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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4757

- 03/07/2024 Authored by Stephenson and Hanson, J.,  
The bill was read for the first time and referred to the Committee on Commerce Finance and Policy
- 04/02/2024 Adoption of Report: Amended and re-referred to the Committee on State and Local Government Finance and Policy  
Pursuant to Joint Rule 2.03, re-referred to the Committee on Rules and Legislative Administration
- 04/04/2024 Adoption of Report: Re-referred to the Committee on State and Local Government Finance and Policy  
Joint Rule 2.03 has been waived for any subsequent committee action on this bill
- 04/08/2024 Adoption of Report: Re-referred to the Committee on Health Finance and Policy
- 04/11/2024 Adoption of Report: Placed on the General Register as Amended  
Read for the Second Time
- 04/18/2024 Calendar for the Day, Amended  
Read Third Time as Amended  
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments
- 05/03/2024 Returned to the House as Amended by the Senate  
Refused to concur and a Conference Committee was appointed
- 05/18/2024 Conference Committee Report Adopted  
Read Third Time as Amended by Conference and repassed by the House
- 05/19/2024 Read Third Time as Amended by Conference and repassed by the Senate  
Presented to Governor
- 05/24/2024 Governor Approval

1.1 A bill for an act

1.2 relating to commerce; modifying appropriations to the Office of Cannabis

1.3 Management and the Department of Health; modifying cannabis provisions;

1.4 modifying fees assessed by the Department of Commerce; adding and modifying

1.5 consumer protection provisions; establishing the Minnesota Consumer Data Privacy

1.6 Act; authorizing rulemaking; classifying data; making technical changes; requiring

1.7 reports; appropriating money; amending Minnesota Statutes 2022, sections 18K.03,

1.8 by adding a subdivision; 45.0135, subdivision 7; 62Q.73, subdivision 3; 152.22,

1.9 subdivisions 11, 14, by adding a subdivision; 152.25, subdivision 2; 152.27,

1.10 subdivisions 1, 2, 3, 4, 6, by adding a subdivision; 152.28, subdivision 2; 152.29,

1.11 subdivision 3; 181.950, subdivision 10; 181.952, as amended; 325E.21, by adding

1.12 a subdivision; 326.10, subdivision 8; 336.1-110; Minnesota Statutes 2023

1.13 Supplement, sections 3.9224, subdivision 1; 15A.0815, subdivision 2; 144.197;

1.14 151.72, subdivisions 1, 2, 3, 4, 5a, 5b, 6, 7; 152.28, subdivision 1; 152.30; 181.951,

1.15 subdivisions 4, 5, 8; 181.954, subdivision 1; 290.0132, subdivision 29; 290.0134,

1.16 subdivision 19; 295.81, subdivision 4; 297A.67, subdivision 39; 297A.70,

1.17 subdivision 2; 325E.21, subdivision 1b; 342.01, subdivisions 14, 17, 19, 48, 50,

1.18 52, 54, 57, 63, 64, 65, 66, by adding subdivisions; 342.02, subdivisions 2, 3, 5, 6;

1.19 342.03, subdivisions 1, 4; 342.06; 342.07, subdivision 3; 342.09, subdivisions 1,

1.20 3; 342.10; 342.11; 342.12; 342.13; 342.14; 342.15, subdivisions 1, 2, by adding

1.21 subdivisions; 342.16; 342.17; 342.18, subdivisions 2, 3, by adding a subdivision;

1.22 342.19, by adding a subdivision; 342.22; 342.24, subdivisions 1, 2; 342.28,

1.23 subdivisions 2, 4, by adding subdivisions; 342.29, subdivision 4, by adding

1.24 subdivisions; 342.30, subdivision 4; 342.31, subdivision 4; 342.32, subdivision 4;

1.25 342.35, subdivision 1; 342.37, subdivision 1; 342.40, subdivision 7; 342.41,

1.26 subdivisions 1, 3; 342.46, subdivisions 6, 8; 342.51; 342.515; 342.52, subdivisions

1.27 1, 2, 3, 4, 5, 9, 11; 342.53; 342.54; 342.55, subdivisions 1, 2; 342.56, subdivisions

1.28 1, 2; 342.57, subdivisions 1, 2, 3, 4, 5, 6, 7; 342.60; 342.61, subdivisions 1, 4, 5;

1.29 342.62, subdivision 3, by adding subdivisions; 342.63, subdivisions 2, 3, 6; 342.64,

1.30 subdivision 1; 342.70, subdivision 3; 342.72; 342.73, subdivision 4; 342.80; Laws

1.31 2023, chapter 63, article 1, sections 2; 51; 52; 53; 54; 55; 56; 57; 58; 59; 61; article

1.32 6, sections 10; 73; article 9, sections 10; 15, subdivision 4; 19; 20; proposing coding

1.33 for new law in Minnesota Statutes, chapters 13; 58B; 62J; 342; proposing coding

1.34 for new law as Minnesota Statutes, chapter 325O; repealing Minnesota Statutes

1.35 2022, sections 152.22, subdivision 3; 152.36; Minnesota Statutes 2023 Supplement,

1.36 sections 342.01, subdivisions 28, 53, 55; 342.18, subdivision 1; 342.27, subdivision

1.37 13; 342.29, subdivision 9; 342.47; 342.48; 342.49; 342.50; 342.52, subdivision 8;

