5	development s	hall establish CanNavi	igate, a progra	um to award grants to e	ligible organizations
148.6	to help individ	luals navigate the reg	ulatory struct	ure of the legal canna	bis industry.
148.7	<u>Subd. 2.</u> D	efinitions. (a) For the	e purposes of	this section, the follow	wing terms have the
148.8	meanings give	<u>:n.</u>			
148.9	<u>(b) "Comm</u>	issioner" means the co	ommissioner c	f employment and eco	onomic development.
148.10	(c) "Eligibl	e organization" means	any organizat	tion capable of helping	; individuals navigate
148.11	the regulatory	structure of the legal c	annabis indus	stry, particularly indivi	iduals facing barriers
148.12	to education o	r employment, and m	ay include ed	ucational institutions	, nonprofit
148.13	organizations,	private businesses, co	ommunity gro	oups, units of local go	overnment, or
148.14	partnerships b	etween different types	s of organizat	ions.	
148.15	(d) "Indust	ry" means the legal ca	annabis indus	stry in the state of Min	mesota.
148.16	(e) "Progra	um" means the CanNa	vigate grant	orogram.	
148.17	(f) "Social	equity applicant" mea	ans a person v	who meets the qualified	cation requirements
148.18	in section 342	.16.			
148.19	<u>Subd. 3.</u> G	rants to organizatio	<b>ns.</b> (a) Grant	money awarded to eli	gible organizations
148.20	may be used f	or both developing te	chnical assist	ance resources releva	nt to the regulatory
148.21	structure of the	e legal cannabis indus	try and for pr	oviding technical assi	stance or navigation
148.22	services to ind	ividuals.			
148.23	<u>(b)</u> The cor	nmissioner must awar	rd grants to el	igible organizations th	rough a competitive
148.24	grant process.				
148.25	<u>(c)</u> To rece	ive grant money, an e	ligible organ	ization must submit a	written application
148.26	to the commis	sioner, using a form d	leveloped by	the commissioner, ex	plaining the
148.27	organization's	ability to assist indivi	duals in navi	gating the regulatory	structure of the legal
148.28	cannabis indus	stry, particularly indiv	viduals facing	barriers to education	or employment.
148.29	(d) An elig	ible organization's gra	ant applicatio	n must also include:	
148.30	<u>(1) a descr</u>	iption of the proposed	l technical as	sistance or navigation	services, including
148.31	the types of in	dividuals targeted for	assistance;		

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149.1	(2) any evid	ence of the organi	zation's past suc	ccess in providing te	chnical assistance or
149.2	<u> </u>				reas where long-term
149.3		gible to be social			8
149.4	(3) an estim	ate of the cost of p	providing the tec	chnical assistance;	
149.5	(4) the source	es and amounts o	f any nonstate n	noney or in-kind con	tributions that will
149.6	supplement gra	nt money, includir	ng any amounts t	that individuals will l	be charged to receive
149.7	assistance; and				
149.8	(5) any addi	tional information	n requested by th	ne commissioner.	
149.9	(e) In award	ing grants under t	his subdivision,	the commissioner sh	nall give weight to
149.10	applications fro	m organizations th	at demonstrate a	a history of successfu	l technical assistance
149.11	or navigation set	rvices, particularly	for individuals f	acing barriers to educ	ation or employment.
149.12	The commission	ner shall also give	weight to appli	cations where the pr	oposed technical
149.13	assistance will s	serve areas where	long-term resid	ents are eligible to be	e social equity
149.14	applicants. To t	he extent practical	ble, the commis	sioner shall fund tecl	nical assistance for
149.15	a variety of sect	tors in the legal ca	nnabis industry	, including both proc	essing and retail
149.16	sectors.				
149.17	<u>Subd. 4.</u> Pro	ogram outreach. 🗌	The commission	er shall make extensiv	ve efforts to publicize
149.18	these grants, inc	cluding through pa	artnerships with	community organiza	ations, particularly
149.19	those organizati	ons located in area	as where long-ter	rm residents are eligit	ole to be social equity
149.20	applicants.				
149.21	Subd. 5. <b>Re</b>	ports to the legisla	<b>ature.</b> By Januar	y 15, 2024, and each.	January 15 thereafter,
149.22	the commission	er must submit a	report to the cha	irs and ranking mind	ority members of the
149.23	committees of the	he house of repres	entatives and the	e senate having jurisd	iction over economic
149.24	development th	at details awards g	given through th	e CanNavigate prog	ram and the use of
149.25	grant money, in	cluding any meas	ures of success	toward helping indiv	iduals navigate the
149.26	regulatory struc	ture of the legal c	annabis industry	<i>.</i>	
149.27	Sec. 3. [116L	.90] CANNABIS	INDUSTRY T	RAINING GRANT	<u>S.</u>
149.28	Subdivision	1. Establishmen	<b>t.</b> The commissi	oner of employment	and economic

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

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

Article 3 Sec. 3.

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150.1	<u>(b) "Co</u>	ommissioner" means the	commissioner of	employment and eco	nomic development.
150.2	(c) "El:	igible organization" mea	ns any organizat	ion capable of provid	ling training relevant
150.3	to the lega	l cannabis industry, par	ticularly for indi	viduals facing barrie	ers to education or
150.4	employme	ent, and may include ed	ucational institut	tions, nonprofit organ	nizations, private
150.5	businesses	s, community groups, un	its of local gover	rnment, or partnershi	ps between different
150.6	types of or	rganizations.			
150.7	<u>(d) "El</u>	ligible individual" mean	s a Minnesota re	esident who is 21 yea	ars old or older.
150.8	<u>(e)</u> "In	dustry" means the legal	cannabis indust	ry in Minnesota.	
150.9	<u>(f) "Pre</u>	ogram" means the Can7	Frain grant progr	am.	
150.10	<u>(g)</u> "So	ocial equity applicant" n	neans a person v	who meets the qualifi	cation requirements
150.11	in section	342.16.			
150.12	Subd.	<u>3. Grants to organizat</u>	<b>ions.</b> (a) Grant n	noney awarded to eli	gible organizations
150.13	may be us	ed for both developing	a training progra	m relevant to the leg	al cannabis industry
150.14	and for pro	oviding such training to	individuals.		
150.15	<u>(b) The</u>	e commissioner must aw	vard grants to elig	gible organizations th	rough a competitive
150.16	grant proc	ess.			
150.17	<u>(c)</u> To	receive grant money, ar	n eligible organiz	ation must submit a	written application
150.18	to the com	missioner, using a form	n developed by t	he commissioner, ex	plaining the
150.19	organizati	on's ability to train indiv	iduals for succes	sful careers in the leg	al cannabis industry,
150.20	particularl	y individuals facing bar	rriers to education	on or employment.	
150.21	<u>(d)</u> An	eligible organization's	grant applicatior	n must also include:	
150.22	<u>(1)</u> a d	escription of the propos	ed training;		
150.23	<u>(2)</u> an a	analysis of the degree of	demand in the le	gal cannabis industry	v for the skills gained
150.24	through th	e proposed training;			
150.25	<u>(3)</u> any	vevidence of the organiz	zation's past succ	cess in training indiv	iduals for successful
150.26	careers, pa	articularly in new or em	erging industries	<u>;</u>	
150.27	<u>(4)</u> an	estimate of the cost of p	providing the pro	posed training;	
150.28	(5) the	sources and amounts o	f any nonstate fu	inds or in-kind contr	ibutions that will
150.29	supplemen	nt grant money, includir	ng any amounts t	hat individuals will	be charged to
150.30	participate	e in the training; and			
150.31	<u>(6)</u> any	additional information	requested by th	e commissioner.	

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- 151.1 (e) In awarding grants under this subdivision, the commissioner shall give weight to
- 151.2 applications from organizations that demonstrate a history of successful career training,
- 151.3 particularly for individuals facing barriers to education or employment. The commissioner
- 151.4 shall also give weight to applications where the proposed training will:
- 151.5 (1) result in an industry-relevant credential; or
- 151.6 (2) include opportunities for hands-on or on-site experience in the industry.
- 151.7 The commissioner shall fund training for a broad range of careers in the legal cannabis
- 151.8 industry, including both potential business owners and employees and for work in the
- 151.9 growing, processing, and retail sectors of the legal cannabis industry.
- 151.10 Subd. 4. Grants to individuals. (a) The commissioner shall award grants of \$...... to
- 151.11 eligible individuals to pursue a training program relevant to a career in the legal cannabis
- 151.12 <u>industry.</u>
- 151.13 (b) To receive grant money, an eligible individual must submit a written application to
- 151.14 the commissioner, using a form developed by the commissioner, identifying a training
- 151.15 program relevant to the legal cannabis industry and the estimated cost of completing that
- 151.16 training. The application must also indicate whether:
- 151.17 (1) the applicant is eligible to be a social equity applicant;
- 151.18 (2) the proposed training program results in an industry-relevant credential; and
- 151.19 (3) the proposed training program includes opportunities for hands-on or on-site
- 151.20 experience in the industry.
- 151.21 The commissioner shall attempt to make the application process simple for individuals to
- 151.22 complete, such as by publishing lists of industry-relevant training programs along with the
- 151.23 training program's estimated cost of completing the training programs and whether the
- 151.24 training programs will result in an industry-relevant credential or include opportunities for
- 151.25 <u>hands-on or on-site experience in the legal cannabis industry.</u>
- 151.26 (c) The commissioner must award grants to eligible individuals through a lottery process.
- 151.27 Applicants who have filed complete applications by the deadline set by the commissioner
- 151.28 shall receive one entry in the lottery, plus one additional entry for each of the following:
- 151.29 (1) being eligible to be a social equity applicant;
- 151.30 (2) seeking to enroll in a training program that results in an industry-relevant credential;
- 151.31 <u>and</u>

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152.1	(3) seeking	to enroll in a train	ing program th	at includes opportunit	ies for hands-on or
152.1		ence in the industry.		lat mendes opportunit.	
			-		
152.3	<u> </u>	-		als shall be used to pay	
152.4		-	-	bis industry, including	
152.5				remove external barri	
152.6			st of child care,	transportation, or othe	r expenses approved
152.7	by the commis	ssioner.			
152.8	<u>Subd. 5.</u> Pr	rogram outreach. ]	The commission	ner shall make extensiv	e efforts to publicize
152.9	these grants, in	ncluding through pa	artnerships wit	h community organiza	tions, particularly
152.10	those organization	tions located in area	s where long-t	erm residents are eligib	le to be social equity
152.11	applicants.				
152.12	<u>Subd. 6.</u> <b>R</b>	eports to the legisla	t <b>ure.</b> By Janua	ary 15, 2024, and each J	anuary 15 thereafter,
152.13	the commissio	ner must submit a 1	eport to the ch	nairs and ranking mino	rity members of the
152.14	committees of	the house of represe	entatives and th	e senate having jurisdie	ction over workforce
152.15	development t	hat describes award	ls given throug	gh the CanTrain progra	m and the use of
152.16	grant money, i	ncluding any measure	ures of success	s toward training peopl	e for successful
152.17	careers in the l	legal cannabis indu	stry.		
152.18			ARTICL	F 4	
152.10		C	RIMINAL PE		
152.20	Section 1. M	innesota Statutes 2	022, section 1:	52.01, is amended by a	dding a subdivision
152.21	to read:				
152.22	Subd. 25.	Cannabinoid prod	<b>uct.</b> "Cannabin	noid product" has the n	neaning given in
152.23	section 342.01	, subdivision 12.			
152.24	Sec. 2. Minn	esota Statutes 2022	2, section 152.0	01, is amended by addi	ng a subdivision to
152.25	read:				
152.26	Subd. 26.	Cannabis concentr	ate. "Cannabi	s concentrate" has the	meaning given in
152.27	section 342.01	, subdivision 15.			
152.28	Sec. 3. Minn	esota Statutes 2022	2, section 152.0	01, is amended by addi	ng a subdivision to
152.29	read:				
152.30	Subd. 27.	Cannabis flower. "(	Cannabis flowe	er" has the meaning give	en in section 342.01,
152.31	subdivision 16	).			

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153.1 Sec. 4. Minnesota Statutes 2022, section 152.01, is amended by adding a subdivision to153.2 read:

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

153.5 Sec. 5. Minnesota Statutes 2022, section 152.01, is amended by adding a subdivision to153.6 read:

153.7 Subd. 29. Cannabis plant. "Cannabis plant" has the meaning given in section 342.01,
 153.8 subdivision 19.

153.9 Sec. 6. Minnesota Statutes 2022, section 152.01, is amended by adding a subdivision to153.10 read:

## 153.11 Subd. 30. Artificially derived cannabinoid. "Artificially derived cannabinoid" has the 153.12 meaning given in section 342.01, subdivision 6.

153.13 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

153.23 (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 gramsor more containing a narcotic drug other than cocaine, heroin, or methamphetamine;

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

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

153.30 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.

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

154.9 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

154.21 (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;

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155.1 (6)(5) the person unlawfully sells any amount of a Schedule I or II narcotic drug to a 155.2 person under the age of 18, or conspires with or employs a person under the age of 18 to 155.3 unlawfully sell the substance; or

- 155.4 (7) (6) the person unlawfully sells any of the following in a school zone, a park zone, a 155.5 public housing zone, or a drug treatment facility:
- (i) any amount of a Schedule I or II narcotic drug, lysergic acid diethylamide (LSD),
- 155.7 3,4-methylenedioxy amphetamine, or 3,4-methylenedioxymethamphetamine; or
- 155.8 (ii) one or more mixtures containing methamphetamine or amphetamine<del>; or</del>.

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

### 155.11 EFFECTIVE DATE. This section is effective January 1, 2024, and applies to crimes 155.12 committed on or after that date.

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

Subd. 2. Possession crimes. (a) A person is guilty of controlled substance crime in thesecond 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

155.23 (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<del>, or possesses 100 or</del>
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.

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

156.9 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:

156.12 (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>,
or cannabinoid products to a person under the age of 18; or

(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<del>; or</del>, 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

156.24 Tetrahydrocannabinols.

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

156.27 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 possesses
one 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

157.12 3,4-methylenedioxymethamphetamine in a school zone, a park zone, a public housing zone,157.13 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:

157.17 (i) more than ten kilograms of cannabis flower;

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

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

157.20 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.

# 157.27 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes 157.28 committed on or after that date.

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

157.30 Subdivision 1. Sale crimes. A person is guilty of controlled substance crime in the fourth157.31 degree if:

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(1) the person unlawfully sells one or more mixtures containing a controlled substance
classified in Schedule I, II, or III, except marijuana or Tetrahydrocannabinols;

(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.

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

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

158.12 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:

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

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

158.17 (2) the person unlawfully sells one or more mixtures containing a controlled substance
 158.18 classified in Schedule IV.

### 158.19 EFFECTIVE DATE. This section is effective January 1, 2024, and applies to crimes 158.20 committed on or after that date.

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

Subd. 2. Possession and other crimes. A person is guilty of controlled substance crime
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:
- 158.29 (i) fraud, deceit, misrepresentation, or subterfuge;
- 158.30 (ii) using a false name or giving false credit; or

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(iii) falsely assuming the title of, or falsely representing any person to be, a manufacturer, 159.1 wholesaler, pharmacist, physician, doctor of osteopathic medicine licensed to practice 159.2 medicine, dentist, podiatrist, veterinarian, or other authorized person for the purpose of 159.3 obtaining a controlled substance. 159.4 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes 159.5 159.6 committed on or after that date. 159.7 Sec. 15. [152.0263] CANNABIS POSSESSION CRIMES. Subdivision 1. Possession of cannabis in the first degree. A person is guilty of cannabis 159.8 possession in the first degree and may be sentenced to imprisonment of not more than five 159.9 years or to payment of a fine of not more than \$10,000, or both, if the person unlawfully 159.10 159.11 possesses any of the following: (1) more than two pounds but not more than ten kilograms of cannabis flower in any 159.12 159.13 place other than the person's residence; (2) more than five pounds but not more than ten kilograms of cannabis flower in the 159.14 159.15 person's residence; (3) more than 160 grams but not more than two kilograms of cannabis concentrate; or 159.16 (4) edible cannabinoid products infused with more than 16 grams but not more than 200 159.17 grams of tetrahydrocannabinol. 159.18 Subd. 2. Possession of cannabis in the second degree. A person is guilty of cannabis 159.19 possession in the second degree and may be sentenced to imprisonment of not more than 159.20 one year or to payment of a fine of not more than \$3,000, or both, if the person unlawfully 159.21 possesses any of the following: 159.22 (1) more than one pound but not more than two pounds of cannabis flower in any place 159.23 159.24 other than the person's residence; (2) more than 80 grams but not more than 160 grams of cannabis concentrate; or 159.25 159.26 (3) edible cannabinoid products infused with more than eight grams but not more than 16 grams of tetrahydrocannabinol. 159.27 159.28 Subd. 3. Possession of cannabis in the third degree. A person is guilty of cannabis possession in the third degree and may be sentenced to imprisonment of not more than 90 159.29 days or to payment of a fine of not more than \$1,000, or both, if the person unlawfully 159.30 possesses any of the following: 159.31

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160.1	(1) more that	n four ounces but 1	not more than o	one pound of cannabis	flower in any place
160.2	other than the p	erson's residence;			
160.3	(2) more that	n 16 grams but no	t more than 80	grams of cannabis con	ncentrate; or
160.4	(3) edible ca	nnabinoid product	s infused with	more than 1,600 milli	grams but not more
160.5	than eight gram	s of tetrahydrocan	nabinol.		
160.6	Subd. 4. Pos	session of cannab	ois in the fourt	<b>h degree.</b> A person is	guilty of a petty
160.7	misdemeanor if	the person unlawf	ully possesses	any of the following:	
160.8	(1) more that	n two ounces but n	ot more than fo	our ounces of cannabis	flower in any place
160.9	other than the p	erson's residence;			
160.10	(2) more tha	n eight grams but	not more than	6 grams of cannabis	concentrate; or
160.11	(3) edible ca	nnabinoid product	s infused with	more than 800 milligr	rams but not more
160.12	than 1,600 milli	grams of tetrahydr	ocannabinol.		
160.13	Subd. 5. Use	e of cannabis in a	motor vehicle.	(a) A person is guilty	of a crime and may
160.14	be sentenced to	imprisonment of n	ot more than 9	) days or to payment c	of a fine of not more
160.15	than \$1,000, or 1	both, if the person	unlawfully uses	s cannabis flower or ca	annabinoid products
160.16	while driving, o	perating, or being	in physical con	ntrol of any motor veh	icle, as defined in
160.17	section 169A.03	3, subdivision 15.			
160.18	(b) The State	e Patrol must incre	ase enforceme	nt of this subdivision a	annually on April
160.19	20. Other law en	nforcement agenci	es are encourag	ged to increase enforce	ement of this
160.20	subdivision ann	ually on April 20.			
160.21	Subd. 6. Use	e of cannabis in pu	ı <b>blic.</b> A local u	nit of government may	adopt an ordinance
160.22	establishing a pe	etty misdemeanor o	offense for a pe	rson who unlawfully u	ses cannabis flower
160.23	or cannabinoid	products in a publi	c place provid	ed that the definition of	of public place does
160.24	not include the	following:			
160.25	(1) a private	residence, includi	ng the person's	curtilage or yard;	
160.26	(2) private pr	roperty not general	ly accessible b	y the public, unless the	person is explicitly
160.27	prohibited from	consuming cannal	ois flower or ca	nnabinoid products on	the property by the
160.28	owner of the pro-	operty; or			
160.29	(3) the prem	ises of an establish	ment or event	licensed to permit on-	site consumption.
160.30	EFFECTIV	<b>E DATE.</b> This sec	ction is effectiv	e August 1, 2023, and	l applies to crimes
160.31	committed on o	r after that date.			

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161.1	Sec. 16. [152.0264] CANNABIS SALE CRIMES.
161.2	Subdivision 1. Sale of cannabis in the first degree. A person is guilty of the sale of
161.3	cannabis in the first degree and may be sentenced to imprisonment of not more than five
161.4	years or to payment of a fine of not more than \$10,000, or both, if the person unlawfully
161.5	sells more than two ounces of cannabis flower, more than eight grams of cannabis
161.6	concentrate, or edible cannabinoid products infused with more than 800 milligrams of
161.7	tetrahydrocannabinol:
161.8	(1) to a minor and the defendant is an adult who is more than 36 months older than the
161.9	minor;
161.10	(2) within ten years of two or more convictions for the unlawful sale of more than two
161.11	ounces of cannabis flower, more than eight grams of cannabis concentrate, or edible
161.12	cannabinoid products infused with more than 800 milligrams of tetrahydrocannabinol; or
161.13	(3) within ten years of a conviction under this subdivision.
161.14	Subd. 2. Sale of cannabis in the second degree. A person is guilty of sale of cannabis
161.15	in the second degree and may be sentenced to imprisonment of not more than one year or
161.16	to payment of a fine of not more than \$3,000, or both, if the person unlawfully sells more
161.17	than two ounces of cannabis flower, more than eight grams of cannabis concentrate, or
161.18	edible cannabinoid products infused with more than 800 milligrams of tetrahydrocannabinol:
161.19	(1) to a minor and the defendant is an adult who is not more than 36 months older than
161.20	the minor;
161.21	(2) in a school zone, a park zone, a public housing zone, or a drug treatment facility; or
161.22	(3) within ten years of a conviction for the unlawful sale of more than two ounces of $\frac{1}{2}$
161.23	cannabis flower, more than eight grams of cannabis concentrate, or edible cannabinoid
161.24	products infused with more than 800 milligrams of tetrahydrocannabinol.
161.25	Subd. 3. Sale of cannabis in the third degree. A person is guilty of sale of cannabis in
161.26	the third degree and may be sentenced to imprisonment of not more than 90 days or to
161.27	payment of a fine of not more than \$1,000, or both, if the person unlawfully sells:
161.28	(1) more than two ounces of cannabis flower;
161.29	(2) more than eight grams of cannabis concentrate; or
161.30	(3) edible cannabinoid products infused with more than 800 milligrams of
161.31	tetrahydrocannabinol.

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162.1	Subd. 4. Sal	e of cannabis in th	e fourth deg	ree. (a) A person is gui	ilty of a petty		
162.2		the person unlawfu		<b>U</b> UU			
162.3	(1) not more	than two ounces of	cannabis flo	wer;			
162.4	(2) not more	than eight grams of	f cannabis co	ncentrate; or			
162.5	(3) edible ca	nnabinoid products	infused with	not more than 800 mil	lligrams of		
162.6	tetrahydrocanna	ıbinol.					
162.7	(b) A sale fo	r no remuneration b	y an individu	al over the age of 21 to	another individual		
162.8	over the age of 21 is not an unlawful sale under this subdivision.						
162.9	Subd. 5. Sal	e of cannabis by a	minor. (a) A	minor is guilty of a pe	tty misdemeanor if:		
162.10	(1) the mino	r unlawfully sells ca	annabis flowe	er, cannabis concentrat	e, or cannabinoid		
162.11	products; and						
162.12	(2) the mino	r has not previously	received a p	etty misdemeanor disp	osition or been		
162.13	adjudicated deli	nquent for committ	ing an act in	violation of this section	<u>n.</u>		
162.14	(b) A minor	sentenced under this	subdivision i	s required to participate	in a drug education		
162.15	(b) A minor sentenced under this subdivision is required to participate in a drug education program unless the court enters a written finding that a drug education program is						
162.16	inappropriate. The program must be approved by an area mental health board with a						
162.17							
162.18	(c) A minor	who receives a dispo	sition pursua	nt to this subdivision is	required to perform		
162.19							
162.20	EFFECTIV	<b>E DATE.</b> This sect	ion is effectiv	ve January 1, 2024, and	d applies to crimes		
162.21	committed on o			<u> </u>			
162.22	Sec. 17. [152.	0265] CANNABIS	CULTIVAT	ION CRIMES.			
162.23	Subdivision	<b><u>1.</u></b> Cultivation of c:	annabis in tł	ne first degree. A pers	on is guilty of		
162.24	cultivation of ca	annabis in the first d	egree and ma	ay be sentenced to imp	risonment of not		
162.25	more than five y	ears or to payment of	of a fine of no	t more than \$10,000, o	r both, if the person		
162.26	unlawfully culti	vates more than 23	cannabis plai	nts.			
162.27	<u>Subd. 2.</u> Cul	ltivation of cannabi	is in the seco	nd degree. A person is	guilty of cultivation		
162.28	of cannabis in the	ne second degree an	d may be sen	tenced to imprisonment	nt of not more than		
162.29	one year or to p	ayment of a fine of	not more than	n \$3,000, or both, if the	e person unlawfully		
162.30	cultivates more	than 16 cannabis pl	ants but not r	more than 23 cannabis	plants.		

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163.1	EFFECT	IVE DATE. This se	ction is effective	e August 1, 2023, and	l applies to crimes
163.2	committed or	n or after that date.			
163.3	Sec. 18. <u>[16</u>	59A.36] OPEN PAC	KAGE LAW.		
163.4	Subdivisio	on 1. <b>Definitions.</b> As	s used in this sec	etion:	
163.5	<u>(1) "artific</u>	ially derived cannabi	noid" has the me	aning given in section	342.01, subdivision
163.6	<u>6;</u>				
163.7	<u>(2) "canna</u>	binoid product" has	the meaning give	ven in section 342.01	, subdivision 12;
163.8	<u>(3) "canna</u>	ibis flower" has the 1	meaning given in	n section 342.01, sub	division 16;
163.9	<u>(</u> 4) "motor	r vehicle" does not ii	nclude motorboa	uts in operation or off	-road recreational
163.10	vehicles exce	pt while operated on	a roadway or sl	noulder of a roadway	that is not part of a
163.11	grant-in-aid tr	ail or trail designated	for that vehicle	by the commissioner	of natural resources;
163.12	and				
163.13	(5) "posse	ssion" means either	that the person h	nad actual possession	of the package or
163.14	that the perso	n consciously exerci	sed dominion a	nd control over the pa	ickage.
163.15	<u>Subd. 2.</u> U	Jse; crime describe	<b>d.</b> It is a crime fo	or a person to use car	inabis flower, a
163.16	cannabinoid p	product, or any produ	uct containing an	n artificially derived	cannabinoid in a
163.17	motor vehicle	e when the vehicle is	on a street or hi	ghway.	
163.18	<u>Subd. 3.</u>	ossession; crime de	escribed. It is a o	crime for a person to	have in possession,
163.19	while in a priv	vate motor vehicle or	n a street or high	way, any cannabis flo	ower, a cannabinoid
163.20	product, or an	y product containing	g an artificially o	derived cannabinoid	<u>hat:</u>
163.21	<u>(1) is in pa</u>	ckaging or another c	ontainer that doe	es not comply with the	relevant packaging
163.22	requirements	in chapter 152 or 34	<u>2;</u>		
163.23	<u>(2) has be</u>	en removed from the	e packaging in w	hich it was sold;	
163.24	<u>(3) is in pa</u>	ackaging that has be	en opened or the	e seal has been broker	n; or
163.25	<u>(4) is in p</u>	ackaging of which th	ne contents have	been partially remov	ed.
163.26	<u>Subd. 4.</u> I	liability of nonpres	ent owner; crin	ne described. It is a c	crime for the owner
163.27	of any private	e motor vehicle or th	e driver, if the o	wner is not present ir	the motor vehicle,
163.28	to keep or all	ow to be kept in a me	otor vehicle whe	en the vehicle is on a	street or highway
163.29			l product, or any	product containing an	nartificially derived
163.30	cannabinoid t	<u>hat:</u>			

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164.1	<u>(1) is in p</u>	backaging or another of	container that do	es not comply with th	ne relevant packaging
164.2	requirement	s in chapter 152 or 34	42;		
164.3	<u>(2) has b</u>	een removed from th	e packaging in v	which it was sold;	
164.4	<u>(3) is in p</u>	packaging that has be	en opened or th	e seal has been brok	en; or
164.5	<u>(4) is in p</u>	packaging of which t	he contents have	e been partially remo	oved.
164.6	Subd. 5.	<u>Criminal penalty.</u> A	person who vio	olates subdivision 2,	3, or 4 is guilty of a
164.7	misdemeano	<u>or.</u>			
164.8	<u>Subd. 6.</u>	Exceptions. (a) This	section does no	t prohibit the posses	sion or consumption
164.9	of cannabis	flower or a cannabing	oid product or a	ny other product con	taining an artificially
164.10	derived canr	nabinoid by passenge	<u>rs in:</u>		
164.11	<u>(1) a bus</u>	that is operated by a	motor carrier of	passengers as define	ed in section 221.012,
164.12	subdivision	<u>26;</u>			
164.13	<u>(2)</u> a veh	icle that is operated f	for commercial	purposes in a manner	r similar to a bicycle
164.14	as defined in	n section 169.011, sub	odivision 4, with	n five or more passer	igers who provide
164.15	pedal power	to the drive train of	the vehicle; or		
164.16	<u>(3)</u> a veh	icle providing limous	sine service as d	efined in section 22	1.84, subdivision 1.
164.17	(b) Subd	ivisions 3 and 4 do no	ot apply to: (1) a	package that is in the	e trunk of the vehicle
164.18	if the vehicle	e is equipped with a tr	runk; or (2) a pa	ckage that is in anoth	er area of the vehicle
164.19	not normally	occupied by the driv	ver and passeng	ers if the vehicle is n	ot equipped with a
164.20	trunk. A utili	ity compartment or gl	ove compartmer	nt is deemed to be wit	hin the area occupied
164.21	by the driver	r and passengers.			
164.22	EFFEC	<b>FIVE DATE.</b> This se	ection is effectiv	re August 1, 2023, ar	nd applies to crimes
164.23	committed o	on or after that date.			
164.24	Sec. 19. M	linnesota Statutes 202	22, section 244.0	$\mathbf{J5}$ , subdivision $2$ , is	amended to read:
164.25	Subd. 2.	Rules. (a) The comm	nissioner of corr	ections shall adopt b	y rule standards and
164.26	procedures f	for the establishment	of conditions of	Frelease and the revo	cation of supervised
164.27	or conditiona	al release, and shall sp	becify the period	of revocation for each	h violation of release.
164.28	Procedures f	for the revocation of	release shall pro	vide due process of	law for the inmate.
164.29	<u>(b)</u> The c	commissioner may pr	ohibit an inmate	e placed on parole, su	upervised release, or
164.30	conditional 1	release from using ad	ult-use cannabis	s flower as defined in	n section 342.01,

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

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165.1 <u>2, if the inmate undergoes a chemical use assessment and abstinence is consistent with a</u>
 165.2 recommended level of care for the defendant in accordance with the criteria in rules adopted

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

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

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

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

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

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

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

# 165.10 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to supervised 165.11 release granted on or after that date.

165.12 Sec. 20. Minnesota Statutes 2022, section 609.135, subdivision 1, is amended to read:

165.13 Subdivision 1. **Terms and conditions.** (a) Except when a sentence of life imprisonment 165.14 is required by law, or when a mandatory minimum sentence is required by section 609.11, 165.15 any court may stay imposition or execution of sentence and:

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

165.17 (2) may place the defendant on probation with or without supervision and on the terms the court prescribes, including intermediate sanctions when practicable. The court may order 165.18 the supervision to be under the probation officer of the court, or, if there is none and the 165.19 conviction is for a felony or gross misdemeanor, by the commissioner of corrections, or in 165.20 any case by some other suitable and consenting person. Unless the court directs otherwise, 165.21 state parole and probation agents and probation officers may impose community work 165.22 service or probation violation sanctions, consistent with section 243.05, subdivision 1; 165.23 sections 244.196 to 244.199; or 401.02, subdivision 5. 165.24

165.25 No intermediate sanction may be ordered performed at a location that fails to observe 165.26 applicable requirements or standards of chapter 181A or 182, or any rule promulgated under 165.27 them.

(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

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justice program, work in lieu of or to work off fines and, with the victim's consent, work in 166.1 lieu of or to work off restitution. 166.2

166.3 (c) A court may not stay the revocation of the driver's license of a person convicted of violating the provisions of section 169A.20. 166.4

166.5 (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 166.6 166.7 plan.

(e) The court may prohibit a defendant from using adult-use cannabis flower as defined 166.8 in section 342.01, subdivision 4, or adult-use cannabinoid products as defined in section 166.9 342.01, subdivision 2, if the defendant undergoes a chemical use assessment and abstinence 166.10 is consistent with a recommended level of care for the defendant in accordance with the 166.11 criteria in rules adopted by the commissioner of human services under section 254A.03, 166.12 subdivision 3. The assessment must be conducted by an assessor qualified under rules 166.13 adopted by the commissioner of human services under section 254A.03, subdivision 3. An 166.14 assessor providing a chemical use assessment may not have any direct or shared financial 166.15 interest or referral relationship resulting in shared financial gain with a treatment provider, 166.16 except as authorized under section 254A.19, subdivision 3. If an independent assessor is 166.17 not available, the probation officer may use the services of an assessor authorized to perform 166.18 assessments for the county social services agency under a variance granted under rules 166.19 adopted by the commissioner of human services under section 254A.03, subdivision 3. 166.20 (f) A court shall not impose an intermediate sanction that has the effect of prohibiting 166.21 a person from participating in the registry program as defined in section 342.01, subdivision 166.22 166.23 58. EFFECTIVE DATE. This section is effective August 1, 2023, and applies to sentences 166.24 ordered on or after that date. 166.25

Sec. 21. Minnesota Statutes 2022, section 609.5311, subdivision 1, is amended to read: 166.26

166.27 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 166.28 under this section, except as provided in subdivision 3 and section 609.5316. 166.29

166.30 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to violations committed on or after that date. 166.31

167.1 Sec. 22. 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 cause
to 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

167.11 (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 itemslisted in paragraph (a), clauses (3) and (4), for the purposes of forfeiture.

167.21 (c) Money is the property of an appropriate agency and may be seized and recovered by167.22 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

(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.

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(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.

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

168.6 Sec. 23. 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<u>or 342</u>, 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.

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

#### 168.21 Sec. 24. <u>DWI CONTROLLED SUBSTANCE ROADSIDE TESTING INSTRUMENT</u> 168.22 PILOT PROJECT; REPORT REQUIRED.

168.23 (a) The commissioner of public safety must design, plan, and implement a pilot project

168.24 to study oral fluid roadside testing instruments to determine the presence of a controlled

168.25 substance or intoxicating substance in individuals stopped or arrested for driving while

168.26 impaired offenses. The pilot project must determine the practicality, accuracy, and efficacy

168.27 of these testing instruments and determine and make recommendations on the best instrument

168.28 or instruments to pursue in the future.

(b) The pilot project must begin on September 1, 2023, and continue until August 31,
2024.

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169.1	(c) The commissioner must consult with law enforcement officials, prosecutors, criminal
169.2	defense attorneys, and other interested and knowledgeable parties when designing,
169.3	implementing, and evaluating the pilot project.
169.4	(d) All oral fluid samples obtained for the purpose of this pilot project must be obtained
169.5	by a certified drug recognition evaluator and may only be collected with the express voluntary
169.6	consent of the person stopped or arrested for suspicion of driving while impaired. Results
169.7	of tests conducted under the pilot project are to be used for the purpose of analyzing the
169.8	practicality, accuracy, and efficacy of the instrument. Results may not be used to decide
169.9	whether an arrest should be made and are not admissible in any legal proceeding.
169.10	(e) By February 1, 2025, the commissioner must report to the chairs and ranking minority
169.11	members of the legislative committees with jurisdiction over public safety on the results of
169.12	the pilot project. At a minimum, the report must include information on how accurate the
169.13	instruments were when tested against laboratory results, how often participants were found
169.14	to have controlled substances or intoxicating substances in their systems, how often there
169.15	was commingling of controlled substances or intoxicating substances with alcohol, the types
169.16	of controlled substances or intoxicating substances found in participants' systems and which
169.17	types were most common, and the number of participants in the project. In addition, the
169.18	report must assess the practicality and reliability of using the instruments in the field and
169.19	make recommendations on continuing the project permanently.
169.20	<b>EFFECTIVE DATE.</b> This section is effective the day following final enactment.
169.21	ARTICLE 5
169.22	EXPUNGEMENT
169.23	Section 1. Minnesota Statutes 2022, section 609A.01, is amended to read:
169.24	609A.01 EXPUNGEMENT OF CRIMINAL RECORDS.
169.25	This chapter provides the grounds and procedures for expungement of criminal records
169.26	under section 13.82; 152.18, subdivision 1; 299C.11, where a petition is authorized under
169.27	section 609A.02, subdivision 3; expungement is automatic under section 609A.05;
169.28	expungement is considered by a panel under section 609A.06; or other applicable law. The
169.29	remedy available is limited to a court order sealing the records and prohibiting the disclosure
169.30	of their existence or their opening except under court order or statutory authority. Nothing
169.31	in this chapter authorizes the destruction of records or their return to the subject of the
169.32	records.

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#### 169.33 **EFFECTIVE DATE.** This section is effective August 1, 2023.

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170.1 Sec. 2. Minnesota Statutes 2022, section 609A.03, subdivision 5, is amended to read:

Subd. 5. Nature of remedy; standard. (a) Except as otherwise provided by paragraph (b), expungement of a criminal record <u>under this section</u> is an extraordinary remedy to be granted only upon clear and convincing evidence that it would yield a benefit to the petitioner commensurate with the disadvantages to the public and public safety of:

170.6 (1) sealing the record; and

(2) burdening the court and public authorities to issue, enforce, and monitor anexpungement order.

(b) Except as otherwise provided by this paragraph, if the petitioner is petitioning for the sealing of a criminal record under section 609A.02, subdivision 3, paragraph (a), clause (1) or (2), the court shall grant the petition to seal the record unless the agency or jurisdiction 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 not sealing the record.

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

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

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

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

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

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

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

(6) the reasons for the expungement, including the petitioner's attempts to obtainemployment, housing, or other necessities;

170.24 (7) the petitioner's criminal record;

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

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

(10) the recommendations of victims or whether victims of the underlying crime wereminors;

(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

171.4 (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.

### 171.14 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes 171.15 committed on or after that date.

171.16 Sec. 3. Minnesota Statutes 2022, section 609A.03, subdivision 9, is amended to read:

Subd. 9. Stay of order; appeal. An expungement order <u>issued under this section</u> shall be stayed automatically for 60 days after the order is filed and, if the order is appealed, during the appeal period. A person or an agency or jurisdiction whose records would be affected by the order may appeal the order within 60 days of service of notice of filing of the order. An agency or jurisdiction or its officials or employees need not file a cost bond or supersedeas bond in order to further stay the proceedings or file an appeal.

171.23 **EFFECTIVE DATE.** This section is effective August 1, 2023.

## 171.24 Sec. 4. [609A.05] AUTOMATIC EXPUNGEMENT OF CERTAIN CANNABIS 171.25 OFFENSES.

## Subdivision 1. Eligibility; dismissal, exoneration, or conviction of nonfelony cannabis offenses. (a) A person is eligible for an order of expungement:

171.28 (1) upon the dismissal and discharge of proceedings against a person under section

171.29 <u>152.18</u>, subdivision 1, for violation of section 152.024, 152.025, or 152.027 for possession

171.30 of marijuana or tetrahydrocannabinols;

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172.1	(2) if th	e person was convicted	of or received	a stayed sentence for a	violation of section
172.2	152.027, st	ubdivision 3 or 4;			
172.3	(3) if th	ne person was arrested f	for possession c	of marijuana or tetrahyc	lrocannabinols and
172.4	all charges	were dismissed prior t	o a determinati	on of probable cause; c	<u>or</u>
172.5	(4) if al	ll pending actions or pr	oceedings invo	lving the possession of	marijuana or
172.6	tetrahydroo	cannabinols were resol	ved in favor of	the person.	
172.7	<u>(b) For</u>	purposes of this sectio	<u>n:</u>		
172.8	<u>(1) a ve</u>	erdict of not guilty by r	eason of menta	l illness is not a resolut	ion in favor of the
172.9	person; and	<u>d</u>			
172.10	<u>(2) an a</u>	action or proceeding is	resolved in fav	or of the person if the p	person received an
172.11	order unde	er section 590.11 detern	nining that the p	person is eligible for co	mpensation based
172.12	on exonera	ation.			
172.13	<u>Subd.</u> 2	2. Bureau of Criminal	Apprehension	to identify eligible in	dividuals. (a) The
172.14	Bureau of	Criminal Apprehension	n shall identify	records that qualify for	an order of
172.15	expungeme	ent pursuant to subdivi	sion 1.		
172.16	<u>(b) The</u>	e Bureau of Criminal A	pprehension sh	all notify the judicial b	ranch of:
172.17	<u>(1) the</u>	name and date of birth	of an individua	l whose record is eligi	ble for an order of
172.18	expungeme	ent; and			
172.19	<u>(2) the</u>	case number of the elig	gible record.		
172.20	<u>(c) The</u>	Bureau of Criminal Ap	prehension sha	ll grant an expungemen	t to each qualifying
172.21	person who	ose records the bureau	possesses and s	hall seal the bureau's re	ecords without
172.22	requiring a	n application, petition,	or motion. The	bureau shall seal reco	rds related to an
172.23	expungeme	ent within 60 days after	the bureau sen	t notice of the expunger	ment to the judicial
172.24	branch pur	rsuant to paragraph (b) u	unless an order	of the judicial branch p	rohibits sealing the
172.25	records or a	additional information e	stablishes that th	ne records are not eligibl	e for expungement.
172.26	<u>(d) Nor</u>	npublic criminal record	s maintained by	y the bureau and subjec	t to a grant of
172.27	expungeme	ent relief must display	a notation statin	ng "expungement relief	granted pursuant
172.28	to section (	609A.05."			
172.29	<u>(e)</u> The	bureau shall inform eac	ch arresting or c	iting law enforcement a	gency with records
172.30	affected by	the grant of expungeme	ent relief issued	oursuant to paragraph (c	) that expungement
172.31	has been g	ranted. The bureau sha	ll notify each a	rresting or citing law er	nforcement agency
172.32	of an expu	ngement within 60 day	s after the bure	au sent notice of the ex	pungement to the

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173.1 judicial branch. The bureau may notify each law enforcement agency using electronic means.

173.2 Upon receiving notification of an expungement, a law enforcement agency shall seal all

173.3 records related to the expungement, including the records of the person's arrest, indictment,

173.4 trial, verdict, and dismissal or discharge of the case.

173.5 (f) The Bureau of Criminal Apprehension shall make a reasonable and good faith effort

173.6 to notify any person whose record qualifies for an order of expungement or a grant of

173.7 expungement that the offense qualifies and notice is being sent to the judicial branch. Notice

173.8 sent pursuant to this paragraph shall inform the person that, following the order of

173.9 expungement, any records of an arrest, conviction, or incarceration should not appear on

173.10 any background check or study performed in Minnesota.

173.11 (g) On a schedule and in a manner established by the commissioner of human services,

173.12 the bureau shall send the commissioner of human services a list identifying the name and

173.13 case number or, if no case number is available, the citation number of each person who

173.14 received a grant of expungement.

173.15 (h) Data on a person whose offense has been expunged under this subdivision, including

173.16 any notice sent pursuant to paragraph (e), (f), or (g), are private data on individuals as defined

173.17 in section 13.02, subdivision 12.

173.18 Subd. 3. Order of expungement. (a) Upon receiving notice that an offense qualifies

173.19 for expungement, or upon entering an order dismissing charges prior to a determination of

173.20 probable cause, the court shall issue an order vacating the conviction, if any, discharging

173.21 the person from any form of supervision, dismissing the proceedings against that person,

173.22 and sealing all records relating to an arrest, indictment or information, trial, verdict, or

173.23 dismissal and discharge for an offense described in subdivision 1.

(b) Section 609A.03, subdivision 6, applies to an order issued under this section sealing
 the record of proceedings under section 152.18.

173.26 (c) The limitations under section 609A.03, subdivision 7a, paragraph (b), do not apply

173.27 to an order issued under this section.

173.28 (d) The court administrator shall send a copy of an expungement order issued under this

173.29 section to each agency and jurisdiction whose records are affected by the terms of the order

173.30 and send a letter to the last known address of the person whose offense has been expunged

173.31 identifying each agency to which the order was sent.

(e) In consultation with the commissioner of human services, the court shall establish a
 schedule on which the court shall provide the commissioner of human services and the

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174.1 Profess	onal Educator Licensing	and Standards H	Board a list identifying	g the name and case			
174.2 <u>number</u>	or if no case number is a	vailable, the cita	tion number of each p	erson who received			
174.3 <u>an expu</u>	ngement order issued une	der this section.					
174.4 <u>(f) L</u>	ata on the person whose	offense has been	n expunged contained	in a letter or other			
174.5 <u>notifica</u>	tion sent under this subdi	vision are privat	e data on individuals a	as defined in section			
174.6 <u>13.02.</u>							
174.7 <b>EFF</b>	ECTIVE DATE. This s	ection is effectiv	ve August 1, 2023.				
	. [609A.06] EXPUNGE	WENT AND KI	ESENTENCING OF	FELONY			
174.9 <b>CANN</b>	ABIS OFFENSES.						
	livision 1. Cannabis Exp			Expungement Board			
174.11 is create	ed with the powers and du	uties established	by law.				
174.12 <u>(b)</u>	The Cannabis Expungement	ent Board is com	posed of the followin	g members:			
174.13 <u>(1) t</u>	(1) the chief justice of the supreme court or a designee;						
174.14 <u>(2)</u> t	(2) the attorney general or a designee;						
174.15 <u>(3)</u> c	one public defender, appo	ointed by the gov	vernor upon recommer	ndation of the state			
174.16 <b>public c</b>	efender;						
174.17 <u>(4)</u> t	he commissioner of one of	department of th	e state government as	defined in section			
174.18 <u>15.01,</u> a	ppointed by the governor	r; and					
174.19 <b>(5)</b> c	ne public member with e	experience as an	advocate for victim's	rights, appointed by			
174.20 the gov	ernor.						
174.21 (c) 7	The Cannabis Expungeme	ent Board shall h	nave the following pov	vers and duties:			
174.22 <u>(1) t</u>	o obtain and review the r	ecords, includin	g but not limited to all	l matters, files,			
174.23 <u>docume</u>	nts, and papers incident t	to the arrest, ind	ictment, information, 1	trial, appeal, or			
174.24 <u>dismiss</u>	al and discharge, which r	elate to a charge	for possession of a co	ontrolled substance;			
174.25 <u>(2) t</u>	o determine whether a per	rson committed a	in act involving the pos	ssession of cannabis			
174.26 <u>flower</u> of	or cannabinoid products th	hat would either	be a lesser offense or r	no longer be a crime			
174.27 <u>after Au</u>	ugust 1, 2023;						
174.28 <u>(3) t</u>	o determine whether a pe	erson's convictio	n should be vacated, c	harges should be			
174.29 dismiss	ed, and records should be	expunged, or w	hether the person sho	uld be resentenced			
174.30 to a less	er offense; and						

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175.1	(4) to no	otify the judicial branch	of individuals e	ligible for an expunger	nent or resentencing		
175.2	to a lesser offense.						
175.3	<u>(d)</u> The	Cannabis Expungement	t Board shall co	omplete the board's wor	rk by June 30, 2028.		
175.4	Subd. 2	2. Eligibility; possession	of cannabis.	(a) A person is eligible	for an expungement		
175.5	or resenten	ncing to a lesser offense	if:				
175.6	(1) the	person was convicted of	f, or adjudicatio	on was stayed for, a vio	olation of any of the		
175.7	following i	involving the possession	n of marijuana	or tetrahydrocannabin	ols:		
175.8	(i) secti	ion 152.021, subdivision	n 2, clause (6);				
175.9	(ii) sect	tion 152.022, subdivisio	on 2, clause (6)	<u>2</u>			
175.10	(iii) sec	tion 152.023, subdivisi	on 2, clause (5	); or			
175.11	(iv) sec	tion 152.025, subdivisio	on 2, clause (1)	<u>).</u>			
175.12	(2) the	offense did not involve	a dangerous w	eapon, the intentional	infliction of bodily		
175.13	harm on an	nother, an attempt to infl	ict bodily harn	n on another, or an act	committed with the		
175.14	intent to ca	use fear in another of in	mmediate bodi	ly harm or death;			
175.15	(3) the	act on which the charge	was based wo	uld either be a lesser o	offense or no longer		
175.16	be a crime	after August 1, 2023; an	nd				
175.17	(4) the	person did not appeal th	e sentence, any	appeal was denied, or	r the deadline to file		
175.18	an appeal l	nas expired.					
175.19	<u>(b)</u> For	purposes of this subdivi	ision, a "lesser	offense" means a nonf	felony offense if the		
175.20	person was	s charged with a felony.					
175.21	Subd. 3	B. Bureau of Criminal .	Apprehension	to identify eligible re	ecords. (a) The		
175.22	Bureau of C	Criminal Apprehension s	hall identify co	nvictions and sentences	s where adjudication		
175.23	was stayed	that qualify for review	under subdivis	sion 2, paragraph (a), o	clause (1).		
175.24	<u>(b) The</u>	Bureau of Criminal App	orehension sha	ll notify the Cannabis H	Expungement Board		
175.25	<u>of:</u>						
175.26	(1) the	name and date of birth o	of a person wh	ose record is eligible f	for review; and		
175.27	(2) the	case number of the elig	ible conviction	or stay of adjudicatio	<u>n.</u>		
175.28	Subd. 4	Access to records. The	ne Cannabis Ex	xpungement Board sha	all have free access		
175.29	to records,	including but not limite	ed to all matter	s, files, documents, and	d papers incident to		
175.30	the arrest,	indictment, information	, trial, appeal,	or dismissal and disch	arge that relate to a		
175.31	charge and	conviction or stay of ac	ljudication for	possession of a contro	olled substance held		

by law enforcement agencies, prosecuting authorities, and court administrators. The Cannabis 176.1 Expungement Board may issue subpoenas for and compel the production of books, records, 176.2 176.3 accounts, documents, and papers. If any person fails or refuses to produce any books, records, accounts, documents, or papers material in the matter under consideration after having been 176.4 lawfully required by order or subpoena, any judge of the district court in any county of the 176.5 state where the order or subpoena was made returnable, on application of the commissioner 176.6 of management and budget or commissioner of administration, as the case may be, shall 176.7 176.8 compel obedience or punish disobedience as for contempt, as in the case of disobedience of a similar order or subpoena issued by such court. 176.9 Subd. 5. Meetings; anonymous identifier. (a) The Cannabis Expungement Board shall 176.10 hold meetings at least monthly and shall hold a meeting whenever the board takes formal 176.11

176.12 action on a review of a conviction or stay of adjudication for an offense involving the

176.13 possession of marijuana or tetrahydrocannabinols. All board meetings shall be open to the

176.14 public and subject to chapter 13D.

176.15 (b) Any victim of a crime being reviewed and any law enforcement agency may submit

an oral or written statement at the meeting, giving a recommendation on whether a person's

176.17 record should be expunged or the person should be resentenced to a lesser offense. The

- 176.18 board must consider the victim's and the law enforcement agency's statement when making
- 176.19 <u>the board's decision.</u>

176.20 (c) Section 13D.05 governs the board's treatment of not public data, as defined by section

176.21 13.02, subdivision 8a, discussed at open meetings of the board. Notwithstanding section

176.22 13.03, subdivision 11, the board shall assign an anonymous, unique identifier to each victim

176.23 of a crime and person whose conviction or stay of adjudication the board reviews. The

176.24 identifier shall be used in any discussion in a meeting open to the public and on any records

available to the public to protect the identity of the person whose records are being

176.26 considered.

176.27Subd. 6. Review and determination. (a) The Cannabis Expungement Board shall review176.28all available records to determine whether the conviction or stay of adjudication is eligible176.29for an expungement or resentencing to a lesser offense. An expungement under this section176.30is presumed to be in the public interest unless there is clear and convincing evidence that176.31an expungement or resentencing to a lesser offense would create a risk to public safety.

176.32 (b) If the Cannabis Expungement Board determines that an expungement is in the public

- 176.33 interest, the board shall determine whether a person's conviction should be vacated and
- 176.34 charges should be dismissed.

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177.1	<u>(c) If th</u>	e Cannabis Expungem	ent Board deterr	nines that an expunge	ement is in the public
177.2	interest, the	e board shall determine	whether the limit	tations under section (	509A.03, subdivision
177.3	5a, apply.				
177.4	<u>(d) If th</u>	e Cannabis Expunger	ent Board deterr	nines that an expunge	ement is in the public
177.5	interest, the	e board shall determine	whether the limit	tations under section (	509A.03, subdivision
177.6	7a, paragra	ph (b), clause (4) or (:	5), apply.		
177.7	<u>(e)</u> If th	e Cannabis Expungen	nent Board deter	mines that an expung	gement is not in the
177.8	public inter	rest, the board shall de	termine whether	the person is eligible	e for resentencing to
177.9	<u>a lesser off</u>	ense.			
177.10	<u>(f) In m</u>	aking a determination	under this subdi	vision, the Cannabis	Expungement Board
177.11	shall consi	der:			
177.12	(1) the	nature and severity of	the underlying c	rime, including but no	ot limited to the total
177.13	amount of	marijuana or tetrahydi	cocannabinols po	ossessed by the person	n and whether the
177.14	offense inv	volved a dangerous we	apon, the intenti	onal infliction of bod	ily harm on another,
177.15	an attempt	to inflict bodily harm	on another, or a	n act committed with	the intent to cause
177.16	fear in ano	ther of immediate bod	ily harm or deat	<u>h;</u>	
177.17	(2) whe	ther an expungement	or resentencing t	he person a lesser off	ense would increase
177.18	the risk, if	any, the person poses	to other individu	als or society;	
177.19	(3) if th	e person is under sent	ence, whether ar	expungement or res	entencing to a lesser
177.20	offense wo	ould result in the release	e of the person a	and whether release e	arlier than the date
177.21	that the per	rson would be released	l under the sente	nce currently being s	erved would present
177.22	a danger to	the public or would b	e compatible wi	th the welfare of soci	ety;
177.23	<u>(4) agg</u>	ravating or mitigating	factors relating	to the underlying crir	ne, including the
177.24	person's le	vel of participation and	d the context and	l circumstances of the	e underlying crime;
177.25	<u>(5) state</u>	ements from victims a	nd law enforcem	nent, if any;	
177.26	<u>(6) if an</u>	n expungement or rese	ntencing the per	son to a lesser offens	e is considered,
177.27	whether the	ere is good cause to res	tore the person's	right to possess firear	ms and ammunition;
177.28	<u>(7) if ar</u>	expungement is const	idered, whether a	in expunged record of	f a conviction or stay
177.29	of adjudica	tion may be opened for	or purposes of a l	background study und	ler section 245C.08;
177.30	<u>(8) if ar</u>	expungement is const	idered, whether a	in expunged record of	f a conviction or stay
177.31	of adjudica	tion may be opened for	or purposes of a	background check re	quired under section
177.32	<u>122A.18, s</u>	ubdivision 8; and			

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178.1	(9) other fac	tors deemed relevation	ant by the Cann	abis Expungement Board	<u>d.</u>
178.2	(g) The affin	mative vote of thr	ee members is r	equired for action taken	at any meeting.
178.3	<u>Subd. 7.</u> <b>No</b>	tice to judicial br	anch and offen	<b>ders.</b> (a) The Cannabis I	Expungement
178.4	Board shall ide	ntify any convictio	n or stay of adj	udication that qualifies for	or an order of
178.5	expungement o	r resentencing to a	lesser offense a	nd notify the judicial bra	anch of:
178.6	(1) the name	e and date of birth	of a person who	ose conviction or stay of	adjudication is
178.7	eligible for an o	order of expungeme	ent or resentenc	ing to a lesser offense;	
178.8	(2) the case	number of the elig	ible conviction	or stay of adjudication;	
178.9	(3) whether	the person is eligib	ole for an expun	gement;	
178.10	(4) if the per	rson is eligible for	an expungemen	t, whether the person's co	onviction should
178.11	be vacated and	charges should be	dismissed;		
178.12	(5) if the per	rson is eligible for	an expungemer	it, whether there is good	cause to restore
178.13	the offender's r	ight to possess fire	arms and ammu	nition;	
178.14	(6) if the pe	rson is eligible for	an expungemer	t, whether the limitation	s under section
178.15	609A.03, subdi	vision 7a, clause (4	4) or (5), apply;	and	
178.16	(7) if the per	rson is eligible for	resentencing to	a lesser offense, the less	er sentence to be
178.17	imposed.				
178.18	(b) The Can	nabis Expungemer	nt Board shall m	ake a reasonable and go	od faith effort to
178.19	notify any perso	on whose conviction	on or stay of adj	udication qualifies for an	n order of
178.20	expungement the	at the offense qual	ifies and notice	is being sent to the judicia	al branch. Notice
178.21	sent pursuant to	this paragraph sha	all inform the po	erson that, following the	order of
178.22	expungement, a	iny records of an a	rrest, convictior	n, or incarceration should	l not appear on
178.23	any background	l check or study.			
178.24	Subd. 8. Da	ta classification. A	All data collecte	d, created, received, mai	ntained, or
178.25	disseminated by	y the Cannabis Exp	oungement Boar	d in which each victim	of a crime and
178.26	person whose c	onviction or stay o	of adjudication t	hat the Cannabis Expung	gement Board
178.27	reviews is or ca	n be identified as t	the subject of th	e data is classified as pri	vate data on
178.28	individuals, as	defined by section	13.02, subdivis	ion 12.	
178.29	<u>Subd. 9.</u> Or	der of expungeme	e <b>nt.</b> (a) Upon re	ceiving notice that an of	fense qualifies
178.30	for expungement	nt, the court shall i	ssue an order se	aling all records relating	to an arrest,
178.31	indictment or in	formation, trial, ve	erdict, or dismiss	sal and discharge for an o	ffense described
178.32	in subdivision 1	. If the Cannabis Ex	kpungement Boa	rd determined that the pe	rson's conviction

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179.1	should be va	acated and charges sh	ould be dismisse	d, the order shall vac	ate and dismiss the
179.2	charges.				
179.3	(b) If the	Cannabis Expungen	nent Board detern	nined that there is go	od cause to restore
179.4	the person's	right to possess firear	ms and ammuniti	on, the court shall issu	ue an order pursuant
179.5	to section 60	09.165, subdivision 1	<u>d.</u>		
179.6	(c) If the	Cannabis Expunger	nent Board deterr	nined that an expung	ed record of a
179.7	conviction o	r stay of adjudicatior	n may not be ope	ned for purposes of a	background study
179.8	under sectio	n 245C.08, the court	shall direct the o	rder specifically to th	ne commissioner of
179.9	human servi	ces.			
179.10	(d) If the	Cannabis Expungen	nent Board deterr	nined that an expung	ed record of a
179.11	conviction o	or stay of adjudication	n may not be ope	ned for purposes of a	background check
179.12	required und	ler section 122A.18,	subdivision 8, th	e court shall direct th	e order specifically
179.13	to the Profes	ssional Educator Lice	ensing and Standa	ards Board.	
179.14	<u>(e) The c</u>	ourt administrator sh	all send a copy of	f an expungement ord	ler issued under this
179.15	section to ea	ch agency and jurisdi	iction whose reco	ords are affected by th	e terms of the order
179.16	and send a le	etter to the last known	n address of the p	person whose offense	has been expunged
179.17	identifying e	each agency to which	the order was se	ent.	
179.18	(f) Data	on the person whose	offense has been	expunged in a letter	sent under this
179.19	subdivision	are private data on in	dividuals as defi	ned in section 13.02.	
179.20	Subd. 10	. Resentencing. (a) I	f the Cannabis E	xpungement Board d	etermined that a
179.21	person is eli	gible for resentencing	g to a lesser offer	nse and the person is	currently under
179.22	sentence, the	court shall proceed as	s if the appellate c	ourt directed a reduction	ion of the conviction
179.23	to an offense	e of lesser degree purs	uant to rule 28.02	2, subdivision 12 of th	e Rules of Criminal
179.24	Procedure.				
179.25	<u>(b) If the</u>	Cannabis Expungen	nent Board deterr	nined that a person is	s eligible for
179.26	resentencing	g to a lesser offense a	nd the person con	mpleted or has been o	lischarged from the
179.27	sentence, the	e court may issue an o	rder amending the	e conviction to an offe	ense of lesser degree
179.28	without hold	ling a hearing.			
179.29	(c) If the	Cannabis Expunger	nent Board deterr	nined that there is go	od cause to restore
179.30	the person's	right to possess firea	rms and ammuni	tion, the court shall,	as necessary, issue
179.31	an order pur	suant to section 609.	165, subdivision	<u>1d.</u>	
179.32	<b>EFFEC</b>	<b>FIVE DATE.</b> This se	ection is effective	e August 1, 2023.	

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180.1			ARTICL	E 6		
180.2	MISCELLANEOUS PROVISIONS					
180.3	Section 1. [3.	9224] MEDICAL	<u>CANNABIS;</u>	COMPACTS TO BE	NEGOTIATED.	
180.4	Subdivision	<u>1. <b>Definitions.</b> (a</u>	a) As used in thi	s section, the following	g terms have the	
180.5	meanings giver	<u>1.</u>				
180.6	(b) "Indian	Tribe" means a Tr	ibe, band, natio	n, or other federally re	cognized group or	
180.7	community of I	ndians located wit	hin the geograp	hical boundaries of the	state of Minnesota.	
180.8	(c) "Medica	l cannabinoid proc	luct" has the me	aning given in section	342.01, subdivision	
180.9	<u>47.</u>					
180.10	(d) "Medica	ll cannabis flower"	has the meanin	g given in section 342.	01, subdivision 49.	
180.11	<u>Subd. 2.</u> Ne	gotiations author	<b>·ized.</b> Following	g a public hearing, the	governor or the	
180.12	governor's desi	gnated representat	tives are authori	zed to negotiate in goo	od faith a compact	
180.13	with an Indian	Fribe regulating m	edical cannabis	flower and medical car	mabinoid products.	
180.14	The attorney ge	eneral is the legal of	counsel for the g	governor or the govern	or's representatives	
180.15	in regard to neg	sotiating a compac	t under this sect	ion. If the governor ap	points designees to	
180.16	negotiate under	this subdivision,	the designees m	ust include at least two	o members of the	
180.17	senate and two	members of the he	ouse of represer	ntatives, two of whom	must be the chairs	
180.18	of the senate an	d house of represe	ntatives standin	g committees with juris	sdiction over health	
180.19	policy.					
180.20	Subd. 3. Te	rms of compact;	rights of partie	s. (a) A compact agree	ed to under this	
180.21	section may add	dress any issues re	lated to medical	cannabis flower and m	edical cannabinoid	
180.22	products that at	ffect the interests of	of both the state	and Indian Tribe or ot	herwise have an	
180.23	impact on Triba	al-state relations. A	At a minimum, a	a compact agreed to or	behalf of the state	
180.24	under this secti	on must address:				
180.25	(1) the enfo	rcement of crimin	al and civil laws	5;		
180.26	(2) the regu	lation of the comm	nercial producti	on, processing, sale or	distribution, and	
180.27	possession of n	nedical cannabis fl	lower and medio	cal cannabinoid produc	<u>ets;</u>	
180.28	(3) medical	and pharmaceutica	al research invol	ving medical cannabis	flower and medical	
180.29	cannabinoid pr	oducts;				
180.30	(4) the taxat	ion of medical can	nabis flower and	d medical cannabinoid	products, including	
180.31	establishing an	appropriate amou	nt and method o	of revenue sharing;		

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181.1	(5) the im	munities of an Indian	Tribe or preem	otion of state law rega	rding the production,
181.2	processing, c	or sale or distribution	of medical can	nabis flower and med	lical cannabinoid
181.3	products; and	<u>d</u>			
181.4	<u>(6) the m</u>	ethod of resolution f	or disputes invo	lving the compact, in	cluding the use of
181.5	mediation or	other alternative dis	pute resolution	processes and proced	ures.
181.6	<u>(b) In add</u>	lressing the issues ide	entified under pa	ragraph (a), the gover	nor or the governor's
181.7	designated re	epresentatives shall o	only enter into a	greements that:	
181.8	<u>(1) provie</u>	de for the preservation	on of public heal	th and safety;	
181.9	(2) ensure	e the security of prod	uction, processi	ng, retail, and researc	h facilities on Tribal
181.10	land; and				
181.11	(3) establ	ish provisions regula	ating business in	volving medical can	nabis flower and
181.12	medical cann	abinoid products that	t pass between T	ribal land and non-Tr	ibal land in the state.
181.13	Subd. 4.	Assessments and ch	arges. Notwith	standing any law to th	ne contrary, any
181.14	compact agre	eed to under this sect	tion shall establi	sh all taxes, fees, ass	essments, and other
181.15	charges relate	ed to the production,	processing, sale	or distribution, and p	ossession of medical
181.16	cannabis flov	wer and medical can	nabinoid produc	ts.	
181.17	Subd. 5.	Civil and criminal i	mmunities. The	e following acts, whe	n performed by a
181.18	validly licens	sed medical cannabis	s retailer or an e	mployee of a medical	l cannabis retailer
181.19	operated by a	an Indian Tribe pursu	ant to a compac	et entered into under	this section, do not
181.20	constitute a c	criminal or civil offer	nse under state l	aw:	
181.21	(1) the cu	lltivation of cannabis	s flower, as defin	ned in section 342.01	, subdivision 16;
181.22	(2) the po	ssession, purchase, a	and receipt of m	edical cannabis flow	er and medical
181.23	cannabinoid	products that are proj	perly packaged a	and labeled as authori	zed under a compact
181.24	entered into	pursuant to this section	on; and		
181.25	(3) the def	livery, distribution, ar	nd sale of medica	l cannabis flower and	medical cannabinoid
181.26	products as a	uthorized under a co	mpact entered i	nto pursuant to this se	ection and that takes
181.27	place on the	premises of a medica	al cannabis retai	ler on Tribal land to a	any person 21 years
181.28	of age or old	er.			
181.29	Subd. 6.	Publication; report.	(a) The govern	or shall post any com	pact entered into
181.30	under this se	ction on a publicly a	ccessible websit	te.	
181.31	<u>(b)</u> The g	overnor, the attorney	general, and th	e governor's designat	ed representatives
181.32	shall report t	o the legislative com	mittees having	jurisdiction over heal	th, taxation, and

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182.1	commerce anni	ually This report sl	hall contain inf	ormation on compacts n	egotiated and an
				ormation on compacts in	egonated and an
182.2	outline of prosp	pective negotiation	<u>s.</u>		
182.3	Sec. 2. [3.922	8] ADULT-USE (	CANNABIS; (	COMPACTS TO BE N	EGOTIATED.
182.4	Subdivision	1. Definitions. (a)	) As used in thi	s section, the following	terms have the
182.5	meanings giver	<u>ı.</u>			
182.6	<u>(b)</u> "Indian '	Tribe" means a Tri	be, band, natio	n, or other federally reco	ognized group or
182.7	community of I	ndians located with	nin the geograp	hical boundaries of the st	ate of Minnesota.
182.8	<u>(c) "Adult-u</u>	se cannabinoid prod	duct" has the m	eaning given in section 34	42.01, subdivision
182.9	<u>2.</u>				
182.10	(d) "Adult-u	ise cannabis flower	r" has the mean	ning given in section 342	2.01, subdivision
182.11	<u>4.</u>				
182.12	<u>Subd. 2.</u> <u>Ne</u>	gotiations author	<b>ized.</b> Following	g a public hearing, the g	overnor or the
182.13	governor's desig	gnated representati	ives are authori	zed to negotiate in good	faith a compact
182.14	with an Indian T	ribe regulating adu	lt-use cannabis	flower and adult-use cam	nabinoid products.
182.15	The attorney ge	meral is the legal c	ounsel for the	governor or the governor	's representatives
182.16	in regard to neg	otiating a compact	under this sec	tion. If the governor app	oints designees to
182.17	negotiate under	this subdivision, t	he designees n	nust include at least two	members of the
182.18	senate and two	members of the ho	ouse of represent	ntatives, two of whom m	ust be the chairs
182.19	of the senate an	d house of represer	ntatives standin	g committees with jurisd	iction over health
182.20	policy.				
182.21	Subd. 3. Ter	rms of compact; r	ights of partie	es. (a) A compact agreed	to under this
182.22	section may add	lress any issues rela	ted to adult-use	cannabis flower and adu	t-use cannabinoid
182.23	products that af	fect the interests o	f both the state	and Indian Tribe or othe	erwise have an
182.24	impact on Triba	al-state relations. A	t a minimum,	a compact agreed to on l	behalf of the state
182.25	under this section	on must address:			
182.26	(1) the enfor	rcement of crimina	ll and civil law	s;	
182.27	(2) the regulation	lation of the comm	ercial producti	on, processing, sale or d	istribution, and
182.28	possession of a	dult-use cannabis f	flower and adu	lt-use cannabinoid produ	icts;
182.29	(3) medical	and pharmaceutica	al research invo	olving adult-use cannabi	s flower and
182.30	adult-use canna	binoid products;			
182.31	(4) the taxat	tion of adult-use ca	nnabis flower	and adult-use cannabino	id products,
182.32	including estab	lishing an appropri	iate amount and	d method of revenue sha	ring;

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183.1	(5) the im	munities of an Indian	Tribe or preem	nption of state law rega	rding the production,
183.2			-	annabis flower and ad	
183.3	products; and				
183.4	(6) the me	ethod of resolution for	or disputes inv	olving the compact, in	cluding the use of
183.5	mediation or	other alternative dis	pute resolution	processes and proced	lures.
183.6	(b) In addi	ressing the issues ide	ntified under p	aragraph (a), the gover	mor or the governor's
183.7		l only enter into agre			
183.8	<u>(1)</u> provid	e for the preservation	n of public hea	alth and safety;	
183.9	(2) ensure	the security of prod	uction, process	sing, retail, and researc	ch facilities on Tribal
183.10	land; and				
183.11	(3) establi	sh provisions regula	ting business i	nvolving adult-use car	nnabis flower and
183.12	adult-use can	nabinoid products th	at pass betwee	en Tribal land and non	-Tribal land in the
183.13	state.				
183.14	<u>Subd. 4.</u>	Assessments and ch	arges. Notwith	nstanding any law to th	ne contrary, any
183.15	compact agre	ed to under this sect	ion shall estab	lish all taxes, fees, ass	essments, and other
183.16	charges relate	d to the production, p	processing, sale	or distribution, and po	ossession of adult-use
183.17	cannabis flow	ver and adult-use car	nabinoid prod	ucts.	
183.18	<u>Subd. 5.</u>	Civil and criminal i	<b>mmunities.</b> Th	ne following acts, whe	n performed by a
183.19	validly licens	ed cannabis retailer c	or an employee	of a cannabis retailer c	perated by an Indian
183.20	Tribe pursuar	nt to a compact enter	ed into under t	this section, do not con	nstitute a criminal or
183.21	civil offense	under state law:			
183.22	(1) the cu	ltivation of cannabis	flower, as def	ined in section 342.01	, subdivision 16;
183.23	(2) the po	ssession, purchase, a	and receipt of a	dult-use cannabis flov	wer and adult-use
183.24	cannabinoid p	products that are prop	perly packaged	and labeled as authori	zed under a compact
183.25	entered into p	oursuant to this section	on; and		
183.26	(3) the def	livery, distribution, a	and sale of adu	lt-use cannabis flower	and adult-use
183.27	cannabinoid j	products as authorize	ed under a com	pact entered into purs	suant to this section
183.28	and that takes	s place on the premis	ses of a medica	al cannabis retailer on	Tribal land to any
183.29	person 21 yea	ars of age or older.			
183.30	<u>Subd. 6.</u>	Publication; report.	(a) The gover	nor shall post any com	pact entered into
183.31	under this sec	ction on a publicly a	ccessible webs	ite.	

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184.1 (b) The governor, the attorney general, and the governor's designee shall report to the

184.2 legislative committees having jurisdiction over health, taxation, and commerce annually.

184.3 This report shall contain information on compacts negotiated and an outline of prospective
184.4 negotiations.

184.5 Sec. 3. Minnesota Statutes 2022, section 13.411, is amended by adding a subdivision to184.6 read:

Subd. 12. Cannabis businesses. Data submitted to the Office of Cannabis Management
 for a cannabis business license and data relating to investigations and disciplinary proceedings
 involving cannabis businesses licensed by the Office of Cannabis Management are classified
 under section 342.18, subdivision 6.

184.11 Sec. 4. Minnesota Statutes 2022, section 13.871, is amended by adding a subdivision to184.12 read:

184.13Subd. 15. Cannabis Expungement Board records. Data collected, created, received,184.14maintained, or disseminated by the Cannabis Expungement Board are classified under184.15section 609A.06, subdivision 8.

184.16 Sec. 5. Minnesota Statutes 2022, section 16B.2975, subdivision 8, is amended to read:

Subd. 8. **Canine management.** (a) The commissioner may give and convey to a canine's handler the state's entirety of the right, title, interest, and estate in and to a canine who is retired from service, with whom the handler trained and worked while the canine was in service to the state. The handler is solely responsible for all future expenses related to the retired canine. The commissioner must allow the handler an opportunity to accept the canine before any other placement options are considered.

(b) If the canine's handler does not accept the canine, the commissioner must ensure that
the canine is placed in a home where the canine will be safe and well-cared for.

184.25 Sec. 6. 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.

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

185.1	Sec. 7. [120B.215] EDUCATION ON CANNABIS USE AND SUBSTANCE USE.
185.2	Subdivision 1. Model program. The commissioner of education, in consultation with
185.3	the commissioners of health and human services, local district and school health education
185.4	specialists, and other qualified experts, shall identify one or more model programs that may
185.5	be used to educate middle school and high school students on the health effects on children
185.6	and adolescents of cannabis use and substance use consistent with local standards as required
185.7	in section 120B.021, subdivision 1, paragraph (a), clause (6), for elementary and secondary
185.8	school students. The commissioner must publish a list of model programs that include
185.9	written materials, curriculum resources, and training for instructors by June 1, 2025. A
185.10	model program identified by the commissioner must be medically accurate, age and
185.11	developmentally appropriate, culturally inclusive, and grounded in science, and must address:
185.12	(1) the physical and mental health effects of cannabis use and substance use by children
185.13	and adolescents, including effects on the developing brains of children and adolescents;
185.14	(2) unsafe or unhealthy behaviors associated with cannabis use and substance use;
185.15	(3) signs of substance use disorders;
185.16	(4) treatment options; and
185.17	(5) healthy coping strategies for children and adolescents.
185.18	
	Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district
185.19	Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district or charter school must implement a comprehensive education program on cannabis use and
185.19 185.20	
	or charter school must implement a comprehensive education program on cannabis use and
185.20	or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include
185.20 185.21	or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must:
<ul><li>185.20</li><li>185.21</li><li>185.22</li><li>185.23</li></ul>	or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and
185.20 185.21 185.22	or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate
<ul> <li>185.20</li> <li>185.21</li> <li>185.22</li> <li>185.23</li> <li>185.24</li> <li>185.25</li> </ul>	or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, and treatment for a substance use disorder.
<ul> <li>185.20</li> <li>185.21</li> <li>185.22</li> <li>185.23</li> <li>185.24</li> </ul>	or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, and treatment for a substance use disorder. (b) District efforts to develop, implement, or improve instruction or curriculum as a
<ul> <li>185.20</li> <li>185.21</li> <li>185.22</li> <li>185.23</li> <li>185.24</li> <li>185.25</li> <li>185.26</li> <li>185.27</li> </ul>	or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, and treatment for a substance use disorder. (b) District efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with sections 120B.10 and 120B.11.
<ul> <li>185.20</li> <li>185.21</li> <li>185.22</li> <li>185.23</li> <li>185.24</li> <li>185.25</li> <li>185.26</li> <li>185.27</li> <li>185.28</li> </ul>	or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, and treatment for a substance use disorder. (b) District efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with sections 120B.10 and 120B.11. Subd. 3. Parental review. Notwithstanding any law to the contrary, each school district
<ul> <li>185.20</li> <li>185.21</li> <li>185.22</li> <li>185.23</li> <li>185.24</li> <li>185.25</li> <li>185.26</li> <li>185.27</li> <li>185.28</li> <li>185.29</li> </ul>	or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, and treatment for a substance use disorder. (b) District efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with sections 120B.10 and 120B.11. Subd. 3. Parental review. Notwithstanding any law to the contrary, each school district shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older
<ul> <li>185.20</li> <li>185.21</li> <li>185.22</li> <li>185.23</li> <li>185.24</li> <li>185.25</li> <li>185.26</li> <li>185.27</li> <li>185.28</li> </ul>	or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, and treatment for a substance use disorder. (b) District efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with sections 120B.10 and 120B.11. Subd. 3. Parental review. Notwithstanding any law to the contrary, each school district

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186.1	adult student to opt o	out of instruction	under this section	with no academic	or other penalty
186.2	for the student and n	nust inform parent	ts and adult stude	nts of this right to	opt out.
186.3	Subd. 4. Youth c	ouncil. A school	district or charter	school may establ	lish one or more
186.4	youth councils in wh	ich student memb	pers of the counci	l receive education	n and training on
186.5	cannabis use and sub	ostance use and pr	ovide peer-to-pee	er education on the	ese topics.
186.6	Sec. 8. [144.196] (	CANNABIS DAT	A COLLECTIO	N AND BIENNI	AL REPORTS.
186.7	Subdivision 1. G	eneral. The comm	nissioner of healt	h shall engage in 1	research and data
186.8	collection activities	o measure the pre	evalence of canna	bis flower use and	the use of
186.9	cannabinoid product	s in the state by pe	ersons under 21 y	ears of age and by	persons 21 years
186.10	of age or older. In ord	er to collect data, t	he commissioner	may modify existing	ng data collection
186.11	tools used by the dep	artment or other s	state agencies or n	nay establish one o	or more new data
186.12	collection tools.				
186.13	Subd. 2. Statewi	de assessment; b	aseline data; upo	dates. (a) The com	missioner shall
186.14	conduct a statewide a	assessment to estab	blish a baseline fo	or the prevalence of	f cannabis flower
186.15	use and the use of ca	nnabinoid produc	ts in the state bro	ken out by:	
186.16	(1) the current ag	e of the customer	<u>2</u>		
186.17	(2) the age at wh	ch the customer b	began consuming	cannabis flower o	r cannabinoid
186.18	products;				
186.19	(3) whether the c	ustomer consume	s cannabis flower	or cannabinoid p	roducts, and by
186.20	type of cannabinoid	product that the c	ustomer consume	s, if applicable;	
186.21	(4) the amount of	cannabis flower	or cannabinoid pi	roduct typically co	onsumed at one
186.22	<u>time;</u>				
186.23	(5) the typical free	quency of consur	nption and		
186.24	<u></u>	specified by the c			
186.25			· · ·	y 1, 2024. The con	
186.26	collect updated data	under this subdiv	ision at least ever	y two years therea	<u>fter.</u>
186.27	Subd. 3. Reports	. Beginning Janua	ary 1, 2025, and e	every two years the	ereafter, the
186.28	commissioner shall i	ssue a public repo	ort on the prevaler	nce of cannabis flo	ower use and the
186.29	use of cannabinoid p	roducts in the stat	te by persons und	er age 21 and by p	persons age 21 or
186.30	older. The report may	y include recomm	endations from th	e commissioner fo	or changes to this
186.31	chapter that would d	iscourage or prev	ent personal use o	of cannabis flower	or cannabinoid
186.32	products by persons	under age 21, tha	t would discourag	ge personal use of	cannabis flower

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or cannabinoid products by pregnant or breastfeeding women, that would prevent access to
 cannabis flower or cannabinoid products by young children, or that would otherwise promote

187.3 public health.

## 187.4 Sec. 9. [144.197] CANNABIS EDUCATION PROGRAMS.

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

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

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

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

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

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

187.11 around the state.

187.12 Subd. 2. Education for pregnant and breastfeeding women; women who may become

187.13 **pregnant.** The commissioner of health shall conduct a long-term, coordinated program to

187.14 educate pregnant women, breastfeeding women, and women who may become pregnant on

187.15 the adverse health effects of prenatal exposure to cannabis flower or cannabinoid products

187.16 and on the adverse health effects experienced by infants and children who are exposed to

187.17 cannabis flower or cannabinoid products in breast milk, from secondhand smoke, or by

187.18 ingesting cannabinoid products. This education program must also educate women on what

187.19 constitutes a substance use disorder, signs of a substance use disorder, and treatment options

187.20 for persons with a substance use disorder.

187.21Subd. 3. Home visiting programs. The commissioner of health shall provide training,187.22technical assistance, and education materials to local public health home visiting programs187.23and Tribal home visiting programs regarding the safe and unsafe use of cannabis flower or187.24cannabinoid products in homes with infants and young children. Training, technical187.25assistance, and education materials shall address substance use, the signs of a substance use187.26disorder, treatment options for persons with a substance use disorder, the dangers of driving

187.27 <u>under the influence of cannabis flower or cannabinoid products, how to safely consume</u>

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

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

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

187.31 Sec. 10. Minnesota Statutes 2022, section 181.938, subdivision 2, is amended to read:

187.32 Subd. 2. **Prohibited practice.** (a) An employer may not refuse to hire a job applicant 187.33 or discipline or discharge an employee because the applicant or employee engages in or has 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 section, "lawful consumable products" means products whose use or enjoyment is lawful and which are consumed during use or enjoyment, and includes food, alcoholic or nonalcoholic beverages, and tobacco, cannabis flower, as defined in section 342.01,

subdivision 16, and cannabinoid products, as defined in section 342.01, subdivision 12.

188.7 (b) Cannabis flower and cannabinoid products are lawful consumable products for the

188.8 purpose of Minnesota law, regardless of whether federal or other state law considers cannabis

188.9 use, possession, impairment, sale, or transfer to be unlawful. Nothing in this section shall

188.10 be construed to limit an employer's ability to discipline or discharge an employee for cannabis

188.11 flower or cannabinoid product use, possession, impairment, sale, or transfer during working

188.12 hours, on work premises, or while operating an employer's vehicle, machinery, or equipment.

188.13 Sec. 11. Minnesota Statutes 2022, section 181.950, subdivision 2, is amended to read:

188.14 Subd. 2. **Confirmatory test; confirmatory retest.** "Confirmatory test" and "confirmatory 188.15 retest" mean a drug or alcohol test <u>or cannabis test</u> that uses a method of analysis allowed 188.16 under one of the programs listed in section 181.953, subdivision 1.

188.17 Sec. 12. 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
342.01, subdivision 12.

188.22 Sec. 13. 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.

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189.3Subd. 5a. Cannabis testing. "Cannabis testing" means the analysis of a body component189.4sample according to the standards established under one of the programs listed in section189.5181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis189.6flower, as defined in section 342.01, subdivision 16, cannabinoid products, as defined in189.7section 342.01, subdivision 12, or cannabis metabolites in the sample tested. The definitions189.8in this section apply to cannabis testing unless stated otherwise.

189.9 Sec. 15. 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
 189.12 181.953, subdivision 1.

189.13 Sec. 16. Minnesota Statutes 2022, section 181.950, subdivision 13, is amended to read:

189.14 Subd. 13. **Safety-sensitive position.** "Safety-sensitive position" means a job, including 189.15 any supervisory or management position, in which an impairment caused by drug <del>or</del>, alcohol, 189.16 or cannabis usage would threaten the health or safety of any person.

189.17 Sec. 17. Minnesota Statutes 2022, section 181.951, is amended by adding a subdivision189.18 to read:

Subd. 8. Limitations on cannabis testing. (a) An employer must not request or require
 a job applicant to undergo cannabis testing or drug and alcohol testing solely for the purpose
 of determining the presence or absence of cannabis as a condition of employment unless
 otherwise required by state or federal law.

(b) Unless otherwise required by state or federal law, an employer must not refuse to
 hire a job applicant solely because the job applicant submits to a cannabis test or a drug and
 alcohol test authorized by this section and the results of the test indicate the presence of
 cannabis.

(c) An employer must not request or require an employee or job applicant to undergo
 cannabis testing on an arbitrary or capricious basis or on a random selection basis.

189.29 (d) An employer may request or require an employee to undergo cannabis testing

189.30 conducted by a testing laboratory that participates in one of the programs listed in section

189.31 181.953, subdivision 1, if the employer has a reasonable suspicion that while the employee

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is working or	while the employee	is on the employ	er's premises or oper	rating the employer's
vehicle, mach	ninery, or equipment	, the employee:		
(1) as the 1	cesult of consuming of	cannabis flower o	r a cannabinoid prod	luct, does not possess
that clearness	of intellect and con	trol of self that th	ne employee otherw	ise would have;
<u>(2) has vie</u>	plated the employer's	s written work ru	les prohibiting cann	abis use, possession,
impairment, s	ale, or transfer, prov	vided that the wor	k rules for cannabis	and cannabis testing
are in writing	and in a written pol	licy that contains	the minimum inform	mation required in
section 181.9	<u>52; or</u>			
<u>(3)</u> has su	stained a personal ir	njury or has a cau	used a work-related a	accident as provided
in subdivision	n 5, clauses (3) and (	(4).		
(e) Canna	bis testing authorize	ed under paragrap	bh (d) must comply y	with the safeguards
for testing en	ployees provided in	sections 181.95	3 and 181.954.	
Sec. 18 Mi	nnasata Statutas 20'	22 spation 181.0	51 is amonded by a	dding a subdivision
	linesota Statutes 202	22, section 161.9	or, is amended by a	
		g and subject to the	ne drug and alcohol	testing provisions in
sections 181.	950 to 181.957:			
<u>(1) a safet</u>	y-sensitive position	, as defined in se	ction 181.950, subdi	ivision 13;
<u>(2)</u> a peac	e officer position, as	s defined in section	on 626.84, subdivisi	<u>on 1;</u>
<u>(3) a firef</u>	ighter position, as de	efined in section	299N.01, subdivisio	on 3;
<u>(4)</u> a posit	tion requiring face-to	o-face care, train	ing, education, supe	rvision, counseling,
consultation,	or medical assistance	e to:		
(i) childre	<u>n;</u>			
(ii) vulner	able adults, as defin	ed in section 626	5.5572, subdivision 2	21; or
(iii) patier	nts who receive heal	th care services f	rom a provider for t	he treatment,
examination,	or emergency care of	of a medical, psy	chiatric, or mental c	ondition;
<u>(5) a posit</u>	ion requiring a comm	nercial driver's lic	cense or requiring an	employee to operate
a motor vehic	le for which state of	r federal law requ	uires drug or alcohol	l testing of a job
applicant or a	n employee;			
<u>(6)</u> a posit	tion of employment	funded by a fede	ral grant; or	
	is working or vehicle, mach (1) as the r that clearness (2) has vio impairment, s are in writing section 181.9 (3) has sur in subdivision (e) Canna for testing em Sec. 18. Mi to read: Sec. 18. Mi to read: Sec. 18. Mi to read: (1) a safet (2) a peac (3) a firefi (4) a posit consultation, (i) childre (ii) vulner (ii) patier examination, (5) a posit a motor vehic applicant or a	is working or while the employee vehicle, machinery, or equipment (1) as the result of consuming of that clearness of intellect and con (2) has violated the employer's impairment, sale, or transfer, prov are in writing and in a written pol- section 181.952; or (3) has sustained a personal in in subdivision 5, clauses (3) and of (e) Cannabis testing authorize for testing employees provided in Sec. 18. Minnesota Statutes 202 to read: Subd. 9. Cannabis testing ex- metabolites are considered a drug sections 181.950 to 181.957: (1) a safety-sensitive position (2) a peace officer position, as (3) a firefighter position, as do (4) a position requiring face-to consultation, or medical assistance (i) children; (ii) vulnerable adults, as defin (iii) patients who receive heal examination, or emergency care of (5) a position requiring a comm a motor vehicle for which state of applicant or an employee;	is working or while the employee is on the employ vehicle, machinery, or equipment, the employee: (1) as the result of consuming cannabis flower of that clearness of intellect and control of self that th (2) has violated the employer's written work ru impairment, sale, or transfer, provided that the wor are in writing and in a written policy that contains section 181.952; or (3) has sustained a personal injury or has a cau in subdivision 5, clauses (3) and (4). (e) Cannabis testing authorized under paragrap for testing employees provided in sections 181.95 Sec. 18. Minnesota Statutes 2022, section 181.95 to read: Subd. 9. <b>Cannabis testing exceptions.</b> For the metabolites are considered a drug and subject to th sections 181.950 to 181.957: (1) a safety-sensitive position, as defined in section (3) a firefighter position, as defined in section (4) a position requiring face-to-face care, train consultation, or medical assistance to: (i) children: (ii) vulnerable adults, as defined in section 626 (iii) patients who receive health care services f examination, or emergency care of a medical, psy (5) a position requiring a commercial driver's life a motor vehicle for which state or federal law requiring applicant or an employee;	<ul> <li>is working or while the employee is on the employer's premises or oper vehicle, machinery, or equipment, the employee: <ul> <li>(1) as the result of consuming cannabis flower or a cannabinoid prod that clearness of intellect and control of self that the employee otherw</li> <li>(2) has violated the employer's written work rules prohibiting cannimpairment, sale, or transfer, provided that the work rules for cannabis are in writing and in a written policy that contains the minimum informsection 181.952; or</li> <li>(3) has sustained a personal injury or has a caused a work-related at in subdivision 5, clauses (3) and (4).</li> <li>(e) Cannabis testing authorized under paragraph (d) must complying for testing employees provided in sections 181.953 and 181.954.</li> <li>Sec. 18. Minnesota Statutes 2022, section 181.951, is amended by a to read:</li> <li>Subd. 9. Cannabis testing exceptions, For the following positions metabolites are considered a drug and subject to the drug and alcohol sections 181.950 to 181.957;</li> <li>(1) a safety-sensitive position, as defined in section 181.950, subdivision (2) a peace officer position, as defined in section 299N.01, subdivision (4) a position requiring face-to-face care, training, education, supe consultation, or medical assistance to:</li> <li>(i) children;</li> <li>(ii) vulnerable adults, as defined in section 626.5572, subdivision (iii) patients who receive health care services from a provider for the examination, or emergency care of a medical, psychiatric, or mental care (5) a position requiring a commercial driver's license or requiring an a motor vehicle for which state or federal law requires drug or alcohol</li> </ul> </li> </ul>

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191.1	(7) any o	other position for whic	ch state or fede	eral law requires testin	g of a job applicant
191.2	<u> </u>	yee for cannabis.			<u> </u>
191.3	Sec. 19. N	1 Innesota Statutes 202	2, section 181	.952, is amended by a	dding a subdivision
191.4	to read:				
191.5	<u>Subd. 3.</u>	Cannabis policy. (a)	Unless otherw	vise provided by state	or federal law, an
191.6	employer is	not required to permit	or accommode	ate cannabis flower or	cannabinoid product
191.7	use, possess	sion, impairment, sale,	or transfer wh	nile an employee is wo	orking or while an
191.8	employee is	s on the employer's pre	mises or opera	ating the employer's ve	chicle, machinery, or
191.9	equipment.				
191.10	<u>(b) An e</u>	mployer may enact an	d enforce writ	ten work rules prohibi	ting cannabis flower
191.11	and cannabi	inoid product use, pos	session, impai	rment, sale, or transfer	while an employee
191.12	is working o	or while an employee i	s on the emplo	oyer's premises or oper	rating the employer's
191.13	vehicle, ma	chinery, or equipment	in a written pol	icy that contains the m	inimum information
191.14	required by	this section.			
191.15	Sec. 20. N	finnesota Statutes 202	2, section 181	.953, is amended to re	ad:
191.16	181.953	RELIABILITY ANI	D FAIRNESS	SAFEGUARDS.	
191.17 191.18		sion 1. Use of licensed ho requests or requires			•
191.18		annabis testing shall us			
191.20	<u> </u>	ng criteria for drug test			
		rtified by the National	-	mug Abusa as maating	the mandatory
191.21 191.22		published at 53 Federa			·
	-		-	-	
191.23		credited by the Colleg		-	-
191.24		Illinois, 60093-2750, 1	under the forei	isic urine drug testing	laboratory program;
191.25	or				
191.26	(3) is lic	ensed to test for drugs	by the state o	f New York, Departme	ent of Health, under
191.27	Public Heal	th Law, article 5, title	V, and rules ad	lopted under that law.	
191.28	(b) For a	alcohol testing, the lab	oratory must e	either be:	
191.29	(1) licen	sed to test for drugs and	d alcohol by th	e state of New York, D	epartment of Health,
191.30	under Publi	c Health Law, article 5	5, title V, and t	he rules adopted under	r 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 192.3 laboratory that is not certified by the National Institute on Drug Abuse according to 192.4 subdivision 1 shall follow the chain-of-custody procedures prescribed for employers in 192.5 subdivision 5. A testing laboratory shall conduct a confirmatory test on all samples that 192.6 produced a positive test result on an initial screening test. A laboratory shall disclose to the 192.7 192.8 employer a written test result report for each sample tested within three working days after a negative test result on an initial screening test or, when the initial screening test produced 192.9 a positive test result, within three working days after a confirmatory test. A test report must 192.10 indicate the drugs, alcohol, or drug or alcohol metabolites, or cannabis or cannabis 192.11 metabolites tested for and whether the test produced negative or positive test results. A 192.12 laboratory shall retain and properly store for at least six months all samples that produced 192.13

192.14 a positive test result.

Subd. 4. **Prohibitions on employers.** An employer may not conduct drug or alcohol testing <u>or cannabis testing</u> of its own employees and job applicants using a testing laboratory 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 <u>or cannabis testing</u> 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;

192.29 (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.

Subd. 7. Notice of test results. Within three working days after receipt of a test result 193.16 report from the testing laboratory, an employer shall inform in writing an employee or job 193.17 applicant who has undergone drug or alcohol testing or cannabis testing of (1) a negative 193.18 test result on an initial screening test or of a negative or positive test result on a confirmatory 193.19 test and (2) the right provided in subdivision 8. In the case of a positive test result on a 193.20 confirmatory test, the employer shall also, at the time of this notice, inform the employee 193.21 or job applicant in writing of the rights provided in subdivisions 6, paragraph (b), 9, and 193.22 either subdivision 10 or 11, whichever applies. 193.23

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 193.27 retest of the original sample at the employee's or job applicant's own expense after notice 193.28 of a positive test result on a confirmatory test. Within five working days after notice of the 193.29 confirmatory test result, the employee or job applicant shall notify the employer in writing 193.30 of the employee's or job applicant's intention to obtain a confirmatory retest. Within three 193.31 working days after receipt of the notice, the employer shall notify the original testing 193.32 laboratory that the employee or job applicant has requested the laboratory to conduct the 193.33 confirmatory retest or transfer the sample to another laboratory licensed under subdivision 193.34

194.1 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that the 194.2 chain-of-custody procedures in subdivision 3 are followed during transfer of the sample to 194.3 the other laboratory. The confirmatory retest must use the same drug <del>or</del>, alcohol, or cannabis 194.4 threshold detection levels as used in the original confirmatory test. If the confirmatory retest 194.5 does not confirm the original positive test result, no adverse personnel action based on the 194.6 original confirmatory test may be taken against the employee or job applicant.

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 <del>or</del>, alcohol, or cannabis counseling or rehabilitation program, whichever is more
appropriate, as determined by the employer after consultation with a certified chemical use
counselor or a physician trained in the diagnosis and treatment of substance use disorder;
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 requirerehabilitation 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 195.1 provide the information before, upon, or after hire. 195.2 195.3 (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 195.4 195.5 testing process or cannabis testing process and conclusions drawn from and actions taken based on the reports or other acquired information. 195.6 Subd. 10a. Additional limitations for cannabis. An employer may discipline, discharge, 195.7 or take other adverse personnel action against an employee for cannabis flower or 195.8 cannabinoid product use, possession, impairment, sale, or transfer while an employee is 195.9 working, on the employer's premises, or operating the employer's vehicle, machinery, or 195.10 equipment as follows: 195.11 195.12 (1) if, as the result of consuming cannabis flower or a cannabinoid product, the employee does not possess that clearness of intellect and control of self that the employee otherwise 195.13 would have; 195.14 (2) if cannabis testing that the employer requested or required pursuant to section 181.951, 195.15 subdivision 8, paragraphs (d) and (e), verifies the presence of cannabis following a 195.16 confirmatory test; 195.17 (3) as provided in the employer's written work rules for cannabis and cannabis testing, 195 18 provided that the rules are in writing and in a written policy that contains the minimum 195.19 information required by section 181.952; or 195.20 (4) as otherwise authorized under state or federal law. 195.21 Subd. 11. Limitation on withdrawal of job offer. If a job applicant has received a job 195.22 offer made contingent on the applicant passing drug and alcohol testing, the employer may 195.23 not withdraw the offer based on a positive test result from an initial screening test that has 195.24

195.25 not been verified by a confirmatory test.

195.26 Sec. 21. Minnesota Statutes 2022, section 181.954, is amended to read:

## 195.27 **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.

### 196.6 Subd. 3. Exceptions to privacy and confidentiality disclosure

limitations. Notwithstanding subdivisions 1 and 2, evidence of a positive test result on a 196.7 196.8 confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under chapter 43A or other applicable state 196.9 or local law, or a judicial proceeding, provided that information is relevant to the hearing 196.10 or proceeding; (2) disclosed to any federal agency or other unit of the United States 196.11 government as required under federal law, regulation, or order, or in accordance with 196.12 compliance requirements of a federal government contract; and (3) disclosed to a substance 196.13 abuse treatment facility for the purpose of evaluation or treatment of the employee. 196.14

Subd. 4. Privilege. Positive test results from an employer drug or alcohol testing <u>or</u>
 <u>cannabis testing program may not be used as evidence in a criminal action against the</u>
 employee or job applicant tested.

196.18 Sec. 22. Minnesota Statutes 2022, section 181.955, is amended to read:

196.19 **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.

## 196.25Subd. 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 <u>or cannabis testing</u> 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

197.3 (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.

197.10 Sec. 23. 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 alcoholtesting or cannabis testing with respect to those employees and job applicants;

197.18 (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.

197.25 Sec. 24. 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;

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(3) information from juvenile courts as required in subdivision 4 for individuals listed
in 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
care centers, and legal nonlicensed child care authorized under chapter 119B, the
commissioner 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 nameand date-of-birth search of the National Sex Offender Public website.

199.3 (b) Except as otherwise provided in this paragraph, notwithstanding expungement by a court, the commissioner may consider information obtained under paragraph (a), clauses 199.4 (3) and (4), unless the commissioner received notice of the petition for expungement and 199.5 the court order for expungement is directed specifically to the commissioner. The 199.6 commissioner may not consider information obtained under paragraph (a), clauses (3) and 199.7 199.8 (4), or from any other source that identifies a violation of chapter 152 without determining if the offense involved the possession of marijuana or tetrahydrocannabinol and, if so, 199.9 whether the person received a grant of expungement or order of expungement, or the person 199.10 was resentenced to a lesser offense. If the person received a grant of expungement or order 199.11 of expungement, the commissioner may not consider information related to that violation 199.12 but may consider any other relevant information arising out of the same incident. 199.13

(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 under
NETStudy 2.0 of the status of processing of the subject's fingerprints.

199.26 Sec. 25. 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 the <u>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
200.8 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).

200.14 Sec. 26. Minnesota Statutes 2022, section 256B.0625, subdivision 13d, is amended to 200.15 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 Procedure Act, but the Formulary Committee shall review and comment on the formulary contents.

200.20 (b) The formulary shall not include:

(1) drugs, active pharmaceutical ingredients, or products for which there is no federalfunding;

200.23 (2) over-the-counter drugs, except as provided in subdivision 13;

(3) drugs or active pharmaceutical ingredients when used for the treatment of impotenceor erectile dysfunction;

(4) drugs or active pharmaceutical ingredients for which medical value has not beenestablished;

(5) drugs from manufacturers who have not signed a rebate agreement with the
Department of Health and Human Services pursuant to section 1927 of title XIX of the
Social Security Act; and

201.1 (6) medical cannabis <u>flower</u> as defined in section <u>152.22</u>, <u>subdivision 6</u> <u>342.01</u>,

201.2 subdivision 49, or medical cannabinoid products as defined in section 342.01, subdivision
201.3 <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.

201.10 Sec. 27. Minnesota Statutes 2022, section 256D.024, subdivision 1, is amended to read:

201.11 Subdivision 1. Person convicted of drug offenses. (a) If an applicant or recipient has been convicted of a drug offense after July 1, 1997, except for convictions related to cannabis, 201.12 marijuana, or tetrahydrocannabinols, the assistance unit is ineligible for benefits under this 201.13 chapter until five years after the applicant has completed terms of the court-ordered sentence, 201.14 unless the person is participating in a drug treatment program, has successfully completed 201.15 a drug treatment program, or has been assessed by the county and determined not to be in 201.16 need of a drug treatment program. Persons subject to the limitations of this subdivision who 201.17 become eligible for assistance under this chapter shall be subject to random drug testing as 201.18 a condition of continued eligibility and shall lose eligibility for benefits for five years 201.19 beginning the month following: 201.20

201.21 (1) any positive test result for an illegal controlled substance <u>under chapter 152</u>; or

201.22 (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.

201.30 Sec. 28. Minnesota Statutes 2022, section 256D.024, subdivision 3, is amended to read:

201.31 Subd. 3. Fleeing felons. An individual who is fleeing to avoid prosecution, or custody, 201.32 or confinement after conviction for a crime that is a felony under the laws of the jurisdiction 202.1 from which the individual flees, or in the case of New Jersey, is a high misdemeanor, would
202.2 be a felony if committed in Minnesota, is ineligible to receive benefits under this chapter.

202.3 Sec. 29. 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, <u>or tetrahydrocannabinols</u>, 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.

202.10 (2) The convicted applicant or participant shall be subject to random drug testing as a 202.11 condition of continued eligibility and following any positive test for an illegal controlled 202.12 substance under chapter 152 is subject to the following sanctions:

202.13 (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 202.14 equal to 30 percent of the MFIP standard of need for an assistance unit of the same size. 202.15 When a sanction under this subdivision is in effect, the job counselor must attempt to meet 202.16 with the person face-to-face. During the face-to-face meeting, the job counselor must explain 202.17 the consequences of a subsequent drug test failure and inform the participant of the right to 202.18 appeal the sanction under section 256J.40. If a face-to-face meeting is not possible, the 202.19 county agency must send the participant a notice of adverse action as provided in section 202.20 256J.31, subdivisions 4 and 5, and must include the information required in the face-to-face 202.21 meeting; or 202.22

(ii) for failing a drug test two times, the participant is permanently disqualified from 202.23 receiving MFIP assistance, both the cash and food portions. The assistance unit's MFIP 202.24 grant must be reduced by the amount which would have otherwise been made available to 202.25 the disqualified participant. Disqualification under this item does not make a participant 202.26 ineligible for the Supplemental Nutrition Assistance Program (SNAP). Before a 202.27 disqualification under this provision is imposed, the job counselor must attempt to meet 202.28 with the participant face-to-face. During the face-to-face meeting, the job counselor must 202.29 202.30 identify other resources that may be available to the participant to meet the needs of the family and inform the participant of the right to appeal the disqualification under section 202.31 256J.40. If a face-to-face meeting is not possible, the county agency must send the participant 202.32 a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must 202.33 include the information required in the face-to-face meeting. 202.34

(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
203.4 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:

203.11 (1) for failing a drug test the first time, SNAP benefits shall be reduced by an amount equal to 30 percent of the applicable SNAP benefit allotment. When a sanction under this 203.12 clause is in effect, a job counselor must attempt to meet with the person face-to-face. During 203.13 the face-to-face meeting, a job counselor must explain the consequences of a subsequent 203.14 drug test failure and inform the participant of the right to appeal the sanction under section 203.15 256J.40. If a face-to-face meeting is not possible, a county agency must send the participant 203.16 a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must 203.17 include the information required in the face-to-face meeting; and 203.18

(2) for failing a drug test two times, the participant is permanently disqualified from 203.19 receiving SNAP benefits. Before a disqualification under this provision is imposed, a job 203.20 counselor must attempt to meet with the participant face-to-face. During the face-to-face 203.21 meeting, the job counselor must identify other resources that may be available to the 203.22 participant to meet the needs of the family and inform the participant of the right to appeal 203.23 the disqualification under section 256J.40. If a face-to-face meeting is not possible, a county 203.24 agency must send the participant a notice of adverse action as provided in section 256J.31, 203.25 subdivisions 4 and 5, and must include the information required in the face-to-face meeting. 203.26

(c) For the purposes of this subdivision, "drug offense" means an offense that occurred 203.27 during the previous ten years from the date of application or recertification of sections 203.28 152.021 to 152.025, 152.0261, 152.0262, 152.096, or 152.137. Drug offense also means a 203.29 conviction in another jurisdiction of the possession, use, or distribution of a controlled 203.30 substance, or conspiracy to commit any of these offenses, if the offense occurred during 203.31 the previous ten years from the date of application or recertification and the conviction is 203.32 a felony offense in that jurisdiction, or in the case of New Jersey, a high misdemeanor for 203.33 a crime that would be a felony if committed in Minnesota. 203.34

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Sec. 30. Minnesota Statutes 2022, section 256J.26, subdivision 3, is amended to read: 204.1

Subd. 3. Fleeing felons. An individual who is fleeing to avoid prosecution, or custody, 204.2 or confinement after conviction for a crime that is a felony under the laws of the jurisdiction 204.3 from which the individual flees, or in the case of New Jersey, is a high misdemeanor, would 204.4 204.5 be a felony if committed in Minnesota, is disqualified from receiving MFIP.

#### Sec. 31. [340A.4022] RETAIL LICENSE NOT PROHIBITED; LOWER POTENCY 204.6 **EDIBLE PRODUCTS.** 204.7

- (a) Nothing in this chapter: 204.8
- (1) prohibits the issuance of a retail license or permit to a person also holding a lower 204.9 potency edible product retailer license; 204.10
- (2) allows any agreement between a licensing authority and retail license or permit holder 204.11

that prohibits the license or permit holder from also holding a lower potency edible product 204.12

- 204.13 retailer license; or
- (3) allows the revocation or suspension of a retail license or permit, or the imposition 204.14
- 204.15 of a penalty on a retail license or permit holder, due to the retail license or permit holder
- also holding a lower potency edible product retailer license. 204.16
- (b) For purposes of this section, "lower potency edible product retailer license" means 204.17 a license issued by the Office of Cannabis Management under section 342.40. 204.18
- Sec. 32. Minnesota Statutes 2022, section 340A.412, subdivision 14, is amended to read: 204.19
- Subd. 14. Exclusive liquor stores. (a) Except as otherwise provided in this subdivision, 204.20 an exclusive liquor store may sell only the following items: 204.21
- (1) alcoholic beverages; 204.22
- (2) tobacco products;
- (3) ice; 204.24

204.23

(4) beverages, either liquid or powder, specifically designated for mixing with intoxicating 204.25 liquor; 204.26

- (5) soft drinks; 204.27
- (6) liqueur-filled candies; 204.28
- (7) food products that contain more than one-half of one percent alcohol by volume; 204.29

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205.1	(8) cork extrac	tion devices;					
205.2	(9) books and	videos on the use of	f alcoholic bevera	ges;			
205.3	(10) magazines	and other publication	ons published prir	narily for informat	ion and education		
205.4	on alcoholic bever	ages;					
205.5	(11) multiple-u	se bags designed to	carry purchased	items;			
205.6		esigned to ensure sa	fe storage and me	onitoring of alcoho	ol in the home, to		
205.7		underage drinkers;					
205.8	(13) home brev	ving equipment;					
205.9		narked with the spec			o of the exclusive		
205.10	-	earing no other nan	ie, brand, or iden	tirying logo,			
205.11	(15) citrus frui						
205.12	(16) glassware						
205.13	(17) lower potency edible products as defined in section 342.01, subdivision 45.						
205.14							
205.15 205.16							
205.17	C	ve liquor store may	offer live or reco	rded entertainment	·		
		<b>DATE.</b> This section					
205.18	EFFECTIVE	DATE. This section	II IS Effective July	1, 2024.			
205.19	Sec. 33. Minnese	ota Statutes 2022, se	ection 609B.425,	subdivision 2, is a	mended to read:		
205.20	Subd. 2. Benef	<b>it eligibility.</b> (a) A	person convicted	of a drug offense a	fter July 1, 1997,		
205.21	except for convicti	ons related to canna	lbis, marijuana, or	tetrahydrocannabi	inols, is ineligible		
205.22	for general assistar	nce benefits and Sup	plemental Securi	ty Income under ch	apter 256D until:		
205.23	(1) five years a	fter completing the	terms of a court-	ordered sentence;	or		
205.24	(2) unless the p	person is participation	ng in a drug treat	ment program, has	successfully		
205.25	completed a progra	am, or has been dete	ermined not to be	n need of a drug tro	eatment program.		
205.26	(b) A person w	ho becomes eligibl	e for assistance u	nder chapter 256D	is subject to		
205.27	random drug testir	ig and shall lose elig	gibility for benefit	s for five years beg	ginning the month		
205.28	following:						
205.29	(1) any positiv	e test for an illegal	controlled substa	nce under chapter	<u>152;</u> or		
	Article 6 Sec. 33.		205				

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206.1 (2) discharge of sentence for conviction of another drug felony.

206.2 (c) Parole violators and fleeing felons are ineligible for benefits and persons fraudulently
 206.3 misrepresenting eligibility are also ineligible to receive benefits for ten years.

206.4 Sec. 34. Minnesota Statutes 2022, section 609B.435, subdivision 2, is amended to read:

Subd. 2. **Drug offenders; random testing; sanctions.** A person who is an applicant for benefits from the Minnesota family investment program or MFIP, the vehicle for temporary assistance for needy families or TANF, and who has been convicted of a drug offense, <u>except for convictions related to cannabis, marijuana, or tetrahydrocannabinols, shall be</u> subject to certain conditions, including random drug testing, in order to receive MFIP benefits. Following any positive test for a controlled substance <u>under chapter 152</u>, the convicted applicant or participant is subject to the following sanctions:

(1) a first time drug test failure results in a reduction of benefits in an amount equal to30 percent of the MFIP standard of need; and

206.14 (2) a second time drug test failure results in permanent disqualification from receiving206.15 MFIP assistance.

A similar disqualification sequence occurs if the applicant is receiving Supplemental Nutrition
Assistance Program (SNAP) benefits.

206.18 Sec. 35. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 206.19 to read:

206.20 <u>Subd. 13.</u> Adult-use cannabis flower. "Adult-use cannabis flower" has the meaning 206.21 given in section 342.01, subdivision 4.

206.22 Sec. 36. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 206.23 to read:

206.24 <u>Subd. 14.</u> Adult-use cannabinoid product. "Adult-use cannabis product" has the 206.25 meaning given in section 342.01, subdivision 2.

206.26 Sec. 37. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 206.27 to read:

206.28 <u>Subd. 15.</u> <u>Medical cannabis flower.</u> "Medical cannabis flower" has the meaning given 206.29 in section 342.01, subdivision 49.

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207.1 Sec. 38. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
207.2 to read:

207.3 <u>Subd. 16.</u> <u>Medical cannabinoid product.</u> "Medical cannabinoid product" has the 207.4 meaning given in section 342.01, subdivision 47.

207.5 Sec. 39. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 207.6 to read:

207.7 Subd. 17. Patient. "Patient" has the meaning given in section 342.01, subdivision 54.

207.8 Sec. 40. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 207.9 to read:

207.10 <u>Subd. 18.</u> **Qualifying medical condition.** "Qualifying medical condition" has the meaning 207.11 given in section 342.01, subdivision 56.

207.12 Sec. 41. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 207.13 to read:

207.14 <u>Subd. 19.</u> **Registry or registry program.** "Registry" or "registry program" has the 207.15 meaning given in section 342.01, subdivision 58.

207.16 Sec. 42. Minnesota Statutes 2022, section 624.713, subdivision 1, is amended to read:

207.17 Subdivision 1. **Ineligible persons.** The following persons shall not be entitled to possess 207.18 ammunition or a pistol or semiautomatic military-style assault weapon or, except for clause 207.19 (1), any other firearm:

(1) a person under the age of 18 years except that a person under 18 may possess 207.20 ammunition designed for use in a firearm that the person may lawfully possess and may 207.21 carry or possess a pistol or semiautomatic military-style assault weapon (i) in the actual 207.22 presence or under the direct supervision of the person's parent or guardian, (ii) for the 207.23 purpose of military drill under the auspices of a legally recognized military organization 207.24 and under competent supervision, (iii) for the purpose of instruction, competition, or target 207.25 practice on a firing range approved by the chief of police or county sheriff in whose 207.26 jurisdiction the range is located and under direct supervision; or (iv) if the person has 207.27 successfully completed a course designed to teach marksmanship and safety with a pistol 207.28 or semiautomatic military-style assault weapon and approved by the commissioner of natural 207.29 207.30 resources;

208.1 (2) except as otherwise provided in clause (9), a person who has been convicted of, or 208.2 adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, in 208.3 this state or elsewhere, a crime of violence. For purposes of this section, crime of violence 208.4 includes crimes in other states or jurisdictions which would have been crimes of violence 208.5 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
208.25 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;

208.33 (8) except as otherwise provided in clause (9), a person who has been convicted in
208.34 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;

209.9 (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;

209.14 (iii) is an unlawful user of any controlled substance as defined in chapter 152. The use

209.15 of medical cannabis flower or medical cannabinoid products by a patient enrolled in the

209.16 registry program or the use of adult-use cannabis flower or adult-use cannabinoid products

209.17 by a person 21 years of age or older does not constitute the unlawful use of a controlled

209.18 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;

209.22 (v) is an alien who is illegally or unlawfully in the United States;

209.23 (vi) has been discharged from the armed forces of the United States under dishonorable209.24 conditions;

209.25 (vii) has renounced the person's citizenship having been a citizen of the United States; 209.26 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
level, 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 these sections: section 609.229

209.32 (crimes committed for the benefit of a gang); 609.2231, subdivision 4 (assaults motivated

by bias); 609.255 (false imprisonment); 609.378 (neglect or endangerment of a child);
609.582, subdivision 4 (burglary in the fourth degree); 609.665 (setting a spring gun); 609.71
(riot); or 609.749 (harassment or stalking). For purposes of this paragraph, the specified
gross misdemeanor convictions include crimes committed in other states or jurisdictions
which would have been gross misdemeanors if conviction occurred in this state;

(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 persons who are prohibited from possessing a pistol or semiautomatic military-style assault 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.

210.24 Participation as a patient in the registry program or use of adult-use cannabis flower or 210.25 adult-use cannabinoid products by a person 21 years of age or older does not disqualify the 210.26 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.

210.29 Sec. 43. Minnesota Statutes 2022, section 624.714, subdivision 6, is amended to read:

Subd. 6. **Granting and denial of permits.** (a) The sheriff must, within 30 days after the date of receipt of the application packet described in subdivision 3:

210.32 (1) issue the permit to carry;

- (2) deny the application for a permit to carry solely on the grounds that the applicantfailed 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.

211.5 (b) Failure of the sheriff to notify the applicant of the denial of the application within 30 days after the date of receipt of the application packet constitutes issuance of the permit 211.6 to carry and the sheriff must promptly fulfill the requirements under paragraph (c). To deny 211.7 the application, the sheriff must provide the applicant with written notification and the 211.8 specific factual basis justifying the denial under paragraph (a), clause (2) or (3), including 211.9 the source of the factual basis. The sheriff must inform the applicant of the applicant's right 211.10 to submit, within 20 business days, any additional documentation relating to the propriety 211.11 of the denial. Upon receiving any additional documentation, the sheriff must reconsider the 211 12 denial and inform the applicant within 15 business days of the result of the reconsideration. 211.13 Any denial after reconsideration must be in the same form and substance as the original 211.14 denial and must specifically address any continued deficiencies in light of the additional 211.15 documentation submitted by the applicant. The applicant must be informed of the right to 211.16 seek de novo review of the denial as provided in subdivision 12. 211.17

(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
11.27 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.

211.31 (f) A sheriff shall not deny an application for a permit to carry solely because the applicant

211.32 is a patient enrolled in the registry program and uses medical cannabis flower or medical

211.33 cannabinoid products for a qualifying medical condition or because the person is 21 years

211.34 of age or older and uses adult-use cannabis flower or adult-use cannabinoid products.

212.1	Sec. 44.	Minnesota	Statutes	2022,	section	624.7142,	subdivision	1, is	amended	to rea	ad:
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Subdivision 1. Acts prohibited. A person may not carry a pistol on or about the person's
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;

(2) when the person is under the influence of a combination of any two or more of the
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;

212.11 (4) when the person is under the influence of alcohol;

(5) when the person's alcohol concentration is 0.10 or more; or

212.13 (6) when the person's alcohol concentration is less than 0.10, but more than 0.04-; or

212.14 (7) when the person is enrolled as a patient in the registry program, uses medical cannabis

212.15 flower or medical cannabinoid products, and knows or has reason to know that the medical

212.16 cannabis flower or medical cannabinoid products used by the person has the capacity to

212.17 cause impairment.

212.18 Sec. 45. Minnesota Statutes 2022, section 624.7151, is amended to read:

### 212.19 **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.

Every application for a pistol transferee permit, pistol transferee permit, report of transfer 212.25 of a pistol, application for a permit to carry a pistol, and permit to carry a pistol that is 212.26 received, granted, or renewed by a police chief or county sheriff on or after January 1, 1993, 212.27 must meet the statewide standards adopted by the commissioner. Notwithstanding the 212.28 previous sentence, neither failure of the Department of Public Safety to adopt standards nor 212.29 failure of the police chief or county sheriff to meet them shall delay the timely processing 212.30 of applications nor invalidate permits issued on other forms meeting the requirements of 212.31 sections 624.7131 to 624.714. 212.32

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213.1 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

213.3 substances shall specifically authorize a patient in the registry program to refrain from

213.4 reporting the use of medical cannabis flower and medical cannabinoid products and shall

213.5 specifically authorize a person 21 years of age or older from refraining from reporting the

213.6 <u>use of adult-use cannabis flower or adult-use cannabinoid products.</u>

## 213.7 Sec. 46. [624.7152] LAWFUL CANNABIS USERS.

- 213.8 (a) A person may not be denied the right to purchase, own, possess, or carry a firearm
- 213.9 solely on the basis that the person is a patient in the registry program.

# 213.10 (b) A person may not be denied the right to purchase, own, possess, or carry a firearm

213.11 solely on the basis that the person is 21 years of age or older and uses adult-use cannabis

- 213.12 flower or adult-use cannabinoid products.
- 213.13 (c) A state or local agency may not access a database containing the identities of patients

213.14 in the registry program to obtain information for the purpose of approving or disapproving

213.15 <u>a person from purchasing, owning, possessing, or carrying a firearm.</u>

213.16 (d) A state or local agency may not use information gathered from a database containing

213.17 the identities of patients in the registry program to obtain information for the purpose of

213.18 approving or disapproving a person from purchasing, owning, possessing, or carrying a

213.19 <u>firearm.</u>

213.20 (e) A state or local agency may not inquire about a person's status as a patient in the

213.21 registry program for the purpose of approving or disapproving the person from purchasing,

213.22 owning, possessing, or carrying a firearm.

213.23 (f) A state or local agency may not inquire about the use of adult-use cannabis flower

213.24 or adult-use cannabinoid products by a person 21 years of age or older for the purpose of

213.25 approving or disapproving the person from purchasing, owning, possessing, or carrying a

213.26 <u>firearm.</u>

# 213.27 Sec. 47. <u>**REPEALER.**</u>

213.28 (a) Minnesota Rules, parts 4770.0100; 4770.0200; 4770.0300; 4770.0400; 4770.0500;

213.29 <u>4770.0600; 4770.0800; 4770.0900; 4770.1000; 4770.1100; 4770.1200; 4770.1300;</u>

213.30 <u>4770.1400; 4770.1460; 4770.1500; 4770.1600; 4770.1700; 4770.1800; 4770.1900;</u>

213.31 <u>4770.2000; 4770.2100; 4770.2200; 4770.2300; 4770.2400; 4770.2700; 4770.2800;</u>

213.32 <u>4770.4000; 4770.4002; 4770.4003; 4770.4004; 4770.4005; 4770.4007; 4770.4008;</u>

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214.1	4770.4009; 4770.4010; 4770.4012; 4770.4013; 4770.4014; 4770.4015; 4770.4016;						
214.2	4770.4017; 4770.4018; and 4770.4030, are repealed.						
214.3	(b) Minnesor	ta Statutes 2022, sec	tions 152.22	, subdivisions 1, 2, 3,	4, 5, 5a, 5b, 6, 7, 8,		
214.4				5, subdivisions 1, 1a, 1			
214.5				5, 6, and 7; 152.28, su			
214.6				; 152.31; 152.32, subc			
214.7	152.33, subdivis	sions 1, 1a, 2, 3, 4, 5	, and 6; 152	.34; 152.35; 152.36, st	ubdivisions 1, 1a, 2,		
214.8	3, 4, and 5; and	152.37, are repealed	<u>.</u>				
214.9	(c) Minnesot	a Statutes 2022, sec	tion 152.027	, subdivisions 3 and 4	, are repealed.		
214.10	(d) Minnesot	ta Statutes 2022, sec	tion 152.21,	is repealed.			
214.11	EFFECTIV	E DATE. Paragraph	ns (a) and (b)	) are effective January	1, 2024. Paragraph		
214.12	(c) is effective $A$	August 1, 2023. Para	graph (d) is	effective July 1, 2023.	<u>.</u>		
214.13			ARTICL				
214.14	TE	MPORARY REGU	JLATION (	OF CERTAIN PROD	UCTS		
214.15	Section 1. Mir	inesota Statutes 2022	2, section 34	A.01, subdivision 4, i	s amended to read:		
214.16	Subd. 4. Foo	od. "Food" means ev	ery ingredie	nt used for, entering in	nto the consumption		
214.17	of, or used or intended for use in the preparation of food, drink, confectionery, or condiment						
214.18	for humans or other animals, whether simple, mixed, or compound; and articles used as						
214.19	components of t	hese ingredients, exc	cept that edi	ble cannabinoid produ	icts, as defined in		
214.20	section 151.72, subdivision 1, paragraph (c) (f), are not food.						
214.21	<b>EFFECTIV</b>	E DATE. This section	on is effecti	ve the day following f	inal enactment.		
214.22	Sec. 2. Minnes	sota Statutes 2022, s	ection 144.9	9, subdivision 1, is an	nended to read:		
214.23	Subdivision	1. Remedies availab	le. The prov	isions of chapters 103I	and 157 and sections		
214.24	115.71 to 115.77	7; 144.12, subdivisio	on 1, paragra	phs (1), (2), (5), (6), (	10), (12), (13), (14),		
214.25	and (15); 144.12	01 to 144.1204; 144.	.121; 144.12	15; 144.1222; 144.35;	144.381 to 144.385;		
214.26	144.411 to 144.4	417; 144.495; 144.7	1 to 144.74;	144.9501 to 144.9512	; 144.97 to 144.98;		
214.27	144.992; <u>151.72</u>	; <u>152.22</u> to 152.37; 1	326.70 to 32	6.785; 327.10 to 327.	131; and 327.14 to		
214.28	327.28 and all r	ules, orders, stipulati	ion agreeme	nts, settlements, comp	liance agreements,		
214.29	licenses, registra	tions, certificates, an	nd permits ac	lopted or issued by the	department or under		
214.30	any other law no	ow in force or later e	enacted for the	ne preservation of pub	lic health may, in		
214.31	addition to provisions in other statutes, be enforced under this section.						

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215.1	EFFECTIVE DA	TE. This section	n is effective	the day following fin	al enactment.
215.2	Sec. 3. Minnesota S	tatutes 2022, sec	ction 151.72	, is amended to read:	
215.3	151.72 SALE OF	CERTAIN CA	NNABINO	ID PRODUCTS.	
215.4	Subdivision 1. De	<b>finitions.</b> (a) For	the purpose	s of this section, the fol	llowing terms have
215.5	the meanings given.				
215.6	(a) "Artificially de	rived cannabino	id" means a	cannabinoid extracted	from a hemp plant
215.7	or hemp plant parts w	hose chemical m	akeup is cha	nged after extraction t	o create a different
215.8	cannabinoid or other	chemical compo	und by apply	ying a catalyst other th	nan heat or light.
215.9	Artificially derived ca	annabinoid inclu	des but is no	ot limited to any tetrah	ydrocannabinol
215.10	created from cannabi	diol.			
215.11	(b) "Batch" means	a specific quant	tity of a spec	cific product containin	g cannabinoids
215.12	derived from hemp, in	ncluding an edib	le cannabino	oid product, that is ma	nufactured at the
215.13	same time and using	the same method	ls, equipmen	t, and ingredients that	is uniform and
215.14	intended to meet spec	ifications for ide	entity, streng	th, purity, and compos	sition, and that is
215.15	manufactured, packag	ed, and labeled a	ccording to a	a single batch producti	on record executed
215.16	and documented during	ng the same cycl	e of manufa	cture and produced by	a continuous
215.17	process.				
215.18	(b) (c) "Certified h	emp" means her	np plants tha	at have been tested and	l found to meet the
215.19	requirements of chapt	ter 18K and the r	rules adopted	d thereunder.	
215.20	(d) "Commissione	er" means the con	mmissioner	of health.	
215.21	(e) "Distributor" n	neans a person w	vho sells, arr	anges a sale, or delive	ers a product
215.22	containing cannabino	ids derived from	hemp, inclu	iding an edible cannab	inoid product, that
215.23	the person did not ma	nufacture to a re	tail establish	nment for sale to const	umers. Distributor
215.24	does not include a con	mmon carrier use	ed only to co	omplete delivery to a r	etailer.
215.25	(c) (f) "Edible can	nabinoid produc	t" means an	y product that is inten-	ded to be eaten or
215.26	consumed as a bevera	ige by humans, c	contains a ca	nnabinoid in combina	tion with food
215.27	ingredients, and is no	t a drug.			
215.28	(d) (g) "Hemp" has	the meaning giv	en to "indust	rial hemp" in section 1	8K.02, subdivision
215.29	3.				
215.30	(e) (h) "Label" has	s the meaning give	ven in sectio	on 151.01, subdivision	18.
215.31	(f) (i) "Labeling" 1	means all labels	and other wi	ritten, printed, or grapl	nic matter that are:

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(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 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 scannablebarcode or matrix barcode.

216.7 (g)(j) "Matrix barcode" means a code that stores data in a two-dimensional array of 216.8 geometrically shaped dark and light cells capable of being read by the camera on a 216.9 smartphone or other mobile device.

216.10 (h)(k) "Nonintoxicating cannabinoid" means substances extracted from certified hemp 216.11 plants that do not produce intoxicating effects when consumed by any route of administration.

216.12 (1) "Synthetic cannabinoid" means a substance with a similar chemical structure and
216.13 pharmacological activity to a cannabinoid, but which is not extracted or derived from hemp
216.14 plants, or hemp plant parts and is instead created or produced by chemical or biochemical
216.15 synthesis.

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 cannabismanufacturer pursuant to sections 152.22 to 152.37.

(c) The board commissioner 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 prevention
of disease in humans or other animals; or

217.3 (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 on or before July 1, 2023, or the standards adopted by the commissioner.

217.12 Testing must be consistent with generally accepted industry standards for herbal and botanical217.13 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 theproduct;

(2) does not contain more than trace amounts of any mold, residual solvents or other
 217.17 <u>catalysts</u>, pesticides, fertilizers, or heavy metals; and

217.18 (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

217.20 information regarding pesticides, fertilizers, solvents, or other foreign materials applied to

217.21 industrial hemp or added to industrial hemp during any production or processing stages of

217.22 any batch from which a representative sample has been sent for testing, including any

217.23 catalysts used to create artificially derived cannabinoids. Disclosure must be made to the

217.24 laboratory performing testing or sampling and, upon request, to the commissioner. Disclosure

217.25 must include all information known to the licensee regardless of whether the application or

addition was made intentionally or accidentally, or by the manufacturer or any other person.

217.27 (b)(c) Upon the request of the board commissioner, the manufacturer of the product 217.28 must provide the board commissioner with the results of the testing required in this section.

217.29 (d) The commissioner may determine that any testing laboratory that does not operate

217.30 formal management systems under the International Organization for Standardization is not

217.31 an accredited laboratory and require that a representative sample of a batch of the product

217.32 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.

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 theproduct;

(2) the name and address of the independent, accredited laboratory used by the
manufacturer to test the product; and

218.10 (3) the batch number; and

218.11 (3)(4) an accurate statement of the amount or percentage of cannabinoids found in each 218.12 unit of the product meant to be consumed.

(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.

218.30 (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;

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219.1 (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;

219.4 (4) be substantively similar to a meat food product; poultry food product as defined in
 219.5 section 31A.02, subdivision 10; or a dairy product as defined in section 32D.01, subdivision
 219.6 7;

219.7 (4)(5) contain an ingredient, other than a hemp-derived cannabinoid, that is not approved 219.8 by the United States Food and Drug Administration for use in food;

219.9 (5) (6) be packaged in a way that resembles the trademarked, characteristic, or 219.10 product-specialized packaging of any commercially available food product; or

(6)(7) 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 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:

219.25 (1) the serving size;

219.26 (2) the cannabinoid profile per serving and in total;

(3) a list of ingredients, including identification of any major food allergens declaredby 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.

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220.1	(g) An edible cannabinoid product may contain delta-8 tetrahydrocannabinol or delta-9
220.2	tetrahydrocannabinol that is extracted from hemp plants or hemp plant parts or is an
220.3	artificially derived cannabinoid. Edible cannabinoid products are prohibited from containing
220.4	any other artificially derived cannabinoid, including but not limited to THC-P, THC-O, and
220.5	HHC, unless the commissioner authorizes use of the artificially derived cannabinoid in
220.6	edible cannabinoid products. Edible cannabinoid products are prohibited from containing
220.7	synthetic cannabinoids.
220.8	Subd. 5b. Registration; prohibitions. (a) On or before October 1, 2023, every person
220.9	selling edible cannabinoid products to consumers must apply for registration with the
220.10	commissioner in a form and manner established by the commissioner. After October 1,
220.11	2023, the sale of edible cannabinoid products by a person that is not registered is prohibited.
220.12	(b) The commissioner shall approve completed registration applications unless the
220.13	applicant is operating in violation of this section or the commissioner reasonably believes
220.14	that the applicant will operate in violation of this section.
220.15	(c) The commissioner shall not charge a fee for registration under this subdivision.
220.16	(d) A registered retailer shall not:
220.17	(1) permit the on-site consumption of edible cannabinoid products; or
220.18	(2) provide free samples of edible cannabinoid products, except that a retailer may
220.19	provide a single package of an edible cannabinoid product with the purchase of a childproof
220.20	packaging container or other device designed to ensure the safe storage and monitoring of
220.21	edible cannabinoid products in the home to prevent access by individuals under 21 years
220.22	of age.
220.23	Subd. 5c. Age verification. (a) Prior to initiating a sale of an edible cannabinoid product,
220.24	an employee of a retailer must verify that the customer is at least 21 years of age.
220.25	(b) Proof of age may be established only by one of the following:
220.26	(1) a valid driver's license or identification card issued by Minnesota, another state, or
220.27	a province of Canada and including the photograph and date of birth of the licensed person;
220.28	(2) a valid Tribal identification card as defined in section 171.072, paragraph (b);
220.29	(3) a valid passport issued by the United States;
220.30	(4) a valid instructional permit issued under section 171.05 to a person of legal age to
220.31	purchase edible cannabinoid products, which includes a photograph and the date of birth
220.32	of the person issued the permit; or

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(5) in the case of a foreign national, by a valid passport. 221.1 (c) A registered retailer may seize a form of identification listed under paragraph (b) if 221.2 the registered retailer has reasonable grounds to believe that the form of identification has 221.3 been altered or falsified or is being used to violate any law. A registered retailer that seizes 221.4 a form of identification as authorized under this paragraph must deliver it to a law 221.5 enforcement agency within 24 hours of seizing it. 221.6 Subd. 6. Noncompliant products; enforcement. (a) A product regulated under this 221.7 section, including an edible cannabinoid product, shall be considered an adulterated drug 221.8 a noncompliant product if the product is offered for sale in this state or if the product is 221.9 221.10 manufactured, imported, distributed, or stored with the intent to be offered for sale in this state in violation of any provision of this section, including but not limited to if: 221.11 (1) it consists, in whole or in part, of any filthy, putrid, or decomposed substance; 221.12 (2) it has been produced, prepared, packed, or held under unsanitary conditions where 221.13 it may have been rendered injurious to health, or where it may have been contaminated with 221.14 filth: 221.15 (3) its container is composed, in whole or in part, of any poisonous or deleterious 221.16 substance that may render the contents injurious to health; 221.17 (4) it contains any food additives, color additives, or excipients that have been found by 221.18 the FDA to be unsafe for human or animal consumption; 221.19 (5) it contains an amount or percentage of nonintoxicating cannabinoids that is different 221.20 than the amount or percentage stated on the label; 221.21 221.22 (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 221.23 established in subdivision 5a, paragraph (f); or 221.24 (7) it contains more than trace amounts of mold, residual solvents, pesticides, fertilizers, 221.25 or heavy metals. 221.26

(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

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222.1	this section that	it is present in the st	ate. other than	a product lawfully pos	ssessed for personal
222.2				d, or stored with the ir	
222.3				and brand was sold in	
222.4		•		n of a person who has	
222.5	violation of thi	-	•	•	
222.6	(d) The cor	nmissioner may enf	force this section	on, including enforcen	nent against a
222.7	<u> </u>			under this section, und	
222.8	to 144.993.				
222.9	(e) The con	nmissioner may ent	er into an inter	agency agreement wit	h the Office of
222.10	Cannabis Mana	agement to perform	inspections and	l take other enforceme	ent actions on behalf
222.11	of the commiss	sioner.			
222.12	Subd. 7. Vi	olations; criminal p	<b>benalties.</b> (a) N	otwithstanding section	144.99, subdivision
222.13				ling a product regulate	
222.14	is guilty of a g	ross misdemeanor a	nd may be sent	enced to imprisonmen	nt for not more than
222.15	one year or to	payment of a fine of	f not more than	\$3,000, or both:	
222.16	<u>(1) knowin</u>	gly alters or otherwi	ise falsifies tes	ting results;	
222.17	(2) intentio	nally alters or falsif	ies any inform	ation required to be in	cluded on the label
222.18	of an edible ca	nnabinoid product;	or		
222.19	(3) intentio	nally makes a false	material staten	nent to the commission	ner.
222.20	(b) Notwith	standing section 14	4.99, subdivisi	on 11, a person who c	loes any of the
222.21	following on the	ne premises of a reg	istered retailer	or another business th	at sells retail goods
222.22	to customers is	s guilty of a gross m	isdemeanor an	d may be sentenced to	imprisonment for
222.23	not more than	one year or to paym	ent of a fine of	f not more than \$3,000	), or both:
222.24	(1) sells an	edible cannabinoid	product knowi	ng that the product do	bes not comply with
222.25	the limits on th	e amount or types of	of cannabinoid	s that a product may c	ontain;
222.26	(2) sells an	edible cannabinoid	product knowi	ng that the product do	bes not comply with
222.27	the applicable	testing, packaging,	or labeling req	uirements; or	
222.28	(3) sells an	edible cannabinoid	product to a pe	erson under the age of	21, except that it is
222.29	an affirmative	defense to a charge	under this clau	se if the defendant pro	oves by a
222.30	preponderance	of the evidence that	t the defendant	reasonably and in go	od faith relied on
222.31	proof of age as	s described in subdiv	vision 5c.		
222.32	<b>EFFECTI</b>	VE DATE. This sec	ction is effectiv	e the day following fi	nal enactment.

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223.1	Sec. 4. Minne	sota Statutes 2022, s	section 340A	.412, subdivision 14,	is amended to read:
223.2	Subd. 14. E	xclusive liquor store	es. (a) Excep	t as otherwise provide	d in this subdivision,
223.3	an exclusive liq	uor store may sell or	nly the follow	ving items:	
223.4	(1) alcoholio	e beverages;			
223.5	(2) tobacco	products;			
223.6	(3) ice;				
223.7	(4) beverage	s, either liquid or pow	vder, specific	ally designated for mix	ing with intoxicating
223.8	liquor;				
223.9	(5) soft drin	ks;			
223.10	(6) liqueur-f	filled candies;			
223.11	(7) food pro	ducts that contain m	ore than one	-half of one percent a	lcohol by volume;
223.12	(8) cork ext	raction devices;			
223.13	(9) books ar	nd videos on the use	of alcoholic	beverages;	
223.14	(10) magazi	nes and other publica	tions publish	ed primarily for inform	nation and education
223.15	on alcoholic be	verages;			
223.16	(11) multipl	e-use bags designed	to carry pure	chased items;	
223.17	(12) devices	designed to ensure	safe storage	and monitoring of alc	ohol in the home, to
223.18	prevent access	by underage drinkers	5;		
223.19	(13) home b	rewing equipment;			
223.20	(14) clothing	g marked with the sp	ecific name,	brand, or identifying	logo of the exclusive
223.21	liquor store, and	d bearing no other na	ame, brand, o	or identifying logo;	
223.22	(15) citrus f	ruit; <del>and</del>			
223.23	(16) glasswa	are.; and			
223.24	<u>(17) edible c</u>	cannabinoid products	s as defined i	n section 151.72, subc	livision 1, paragraph
223.25	<u>(f).</u>				
223.26	(b) An exclu	usive liquor store that	t has an on-s	ale, or combination o	n-sale and off-sale
223.27	license may sel	l food for on-premise	e consumptio	on when authorized by	the municipality
223.28	issuing the licer	nse.			
222.20	(c) An exclu	isive liquor store ma	v offer live c	r recorded entertainm	vent

(c) An exclusive liquor store may offer live or recorded entertainment.

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224.1	EFFECTI	VE DATE. This s	ection is effective	ve the day following t	final enactment.
224.2	Sec. 5. <u><b>REP</b></u>	EALER.			
224.3	Minnesota	Statutes 2022, sec	tion 151.72, is r	repealed.	
224.4	EFFECTI	VE DATE. This s	ection is effectiv	ve July 1, 2024.	
224.5			ARTICL	E 8	
224.6		SCHI	EDULING OF	MARIJUANA	
224.7	Section 1. M	innesota Statutes 2	2022, section 15	2.02, subdivision 2, i	s amended to read:
224.8	Subd. 2. Sc	chedule I. (a) Sche	edule I consists o	of the substances liste	d in this subdivision.
224.9	(b) Opiates	. Unless specifical	ly excepted or u	nless listed in another	schedule, any of the
224.10	following subs	stances, including	their analogs, is	omers, esters, ethers,	salts, and salts of
224.11			never the existen	ice of the analogs, iso	mers, esters, ethers,
224.12	and salts is pos				
224.13	(1) acetylm	iethadol;			
224.14	(2) allylpro	odine;			
224.15	(3) alphace	tylmethadol (exce	pt levo-alphace	tylmethadol, also kno	wn as levomethadyl
224.16	acetate);				
224.17	(4) alpham	eprodine;			
224.18	(5) alpham	ethadol;			
224.19	(6) alpha-m	nethylfentanyl ben	zethidine;		
224.20	(7) betacety	ylmethadol;			
224.21	(8) betame	prodine;			
224.22	(9) betamet	thadol;			
224.23	(10) betapr	odine;			
224.24	(11) clonita	azene;			
224.25	(12) dextro	moramide;			
224.26	(13) diamp	romide;			
224.27	(14) diethy	liambutene;			
224.28	(15) difeno	oxin;			

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225.1	(16) dimenoxadol;			
225.2	(17) dimepheptanol;			
225.3	(18) dimethyliambutene;			
225.4	(19) dioxaphetyl butyrate;			
225.5	(20) dipipanone;			
225.6	(21) ethylmethylthiambutene;			
225.7	(22) etonitazene;			
225.8	(23) etoxeridine;			
225.9	(24) furethidine;			
225.10	(25) hydroxypethidine;			
225.11	(26) ketobemidone;			
225.12	(27) levomoramide;			
225.13	(28) levophenacylmorphan;			
225.14	(29) 3-methylfentanyl;			
225.15	(30) acetyl-alpha-methylfenta	nyl;		
225.16	(31) alpha-methylthiofentanyl	l;		
225.17	(32) benzylfentanyl beta-hydr	roxyfentanyl;		
225.18	(33) beta-hydroxy-3-methylfe	entanyl;		
225.19	(34) 3-methylthiofentanyl;			
225.20	(35) thenylfentanyl;			
225.21	(36) thiofentanyl;			
225.22	(37) para-fluorofentanyl;			
225.23	(38) morpheridine;			
225.24	(39) 1-methyl-4-phenyl-4-pro	pionoxypiperidi	ne;	
225.25	(40) noracymethadol;			
225.26	(41) norlevorphanol;			
225.27	(42) normethadone;			

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226.1	(43) norpip	anone;			
226.2	(44) 1-(2-p	henylethyl)-4-phenyl-	4-acetoxypiperidi	ne (PEPAP);	
226.3	(45) phenao	loxone;			
226.4	(46) phenar	npromide;			
226.5	(47) phenor	morphan;			
226.6	(48) phenop	peridine;			
226.7	(49) piritrat	mide;			
226.8	(50) prohep	otazine;			
226.9	(51) proper	idine;			
226.10	(52) propira	am;			
226.11	(53) raceme	oramide;			
226.12	(54) tilidine	, ,			
226.13	(55) trimep	eridine;			
226.14	(56) N-(1-F	henethylpiperidin-4-	yl)-N-phenylaceta	mide (acetyl fentan	yl);
226.15	(57) 3,4-dio	chloro-N-[(1R,2R)-2-	(dimethylamino)c	yclohexyl]-N-	
226.16	methylbenzam	ide(U47700);			
226.17	(58) N-pher	yl-N-[1-(2-phenylethy	yl)piperidin-4-yl]ft	ıran-2-carboxamide(	furanylfentanyl);
226.18	(59) 4-(4-b	romophenyl)-4-dimet	hylamino-1-phene	thylcyclohexanol (ł	oromadol);
226.19		henethylpiperidin-4-y	yl)-N-phenylcyclo	propanecarboxamic	le (Cyclopropryl
226.20	fentanyl);		1		1)
226.21		henethylpiperidin-4-y	, <u> </u>		tanyl);
226.22		ohexyl-4-(1,2-dipheny			
226.23 226.24	(63) N-(1-p fentanyl);	henethylpiperidin-4-y	yl)-N-phenylcyclo	pentanecarboxamid	e (cyclopentyl
226.25	•	henethylpiperidin-4-y	vl)-N-phenvlisobu	tvramide (isobutvrv	d fentanyl):
226.26		henethylpiperidin-4-y	, <u> </u>		• /
226.27		hlorophenyl)-N-(1-pł	, <b>, , , , ,</b>	` •	J /7
226.28		butyryl fentanyl);	mj rp ip en uni	. j.j.zee at jrainide	

227.1 (67) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide (para-fluorobutyryl
 227.2 fentanyl);

227.3 (68) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide

227.4 (para-methoxybutyryl fentanyl);

227.5 (69) N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide (ocfentanil);

227.6 (70) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide (4-fluoroisobutyryl
227.7 fentanyl or para-fluoroisobutyryl fentanyl);

227.8 (71) N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide (acryl fentanyl or227.9 acryloylfentanyl);

227.10 (72) 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (methoxyacetyl227.11 fentanyl);

(73) N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide (ortho-fluorofentanyl)
or 2-fluorofentanyl);

(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;

(iv) replacement of the aniline ring with any aromatic monocycle whether or not furthersubstituted in or on the aromatic monocycle; or

227.30 (v) replacement of the N-propionyl group by another acyl group.

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- (c) Opium derivatives. Any of the following substances, their analogs, salts, isomers,
- 228.2 and salts of isomers, unless specifically excepted or unless listed in another schedule,
- 228.3 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:
- 228.4 (1) acetorphine;
- 228.5 (2) acetyldihydrocodeine;
- 228.6 (3) benzylmorphine;
- 228.7 (4) codeine methylbromide;
- 228.8 (5) codeine-n-oxide;
- 228.9 (6) cyprenorphine;
- 228.10 (7) desomorphine;
- 228.11 (8) dihydromorphine;
- 228.12 **(9)** drotebanol;
- 228.13 (10) etorphine;
- 228.14 (11) heroin;
- 228.15 (12) hydromorphinol;
- 228.16 (13) methyldesorphine;
- 228.17 (14) methyldihydromorphine;
- 228.18 (15) morphine methylbromide;
- 228.19 (16) morphine methylsulfonate;
- 228.20 (17) morphine-n-oxide;
- 228.21 (18) myrophine;
- 228.22 (19) nicocodeine;
- 228.23 (20) nicomorphine;
- 228.24 (21) normorphine;
- 228.25 (22) pholcodine; and
- 228.26 (23) thebacon.

(d) Hallucinogens. Any material, compound, mixture or preparation which contains anyquantity of the following substances, their analogs, salts, isomers (whether optical, positional,

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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 ispossible:

- 229.4 (1) methylenedioxy amphetamine;
- 229.5 (2) methylenedioxymethamphetamine;
- 229.6 (3) methylenedioxy-N-ethylamphetamine (MDEA);
- 229.7 (4) n-hydroxy-methylenedioxyamphetamine;
- 229.8 (5) 4-bromo-2,5-dimethoxyamphetamine (DOB);
- 229.9 (6) 2,5-dimethoxyamphetamine (2,5-DMA);
- 229.10 (7) 4-methoxyamphetamine;
- 229.11 (8) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 229.12 (9) alpha-ethyltryptamine;
- 229.13 (10) bufotenine;
- 229.14 (11) diethyltryptamine;
- 229.15 (12) dimethyltryptamine;
- 229.16 (13) 3,4,5-trimethoxyamphetamine;
- 229.17 (14) 4-methyl-2, 5-dimethoxyamphetamine (DOM);
- 229.18 (15) ibogaine;
- 229.19 (16) lysergic acid diethylamide (LSD);
- 229.20 (17) mescaline;
- 229.21 (18) parahexyl;
- 229.22 (19) N-ethyl-3-piperidyl benzilate;
- 229.23 (20) N-methyl-3-piperidyl benzilate;
- 229.24 (21) psilocybin;
- 229.25 (22) psilocyn;
- 229.26 (23) tenocyclidine (TPCP or TCP);
- 229.27 (24) N-ethyl-1-phenyl-cyclohexylamine (PCE);
- 229.28 (25) 1-(1-phenylcyclohexyl) pyrrolidine (PCPy);

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230.1	(26) 1-	[1-(2-thienyl)cyclohexyl]	-pyrrolidine (TCPy	y);	
230.2	(27) 4-	chloro-2,5-dimethoxyam	phetamine (DOC);		
230.3	(28) 4-	ethyl-2,5-dimethoxyamp	hetamine (DOET);		
230.4	(29) 4-	iodo-2,5-dimethoxyamph	netamine (DOI);		
230.5	(30) 4-	bromo-2,5-dimethoxypho	enethylamine (2C-E	3);	
230.6	(31) 4-	chloro-2,5-dimethoxyphe	enethylamine (2C-C	2);	
230.7	(32) 4-	methyl-2,5-dimethoxyph	enethylamine (2C-I	D);	
230.8	(33) 4-	ethyl-2,5-dimethoxypher	ethylamine (2C-E)	;	
230.9	(34) 4-	iodo-2,5-dimethoxyphen	ethylamine (2C-I);		
230.10	(35) 4-	propyl-2,5-dimethoxyphe	enethylamine (2C-P	);	
230.11	(36) 4-	isopropylthio-2,5-dimeth	oxyphenethylamine	e (2C-T-4);	
230.12	(37) 4-	propylthio-2,5-dimethox	yphenethylamine (2	C-T-7);	
230.13		(8-bromo-2,3,6,7-tetrahy	drofuro [2,3-f][1]be	enzofuran-4-yl)etha	anamine
230.14	(2-CB-FL	Y);			
230.15	(39) bi	omo-benzodifuranyl-isop	propylamine (Brome	o-DragonFLY);	
230.16	(40) al	pha-methyltryptamine (A	MT);		
230.17	(41) N	N-diisopropyltryptamine,	e (DiPT);		
230.18	(42) 4-	acetoxy-N,N-dimethyltry	ptamine (4-AcO-D	MT);	
230.19	(43) 4-	acetoxy-N,N-diethyltrypt	tamine (4-AcO-DE	Г);	
230.20	(44) 4-	hydroxy-N-methyl-N-pro	opyltryptamine (4-H	IO-MPT);	
230.21	(45) 4-	hydroxy-N,N-dipropyltry	ptamine (4-HO-DF	PT);	
230.22	(46) 4-	hydroxy-N,N-diallyltrypt	tamine (4-HO-DAL	Т);	
230.23	(47) 4-	hydroxy-N,N-diisopropy	ltryptamine (4-HO-	DiPT);	
230.24	(48) 5-	methoxy-N,N-diisopropy	vltryptamine (5-Me	D-DiPT);	
230.25	(49) 5-	methoxy-α-methyltrypta	nine (5-MeO-AMT	);	
230.26	(50) 5-	methoxy-N,N-dimethyltr	yptamine (5-MeO-l	DMT);	
230.27	(51) 5-	methylthio-N,N-dimethy	ltryptamine (5-MeS	S-DMT);	

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- 231.1 (52) 5-methoxy-N-methyl-N-isopropyltryptamine (5-MeO-MiPT);
- 231.2 (53) 5-methoxy-α-ethyltryptamine (5-MeO-AET);
- 231.3 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);
- 231.4 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);
- 231.5 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);
- 231.6 (57) methoxetamine (MXE);
- 231.7 (58) 5-iodo-2-aminoindane (5-IAI);
- 231.8 (59) 5,6-methylenedioxy-2-aminoindane (MDAI);
- 231.9 (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe);
- 231.10 (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe);
- 231.11 (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe);
- 231.12 (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 231.13 (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
- 231.14 (65) N,N-Dipropyltryptamine (DPT);
- 231.15 (66) 3-[1-(Piperidin-1-yl)cyclohexyl]phenol (3-HO-PCP);
- 231.16 (67) N-ethyl-1-(3-methoxyphenyl)cyclohexanamine (3-MeO-PCE);
- 231.17 (68) 4-[1-(3-methoxyphenyl)cyclohexyl]morpholine (3-MeO-PCMo);
- 231.18 (69) 1-[1-(4-methoxyphenyl)cyclohexyl]-piperidine (methoxydine, 4-MeO-PCP);
- 231.19 (70) 2-(2-Chlorophenyl)-2-(ethylamino)cyclohexan-1-one (N-Ethylnorketamine,
- 231.20 ethketamine, NENK);
- 231.21 (71) methylenedioxy-N,N-dimethylamphetamine (MDDMA);
- 231.22 (72) 3-(2-Ethyl(methyl)aminoethyl)-1H-indol-4-yl (4-AcO-MET); and
- 231.23 (73) 2-Phenyl-2-(methylamino)cyclohexanone (deschloroketamine).

(e) Peyote. All parts of the plant presently classified botanically as Lophophora williamsii
Lemaire, whether growing or not, the seeds thereof, any extract from any part of the plant,

and every compound, manufacture, salts, derivative, mixture, or preparation of the plant,

231.27 its seeds or extracts. The listing of peyote as a controlled substance in Schedule I does not

- 231.28 apply to the nondrug use of peyote in bona fide religious ceremonies of the American Indian
- 231.29 Church, and members of the American Indian Church are exempt from registration. Any

person who manufactures peyote for or distributes peyote to the American Indian Church,
however, is required to obtain federal registration annually and to comply with all other
requirements of law.

(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:

- 232.8 (1) mecloqualone;
- 232.9 (2) methaqualone;
- 232.10 (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;
- 232.11 (4) flunitrazepam;

232.12 (5) 2-(2-Methoxyphenyl)-2-(methylamino)cyclohexanone (2-MeO-2-deschloroketamine,
232.13 methoxyketamine);

- 232.14 (6) tianeptine;
- 232.15 (7) clonazolam;
- 232.16 (8) etizolam;
- 232.17 (9) flubromazolam; and
- 232.18 (10) flubromazepam.

(g) Stimulants. 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:

- 232.23 (1) aminorex;
- 232.24 (2) cathinone;
- 232.25 (3) fenethylline;
- 232.26 (4) methcathinone;
- 232.27 (5) methylaminorex;
- 232.28 (6) N,N-dimethylamphetamine;
- 232.29 (7) N-benzylpiperazine (BZP);

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- (8) methylmethcathinone (mephedrone); 233.1 (9) 3,4-methylenedioxy-N-methylcathinone (methylone); 233.2 (10) methoxymethcathinone (methedrone); 233.3 (11) methylenedioxypyrovalerone (MDPV); 233.4 (12) 3-fluoro-N-methylcathinone (3-FMC); 233.5 (13) methylethcathinone (MEC); 233.6 (14) 1-benzofuran-6-ylpropan-2-amine (6-APB); 233.7 (15) dimethylmethcathinone (DMMC); 233.8 (16) fluoroamphetamine; 233.9 (17) fluoromethamphetamine; 233.10 (18)  $\alpha$ -methylaminobutyrophenone (MABP or buphedrone); 233.11 (19) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone); 233.12 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378); 233.13 (21) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl) pentan-1-one (naphthylpyrovalerone or 233.14 233.15 naphyrone); (22) (alpha-pyrrolidinopentiophenone (alpha-PVP); 233.16 (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or MPHP); 233.17 (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP); 233.18 233.19 (25) 4-methyl-N-ethylcathinone (4-MEC); (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP); 233.20 233.21 (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone); (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone); 233.22 233.23 (29) 4-fluoro-N-methylcathinone (4-FMC);
- 233.24 (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);
- 233.25 (31) alpha-pyrrolidinobutiophenone ( $\alpha$ -PBP);
- 233.26 (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);
- 233.27 (33) 1-phenyl-2-(1-pyrrolidinyl)-1-heptanone (PV8);

- 234.1 (34) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB);
- 234.2 (35) 4-methyl-alpha-ethylaminopentiophenone (4-MEAPP);
- 234.3 (36) 4'-chloro-alpha-pyrrolidinopropiophenone (4'-chloro-PPP);
- 234.4 (37) 1-(1,3-Benzodioxol-5-yl)-2-(dimethylamino)butan-1-one (dibutylone, bk-DMBDB);

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234.5 (38) 1-(3-chlorophenyl) piperazine (meta-chlorophenylpiperazine or mCPP);

234.6 (39) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one (N-ethylpentylone, ephylone);
234.7 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;

234.15 (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, or
methoxybenzyl 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:

234.24 (1) marijuana;

(2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis, except 234.25 that tetrahydrocannabinols do not include any material, compound, mixture, or preparation 234.26 that qualifies as industrial hemp as defined in section 18K.02, subdivision 3; synthetic 234.27 equivalents of the substances contained in the cannabis plant or in the resinous extractives 234.28 of the plant; or synthetic substances with similar chemical structure and pharmacological 234.29 activity to those substances contained in the plant or resinous extract, including, but not 234.30 limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans tetrahydrocannabinol, and 3,4 234.31 cis or trans tetrahydrocannabinol; 234.32

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235.1	(3) (h) Synthetic cannabinoids, including the following substances:
235.2	(i) (1) Naphthoylindoles, which are any compounds containing a 3-(1-napthoyl)indole
235.3	structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
235.4	alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
235.5	2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
235.6	extent and whether or not substituted in the naphthyl ring to any extent. Examples of
235.7	naphthoylindoles include, but are not limited to:
235.8	(A) (i) 1-Pentyl-3-(1-naphthoyl)indole (JWH-018 and AM-678);
235.9	(B) (ii) 1-Butyl-3-(1-naphthoyl)indole (JWH-073);
235.10	(C) (iii) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);
235.11	(D) (iv) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);
235.12	(E) (v) 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);
235.13	(F) (vi) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);
235.14	(G) (vii) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);
235.15	(H) (viii) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210);
235.16	(I) (ix) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);
235.17	(J) (x) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201).
235.18	(ii) (2) Napthylmethylindoles, which are any compounds containing a

- 235.19 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the
- 235.20 indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 235.21 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
- 235.22 substituted in the indole ring to any extent and whether or not substituted in the naphthyl
- 235.23 ring to any extent. Examples of naphthylmethylindoles include, but are not limited to:
- 235.24 (A) (i) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane (JWH-175);

235.25 (B) (ii) 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methane (JWH-184).

(iii) (3) Naphthoylpyrroles, which are any compounds containing a 3-(1-naphthoyl)pyrrole
structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl,
alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
2-(4-morpholinyl)ethyl group whether or not further substituted in the pyrrole ring to any
extent, whether or not substituted in the naphthyl ring to any extent. Examples of

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236.1	naphthoylpyrroles include, but are not limited to,
236.2	(5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone (JWH-307).
236.3	(iv) (4) Naphthylmethylindenes, which are any compounds containing a
236.4	naphthylideneindene structure with substitution at the 3-position of the indene ring by an
236.5	alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
236.6	1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further
236.7	substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring
236.8	to any extent. Examples of naphthylemethylindenes include, but are not limited to,
236.9	E-1-[1-(1-naphthalenylmethylene)-1H-inden-3-yl]pentane (JWH-176).
236.10	(v) (5) Phenylacetylindoles, which are any compounds containing a 3-phenylacetylindole
236.11	structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
236.12	alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
236.13	2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any
236.14	extent, whether or not substituted in the phenyl ring to any extent. Examples of
236.15	phenylacetylindoles include, but are not limited to:
236.16	(A) (i) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8);
236.17	(B) (ii) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);
236.18	(C) (iii) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);
236.19	(D) (iv) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).
236.20	(vi) (6) Cyclohexylphenols, which are compounds containing a
236.21	2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic
236.22	ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
236.23	1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted
236.24	in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include, but are not
236.25	limited to:
236.26	(A) (i) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);
236.27	(B) (ii) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol
236.28	(Cannabicyclohexanol or CP 47,497 C8 homologue);
236.29	(C)(iii) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]
236.30	-phenol (CP 55,940).
236.31	(vii) (7) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole
236.32	structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,

- 237.1 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
  - 237.2 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any
  - 237.3 extent and whether or not substituted in the phenyl ring to any extent. Examples of
  - 237.4 benzoylindoles include, but are not limited to:
  - 237.5 (A) (i) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);
  - 237.6 (B) (ii) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);
  - 237.7 (C) (iii) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone
  - 237.8 (WIN 48,098 or Pravadoline).
  - 237.9 (viii) (8) Others specifically named:
  - 237.10 (A) (i) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
  - 237.11 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);
  - 237.12 (B) (ii) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
  - 237.13 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);
  - 237.14 (C) (iii) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]
  - 237.15 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);
  - 237.16 (D) (iv) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);
  - 237.17  $(\underline{E})(\underline{v})$  (1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone 237.18 (XLR-11);
  - 237.19 (F) (vi) 1-pentyl-N-tricyclo[3.3.1.13,7]dec-1-yl-1H-indazole-3-carboxamide
  - 237.20 (AKB-48(APINACA));
  - 237.21 (G) (vii) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide 237.22 (5-Fluoro-AKB-48);
  - 237.23 (H) (viii) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid (PB-22);
  - 237.24 (I) (ix) 8-quinolinyl ester-1-(5-fluoropentyl)-1H-indole-3-carboxylic acid (5-Fluoro 237.25 PB-22);
  - 237.26 (J)(x) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole- 3-carboxamide 237.27 (AB-PINACA);
  - $\frac{(K)(xi)}{(K)} N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophenyl)methyl]-1-[(4-fluorophe$
  - 237.29 1H-indazole-3-carboxamide (AB-FUBINACA);
  - 237.30 (L) (xii) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-237.31 indazole-3-carboxamide(AB-CHMINACA);

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- 238.1 (M) (xiii) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-
- 238.2 methylbutanoate (5-fluoro-AMB);
- (N) (xiv) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl) methanone (THJ-2201);
- 238.4  $(\Theta)$  (xv) (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone) 238.5 (FUBIMINA);
- 238.6 (P) (xvi) (7-methoxy-1-(2-morpholinoethyl)-N-((1S,2S,4R)-1,3,3-trimethylbicyclo
- 238.7 [2.2.1]heptan-2-yl)-1H-indole-3-carboxamide (MN-25 or UR-12);
- 238.8 (Q) (xvii) (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)
- 238.9 -1H-indole-3-carboxamide (5-fluoro-ABICA);
- 238.10 (R) (xviii) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)
- 238.11 -1H-indole-3-carboxamide;
- 238.12  $(\underline{S})(\underline{xix})$  N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)
- 238.13 -1H-indazole-3-carboxamide;
- 238.14 (T) (xx) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)
- 238.15 -3,3-dimethylbutanoate;
- 238.16 (U) (xxi) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1(cyclohexylmethyl)-1
- 238.17 H-indazole-3-carboxamide (MAB-CHMINACA);
- 238.18 (<del>V)</del>(xxii)
- 238.19 N-(1-Amino-3,3-dimethyl-1-oxo-2-butanyl)-1-pentyl-1H-indazole-3-carboxamide
- 238.20 (ADB-PINACA);
- 238.21 (W)(xxiii) methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate (FUB-AMB);
- 238.22 (X) (xxiv)
- 238.23 N-[(1S)-2-amino-2-oxo-1-(phenylmethyl)ethyl]-1-(cyclohexylmethyl)-1H-Indazole-
- 238.24 3-carboxamide. (APP-CHMINACA);
- (Y)(xxv) quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FUB-PB-22); and
- 238.26 (Z) (xxvi) methyl N-[1-(cyclohexylmethyl)-1H-indole-3-carbonyl]valinate
- 238.27 (MMB-CHMICA).
- 238.28 (ix) (9) Additional substances specifically named:
- 238.29 (A) (i) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1
- 238.30 H-pyrrolo[2,3-B]pyridine-3-carboxamide (5F-CUMYL-P7AICA);

- (B) (ii) 1-(4-cyanobutyl)-N-(2- phenylpropan-2-yl)-1 H-indazole-3-carboxamide 239.1
- (4-CN-Cumyl-Butinaca); 239.2
- (C) (iii) naphthalen-1-yl-1-(5-fluoropentyl)-1-H-indole-3-carboxylate (NM2201; 239.3 CBL2201); 239.4
- (D) (iv) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1 239.5
- H-indazole-3-carboxamide (5F-ABPINACA); 239.6
- 239.7 (E) (v) methyl-2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate (MDMB CHMICA); 239.8
- (F) (vi) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate 239.9 (5F-ADB; 5F-MDMB-PINACA); and 239.10
- (G) (vii) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl) 239.11
- 1H-indazole-3-carboxamide (ADB-FUBINACA). 239.12
- (i) A controlled substance analog, to the extent that it is implicitly or explicitly intended 239.13 for human consumption. 239.14
- **EFFECTIVE DATE.** This section is effective the day following final enactment. 239.15

Sec. 2. Minnesota Statutes 2022, section 152.02, subdivision 4, is amended to read: 239.16

239.17 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 239.18 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 239.20

nervous system, including its salts, isomers, and salts of such isomers whenever the existence 239.21

of such salts, isomers, and salts of isomers is possible within the specific chemical 239.22 designation: 239.23

(1) benzphetamine; 239.24

239.19

- (2) chlorphentermine; 239.25
- (3) clortermine; 239.26
- (4) phendimetrazine. 239.27

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any 239.28 material, compound, mixture, or preparation which contains any quantity of the following 239.29 substances having a potential for abuse associated with a depressant effect on the central 239.30 nervous system: 239.31

240.1 (1) any compound, mixture, or preparation containing amobarbital, secobarbital,

pentobarbital or any salt thereof and one or more other active medicinal ingredients whichare 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;

240.13 (5) any of the following substances:

240.14 (i) chlorhexadol;

- 240.15 (ii) ketamine, its salts, isomers and salts of isomers;
- 240.16 (iii) lysergic acid;
- 240.17 (iv) lysergic acid amide;
- 240.18 (v) methyprylon;
- 240.19 (vi) sulfondiethylmethane;
- 240.20 (vii) sulfonenthylmethane;
- 240.21 (viii) sulfonmethane;

240.22 (ix) tiletamine and zolazepam and any salt thereof;

240.23 (x) embutramide;

240.24 (xi) Perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-Dihydropyridin-3-yl)

240.25 benzonitrile].

240.26 (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;

241.15 (6) not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with 241.16 one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

241.17 (f) Anabolic steroids, human growth hormone, and chorionic gonadotropin.

(1) Anabolic steroids, for purposes of this subdivision, means any drug or hormonal
substance, chemically and pharmacologically related to testosterone, other than estrogens,
progestins, corticosteroids, and dehydroepiandrosterone, and includes:

- 241.21 (i) 3[beta],17[beta]-dihydroxy-5[alpha]-androstane;
- 241.22 (ii) 3[alpha],17[beta]-dihydroxy-5[alpha]-androstane;
- 241.23 (iii) androstanedione (5[alpha]-androstan-3,17-dione);
- 241.24 (iv) 1-androstenediol (3[beta],17[beta]-dihydroxy-5[alpha]-androst-l-ene;
- 241.25 (v) 3[alpha],17[beta]-dihydroxy-5[alpha]-androst-1-ene);
- 241.26 (vi) 4-androstenediol (3[beta],17[beta]-dihydroxy-androst-4-ene);
- 241.27 (vii) 5-androstenediol (3[beta],17[beta]-dihydroxy-androst-5-ene);
- 241.28 (viii) 1-androstenedione (5[alpha]-androst-1-en-3,17-dione);
- 241.29 (ix) 4-androstenedione (androst-4-en-3,17-dione);
- 241.30 (x) 5-androstenedione (androst-5-en-3,17-dione);

- 242.1 (xi) bolasterone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- 242.2 (xii) boldenone (17[beta]-hydroxyandrost-1,4-diene-3-one);
- 242.3 (xiii) boldione (androsta-1,4-diene-3,17-dione);
- 242.4 (xiv) calusterone (7[beta],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- 242.5 (xv) clostebol (4-chloro-17[beta]-hydroxyandrost-4-en-3-one);
- 242.6 (xvi) dehydrochloromethyltestosterone
- 242.7 (4-chloro-17[beta]-hydroxy-17[alpha]-methylandrost-1,4-dien-3-one);
- 242.8 (xvii) desoxymethyltestosterone (17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol);
- 242.9 (xviii) [delta]1-dihydrotestosterone- (17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- 242.10 (xix) 4-dihydrotestosterone (17[beta]-hydroxy-androstan-3-one);
- 242.11 (xx) drostanolone (17[beta]hydroxy-2[alpha]-methyl-5[alpha]-androstan-3-one);
- 242.12 (xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-hydroxyestr-4-ene);
- 242.13 (xxii) fluoxymesterone
- 242.14 (9-fluoro-17[alpha]-methyl-11[beta],17[beta]-dihydroxyandrost-4-en-3-one);
- 242.15 (xxiii) formebolone
- 242.16 (2-formyl-17[alpha]-methyl-11[alpha],17[beta]-dihydroxyandrost-1,4-dien-3-one);
- 242.17 (xxiv) furazabol
- $242.18 \quad (17 [alpha]-methyl-17 [beta]-hydroxyandrostano [2,3-c]-furazan) \\ 13 [beta]-ethyl-17 [beta]-hydroxyandrostano [2,3-c]-furazan) \\ 13 [beta]-beta[beta]-hydroxyandrostano [2,3-c]-furazan) \\ 13 [beta]-beta[beta]-beta[beta]-hydroxyandrostano [2,3-c]-furazan) \\ 13 [beta]-beta[beta]-beta[beta]-beta[beta]-hydroxyandrostano [2,3-c]-furazan) \\ 13 [beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-beta[beta]-$
- 242.19 -hydroxygon-4-en-3-one;
- 242.20 (xxv) 4-hydroxytestosterone (4,17[beta]-dihydroxyandrost-4-en-3-one);
- 242.21 (xxvi) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxyestr-4-en-3-one);
- 242.22 (xxvii) mestanolone (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one);
- 242.23 (xxviii) mesterolone (1[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one);
- 242.24 (xxix) methandienone (17[alpha]-methyl-17[beta]-hydroxyandrost-1,4-dien-3-one);
- 242.25 (xxx) methandriol (17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-5-ene);
- 242.26 (xxxi) methasterone (2 alpha-17 alpha-dimethyl-5 alpha-androstan-17beta-ol-3-one);
- 242.27 (xxxii) methenolone (1-methyl-17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- 242.28 (xxxiii) 17[alpha]-methyl-3[beta],17[beta]-dihydroxy-5[alpha]-androstane;

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243.1	(xxxiv) 17[a	alpha]-methyl-3[alph	na],17[beta]-	dihydroxy-5[alpha]-aı	ndrostane;			
243.2	(xxxv) 17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-4-ene;							
243.3	(xxxvi) 17[a	alpha]-methyl-4-hyd	roxynandrol	one				
243.4	(17[alpha]-met	hyl-4-hydroxy-17[be	eta]-hydroxy	estr-4-en-3-one);				
243.5	(xxxvii) met	thyldienolone (17[alp	bha]-methyl-	17[beta]-hydroxyestra-	4,9(10)-dien-3-one);			
243.6	(xxxviii) me	thyltrienolone (17[al	pha]-methyl-	17[beta]-hydroxyestra	-4,9-11-trien-3-one);			
243.7	(xxxix) met	hyltestosterone (17[a	alpha]-methy	/l-17[beta]-hydroxyan	drost-4-en-3-one);			
243.8	(xl) miboler	one (7[alpha],17[alp	ha]-dimethy	l-17[beta]-hydroxyest	r-4-en-3-one);			
243.9	(xli) 17[alpl	ha]-methyl-[delta]1-0	dihydrotesto	sterone				
243.10	(17[beta]-hydro	oxy-17[alpha]-methy	vl-5[alpha]-a	ndrost-1-en-3-one);				
243.11	(xlii) nandro	olone (17[beta]-hydr	oxyestr-4-en	-3-one);				
243.12	(xliii) 19-no	or-4-androstenediol (	3[beta],17[b	eta]-dihydroxyestr-4-6	ene;			
243.13	(xliv) 3[alp]	ha],17[beta]-dihydro	xyestr-4-ene	); 19-nor-5-androsten	ediol			
243.14	(3[beta],17[beta	a]-dihydroxyestr-5-e	ne;					
243.15	(xlv) 3[alph	a],17[beta]-dihydrox	(yestr-5-ene)	;				
243.16	(xlvi) 19-nc	or-4,9(10)-androstadi	enedione (es	stra-4,9(10)-diene-3,17	7-dione);			
243.17	(xlvii) 19-n	or-5-androstenedion	e (estr-5-en	3,17-dione);				
243.18	(xlviii) nort	oolethone (13[beta],1	7[alpha]-die	thyl-17[beta]-hydroxy	/gon-4-en-3-one);			
243.19	(xlix) norcle	ostebol (4-chloro-17	[beta]-hydro	xyestr-4-en-3-one);				
243.20	(l) norethan	drolone (17[alpha]-e	thyl-17[beta	]-hydroxyestr-4-en-3-	one);			
243.21	(li) normeth	androlone (17[alpha	]-methyl-17	[beta]-hydroxyestr-4-6	en-3-one);			
243.22	(lii) oxandro	olone (17[alpha]-metl	hyl-17[beta]-	hydroxy-2-oxa-5[alph	a]-androstan-3-one);			
243.23	(liii) oxyme	sterone (17[alpha]-n	nethyl-4,17[1	oeta]-dihydroxyandros	st-4-en-3-one);			
243.24	(liv) oxyme	tholone						
243.25	(17[alpha]-met	hyl-2-hydroxymethy	lene-17[beta	]-hydroxy-5[alpha]-a	ndrostan-3-one);			
243.26	(lv) prostan	ozol (17 beta-hydrox	xy-5 alpha-ai	ndrostano[3,2-C]pryaz	zole;			
243.27	(lvi) stanoze	olol						
243.28	(17[alpha]-met	hyl-17[beta]-hydrox	y-5[alpha]-a	ndrost-2-eno[3,2-c]-p	yrazole);			

- 244.1 (lvii) stenbolone (17[beta]-hydroxy-2-methyl-5[alpha]-androst-1-en-3-one);
- 244.2 (lviii) testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);

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- 244.3 (lix) testosterone (17[beta]-hydroxyandrost-4-en-3-one);
- 244.4 (lx) tetrahydrogestrinone
- 244.5 (13[beta],17[alpha]-diethyl-17[beta]-hydroxygon-4,9,11-trien-3-one);
- 244.6 (lxi) trenbolone (17[beta]-hydroxyestr-4,9,11-trien-3-one);
- 244.7 (lxii) any salt, ester, or ether of a drug or substance described in this paragraph.
- 244.8 Anabolic steroids are not included if they are: (A) expressly intended for administration
- through implants to cattle or other nonhuman species; and (B) approved by the United StatesFood and Drug Administration for that use;
- 244.11 (2) Human growth hormones.
- 244.12 (3) Chorionic gonadotropin, except that a product containing chorionic gonadotropin is 244.13 not included if it is:
- 244.14 (i) expressly intended for administration to cattle or other nonhuman species; and
- 244.15 (ii) approved by the United States Food and Drug Administration for that use.
- (g) Hallucinogenic substances. Dronabinol (synthetic) in sesame oil and encapsulated
  in a soft gelatin capsule in a United States Food and Drug Administration approved product.
- (h) Any material, compound, mixture, or preparation containing the following narcoticdrug 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,
  isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence
- 244.24 of the isomers, esters, ethers, or salts is possible:
- 244.25 <u>(1) marijuana;</u>
- 244.26 (2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis, except
- 244.27 that tetrahydrocannabinols do not include any material, compound, mixture, or preparation
- that qualifies as industrial hemp as defined in section 18K.02, subdivision 3; synthetic
- 244.29 equivalents of the substances contained in the cannabis plant or in the resinous extractives
- 244.30 of the plant; or synthetic substances with similar chemical structure and pharmacological
- 244.31 activity to those substances contained in the plant or resinous extract, including but not

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245.1	limited to 1 cis or trans	tetrahydrocanr	nabinol, 6 (	cis or trans tetrahydroc	annabinol, and 3,4			
245.2	cis or trans tetrahydrocannabinol.							
245.3	EFFECTIVE DAT	E. This section	n is effectiv	ve the day following fin	nal enactment.			
245.4			ARTICL					
245.5		APF	PROPRIA	TIONS				
245.6	Section 1. APPROPE	RIATIONS.						
245.7	Subdivision 1. Offic	e of Cannabis	s Manager	<u>nent.</u> (a) \$ in fisca	ul year 2024 and			
245.8	<u>\$ in fiscal year 2025</u>	are appropriate	ed from the	general fund to the Car	mabis Management			
245.9	Board for purposes of the	nis act. The bas	se for this	appropriation is \$	in fiscal year 2026			
245.10	and \$ in fiscal year	2027.						
245.11	(b) Of the amount ap	propriated und	ler paragra	ph (a), \$ in fiscal y	rear 2024 and \$			
245.12	in fiscal year 2025 are fo	or rulemaking.	The base f	or this appropriation is	\$ in fiscal year			
245.13	2024 and thereafter.							
245.14	(c) Of the base estab	lished in parag	graph (a), \$	in fiscal year 2026	and \$ in fiscal			
245.15	year 2027 are for canna	bis industry co	ommunity 1	enewal grants. Of thes	e amounts, up to			
245.16	three percent may be us	ed for adminis	trative exp	enses.				
245.17	(d) Of the base estab	lished in parag	graph (a), \$	in fiscal year 2026	and \$ in fiscal			
245.18	year 2027 are for the ad	ministration of	f substance	use disorder treatmen	t and prevention			
245.19	grants.							
245.20	Subd. 2. Departmen	nt of Agricultu	ıre. <u>\$</u>	in fiscal year 2024 and	\$ in fiscal year			
245.21	2025 are appropriated f	com the genera	al fund to t	he commissioner of ag	riculture for food			
245.22	safety and pesticide enfo	orcement lab te	esting and	rulemaking related to c	hanges in cannabis			
245.23	laws. The base for this a	ppropriation is	s \$ in	fiscal year 2026 and \$.	in fiscal year			
245.24	<u>2027.</u>							
245.25	Subd. 3. Cannabis l	Expungement	Board. \$.	in fiscal year 2024	and \$ in fiscal			
245.26	year 2025 are appropria	ted from the go	eneral fund	l to the Cannabis Expu	ingement Board for			
245.27	staffing and other expen	ses related to r	reviewing	criminal convictions an	d issuing decisions			
245.28	related to expungement	and resentenci	ing. The ba	ase for this appropriation	on is \$ in fiscal			
245.29	years 2026, 2027, and 2	028. The base	in fiscal y	ear 2029 and thereafter	<u>r is \$0.</u>			
245.30	Subd. 4. Departme	nt of Commer	<b>ce.</b> <u>\$</u> i	n fiscal year 2024 and	\$ in fiscal year			
245.31	2025 are appropriated f	rom the genera	al fund to t	he commissioner of co	mmerce for the			

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246.1	purposes of this	s act. The base for t	his appropriat	ion is \$ in fiscal	year 2026 and \$
246.2	in fiscal year 20			•	<u></u>
246.3	Subd 5 De	nartment of Corre	ections An ar	propriation to the cor	nmissioner of
246.4		•	•	ed by \$ in fiscal y	
246.5				on is reduced by \$	
246.6	and \$ in fis			¥ ·	
246.7	<u>Subd. 6.</u> De	partment of Educ:	<b>ation.</b> <u>\$</u> ii	n fiscal year 2024 and	l \$ in fiscal year
246.8	2025 are appro	priated from the gen	neral fund to t	he commissioner of e	ducation for the
246.9	purposes of this	s act.			
246.10	Subd. 7. De	partment of Emplo	oyment and <b>E</b>	conomic Developme	<b>nt.</b> (a) \$ in fiscal
246.11				opriated from the gen	
246.12	commissioner of	of employment and e	economic deve	elopment for the CanS	tartup, CanNavigate,
246.13	and CanTrain p	rograms. Any unen	cumbered bal	ances remaining in th	e first year do not
246.14	cancel but are a	available for the sec	ond year.		
246.15	(b) Of the an	mount appropriated	under paragra	ph (a), \$ in fiscal	year 2024 and \$
246.16	in fiscal year 2	025 are for the Can	Startup progra	um.	
246.17	(c) Of the a	nount appropriated	under paragra	ph (a), \$ in fiscal	year 2024 and \$
246.18	in fiscal year 20	025 are for the Canl	Navigate prog	ram.	
246.19	(d) Of the a	mount appropriated	under paragra	ph (a), \$ in fiscal	year 2024 and \$
246.20		025 are for the Can			
246.21	(e) Of these	amounts, up to fou	r percent may	be used for administ	rative expenses.
246.22	<u>Subd. 8.</u> De	partment of Healt	<b>h.</b> (a) \$ ir	n fiscal year 2024 and	\$ in fiscal year
246.23	2025 are approp	priated from the gen	neral fund to th	ne commissioner of he	alth for the purposes
246.24	of this act. The	base for this approj	priation is \$	in fiscal year 2026	and \$ in fiscal
246.25	year 2027.				
246.26	(b) Of the an	nount appropriated	under paragra	ph (a), \$ in fiscal	year 2024 and \$
246.27	in fiscal year 2	025 are for education	on for women	who are pregnant, bre	eastfeeding, or who
246.28	may become pr	egnant. Of this amo	ount, \$ ea	ch year is for media c	ampaign contracts.
246.29	The base for th	is appropriation is \$	S in fiscal	year 2026 and therea	fter. Of the amounts
246.30	appropriated in	fiscal year 2026 an	d thereafter, \$	S is for media can	paign contracts.
246.31	(c) Of the ar	nount appropriated	under paragra	ph (a), \$ in fiscal	year 2024 and \$
246.32	in fiscal year 20	025 are for data coll	lection and rep	ports. The base for thi	s appropriation is
246.33	<u>\$ in fiscal</u>	year 2026 and \$	. in fiscal yea	r 2027.	

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247.1	(d) Of the a	mount appropriate	d under paragrap	h (a), \$ in fiscal	year 2024 and \$
247.2				act. The base for this	
247.3	\$ in fiscal	year 2026 and the	reafter.		
247.4	(e) Of the ar	nount appropriate	d under paragrap	h (a), \$ in fiscal	year 2024 and \$
247.5	in fiscal year 20	025 are for educat	ion for youth. Of	this amount, \$	each year is for
247.6	statewide youth	n awareness campa	aign contracts. Tl	ne base for this appro	opriation is \$ in
247.7	fiscal year 2026	5 and thereafter. O	f the amounts in	fiscal year 2026 and	thereafter, \$ is
247.8	for media camp	baign contracts.			
247.9	<u>Subd. 9.</u> De	partment of Hun	nan Services. (a)	\$ in fiscal year	2024 and \$ in
247.10	fiscal year 2025	5 are appropriated	from the general	fund to the commis	sioner of human
247.11	services for the	purposes of this a	ct. The base for t	his appropriation is	\$ in fiscal years
247.12	2026, 2027, and	d 2028. The base i	n fiscal year 202	9 and thereafter is \$.	<u></u>
247.13	(b) Of the ar	mount appropriate	d under paragrap	h (a), \$ in fiscal	year 2024 and \$
247.14	in fiscal year 20	025 are for the Bac	ckground Studies	Legal Division. The	e base for this
247.15	appropriation is	s \$ in fiscal ye	ears 2026, 2027, a	and 2028. The base	in fiscal year 2029
247.16	and thereafter i	<u>s \$0.</u>			
247.17	(c) Of the an	mount appropriate	d under paragrap	bh (a), \$ in fiscal	l year 2024 is for
247.18	technology syst	tem changes. This	is a onetime app	ropriation.	
247.19	(d) Of the an	mount appropriate	d under paragrap	h (a), \$ in fiscal	year 2024 and \$
247.20	in fiscal year 20	025 are for costs a	ssociated with th	e Substance Use Dis	sorder Advisory
247.21	Council.				
247.22	<u>Subd. 10.</u> D	epartment of La	bor and Industr	<b>y.</b> <u>\$</u> in fiscal yea	ar 2024 and \$ in
247.23	fiscal year 2025	5 are appropriated	from the general	fund to the commis	sioner of labor and
247.24	industry to ider	ntify occupational	competency stan	dards and provide te	chnical assistance
247.25	for developing	dual-training prog	rams under Mini	nesota Statutes, secti	on 175.45, for the
247.26	legal cannabis i	industry.			
247.27	<u>Subd. 11.</u> D	epartment of Nat	tural Resources.	\$ in fiscal year 2	2024 is appropriated
247.28	from the genera	al fund to the com	nissioner of natu	ral resources for the	purposes of this act.
247.29	This is a onetin	ne appropriation.			
247.30	<u>Subd. 12.</u> O	office of Higher E	ducation. <u>\$</u>	in fiscal year 2024 a	nd \$ in fiscal
247.31	year 2025 are a	ppropriated from	the general fund	to the commissioner	of higher education
247.32	for transfer to th	e dual training acc	ount in the specia	ll revenue fund under	Minnesota Statutes,
247.33	section 136A.2	46, subdivision 10	), for grants to en	nployers in the legal	cannabis industry.

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248.1	The commissioner shall give priority to applications from employers who are, or who are
248.2	training employees who are, eligible to be social equity applicants under Minnesota Statutes,
248.3	section 342.16.
248.4	Subd. 13. Pollution Control Agency. (a) \$ in fiscal year 2024 and \$ in fiscal
248.5	year 2025 are appropriated from the general fund to the commissioner of the Pollution
248.6	Control Agency for the purposes of this act. The base for this appropriation is \$ in fiscal
248.7	year 2026 and \$0 in fiscal year 2027 and thereafter.
248.8	(b) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$
248.9	in fiscal year 2025 are for rulemaking. The base for this appropriation is \$0 in fiscal year
248.10	2026 and thereafter.
248.11	(c) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 is for
248.12	wastewater staff. This is a onetime appropriation.
248.13	(d) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$
248.14	in fiscal year 2025 are for small business assistance staff. The base for this appropriation
248.15	is \$ in fiscal year 2026 and \$0 in fiscal year 2027 and thereafter.
248.16	Subd. 14. Department of Public Safety; Bureau of Criminal Apprehension. (a) \$
248.17	in fiscal year 2024 and \$ in fiscal year 2025 are appropriated from the general fund to
248.18	the commissioner of public safety for use by the Bureau of Criminal Apprehension. The
248.19	base for this appropriation is \$ in fiscal years 2026, 2027, and 2028. The base in fiscal
248.20	year 2029 and thereafter is \$
248.21	(b) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$
248.22	in fiscal year 2025 are for expenses related to identifying and providing records of convictions
248.23	for certain offenses involving the possession of cannabis that may be eligible for
248.24	expungement and resentencing. The base for this appropriation is \$ in fiscal years 2026,
248.25	2027, and 2028. The base in fiscal year 2029 and thereafter is \$0.
248.26	(c) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$
248.27	in fiscal year 2025 are for forensic science services including additional staff, equipment,
248.28	and supplies.
248.29	(d) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$
248.30	in fiscal year 2025 are for investigation of diversion crimes.
248.31	Subd. 15. Department of Public Safety; State Patrol. (a) \$ in fiscal year 2024 and
248.32	\$ in fiscal year 2025 are appropriated from the general fund to the commissioner of

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249.1	public safety for use by the Minnesota State Patrol for the purposes of this act, including
249.2	identifying and investigating incidents and offenses that involve driving under the influence.
249.3	(b) \$ in fiscal year 2024 and \$ in fiscal year 2025 are appropriated from the
249.4	general fund to the commissioner of public safety for use by the Minnesota State Patrol for
249.5	its drug evaluation and classification program for drug recognition evaluator training,
249.6	additional phlebotomists, and drug recognition training for peace officers, as defined in
249.7	Minnesota Statutes, section 626.84, subdivision 1, paragraph (c).
249.8	(c) \$ in fiscal year 2024 is appropriated from the general fund to the commissioner
249.9	of public safety for the Minnesota State Patrol for the retirement and replacement of canines
249.10	and the related canine and trooper training costs. This is a onetime appropriation and is
249.11	available until June 30, 2025.
249.12	Subd. 16. Department of Revenue. \$ in fiscal year 2024 and \$ in fiscal year
249.13	2025 are appropriated from the general fund to the commissioner of revenue for the purposes
249.14	of this act. The base for this appropriation is \$ in fiscal year 2026 and \$ in fiscal
249.15	<u>year 2027.</u>
249.16	Subd. 17. Supreme court. \$ in fiscal year 2024 and \$ in fiscal year 2025 are
249.17	appropriated from the general fund to the supreme court for reviewing records and issuing
249.18	orders related to the expungement or resentencing of certain cannabis offenses. The base
249.19	for this appropriation is \$0 in fiscal year 2026 and thereafter.
249.20	Subd. 18. Supreme court. \$ in fiscal year 2024 and \$ in fiscal year 2025 are
249.21	appropriated from the general fund to the supreme court for treatment court operations.
249.22	Subd. 19. Substance use disorder treatment and prevention grant account. Money
249.23	for substance use disorder treatment and prevention is transferred from the general fund to
249.24	the substance use disorder treatment and prevention grant account established under
249.25	Minnesota Statutes, section 342.72. The transfer is \$ in fiscal years 2024 and 2025. The

249.26 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;

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(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.

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(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 100.

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.