2.1 Laws 1979, chapter 189, sections 1; 2, as amended; 3; Laws 2023, chapter 63,  
2.2 article 7, sections 4; 6.

2.3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

2.4 **ARTICLE 1**

2.5 **APPROPRIATIONS**

2.6 Section 1. **APPROPRIATIONS.**

2.7 The sums shown in the columns marked "Appropriations" are added to or, if shown in  
2.8 parentheses, subtracted from the appropriations in Laws 2023, chapter 63, article 9, to the  
2.9 agencies and for the purposes specified in this article. The appropriations are from the  
2.10 general fund, or another named fund, and are available for the fiscal years indicated for  
2.11 each purpose. The figures "2024" and "2025" used in this article mean that the addition to  
2.12 or subtraction from the appropriation listed under them is available for the fiscal year ending  
2.13 June 30, 2024, or June 30, 2025, respectively. "The first year" is fiscal year 2024. "The  
2.14 second year" is fiscal year 2025. Supplemental appropriations and reductions to  
2.15 appropriations for the fiscal year ending June 30, 2024, are effective the day following final  
2.16 enactment.

2.17 **APPROPRIATIONS**  
2.18 **Available for the Year**  
2.19 **Ending June 30**  
2.20 **2024                      2025**

2.21 **Sec. 2. OFFICE OF CANNABIS**  
2.22 **MANAGEMENT**    **\$**                      **-0-** **\$**                      **5,531,000**

2.23 **Appropriations by Fund**

	<u>2024</u>	<u>2025</u>
2.24 <u>General Fund</u>	<u>-0-</u>	<u>3,248,000</u>
2.25 <u>State Government</u>		
2.26 <u>Special Revenue</u>		
2.27 <u>Fund</u>	<u>-0-</u>	<u>2,283,000</u>

2.29 **(a) Enforcement of Temporary Regulations**

2.30 \$1,107,000 in fiscal year 2025 is for regulation  
2.31 of products subject to the requirements of  
2.32 Minnesota Statutes, section 151.72. This is a  
2.33 onetime appropriation.

2.34 **(b) Product Testing**

2.35 \$771,000 in fiscal year 2025 is for testing  
2.36 products regulated under Minnesota Statutes,

3.1 section 151.72, and chapter 342. The base for  
 3.2 this appropriation is \$690,000 in fiscal year  
 3.3 2026 and each year thereafter.

3.4 **(c) Reference Laboratory**

3.5 \$849,000 in fiscal year 2025 is to operate a  
 3.6 state reference laboratory. The base for this  
 3.7 appropriation is \$632,000 in fiscal year 2026  
 3.8 and \$696,000 in fiscal year 2027.

3.9 **(d) Medical Cannabis**

3.10 \$521,000 in fiscal year 2025 from the general  
 3.11 fund and \$2,283,000 in fiscal year 2025 from  
 3.12 the state government special revenue fund are  
 3.13 for the operation of the medical cannabis  
 3.14 program. These are onetime appropriations.

3.15 **Sec. 3. DEPARTMENT OF HEALTH**                    **\$**                    **-0-** **\$**                    **5,500,000**

3.16 \$5,500,000 in fiscal year 2025 is for the  
 3.17 purposes outlined in Minnesota Statutes,  
 3.18 section 342.72.

3.19 **Sec. 4. DEPARTMENT OF COMMERCE**                    **\$**                    **-0-** **\$**                    **28,000**

3.20 \$28,000 in fiscal year 2025 is for the  
 3.21 commissioner of commerce to administer and  
 3.22 enforce Minnesota Statutes, section 325E.21,  
 3.23 subdivision 2c. The base for this appropriation  
 3.24 is \$75,000 in fiscal year 2026 and each year  
 3.25 thereafter.

3.26 **Sec. 5. ATTORNEY GENERAL.**

3.27 The general fund base for the attorney general is increased by \$941,000 in fiscal year  
 3.28 2026 and \$701,000 in fiscal year 2027 to enforce the Minnesota Consumer Data Privacy  
 3.29 Act under Minnesota Statutes, chapter 325O.

3.30 **Sec. 6. Laws 2023, chapter 63, article 9, section 10, is amended to read:**

3.31 **Sec. 10. HEALTH**

4.1 **20,252,000**  
 4.2 Subdivision 1. **Total Appropriation** \$ **3,300,000** \$ **17,525,000**

4.3 The base for this appropriation is ~~\$19,064,000~~  
 4.4 \$17,742,000 in fiscal year 2026 and ~~each fiscal~~  
 4.5 ~~year thereafter~~ \$17,678,000 in fiscal year  
 4.6 2027.

4.7 The amounts that may be spent for each  
 4.8 purpose are specified in the following  
 4.9 subdivisions.

4.10 Subd. 2. **Youth Prevention and Education** **5,000,000**  
 4.11 **Program** -0- **4,363,000**

4.12 For administration and grants under Minnesota  
 4.13 Statutes, section 144.197, subdivision 1. Of  
 4.14 the amount appropriated, \$2,863,000 is for  
 4.15 program operations and administration and  
 4.16 \$1,500,000 is for grants. The base for this  
 4.17 appropriation is \$4,534,000 in fiscal year 2026  
 4.18 and \$4,470,000 in fiscal year 2027.

4.19 Subd. 3. **Prevention and Education Grants for** **2,000,000**  
 4.20 **Pregnant or Breastfeeding Individuals** -0- **1,788,000**

4.21 For ~~grants under~~ a coordinated prevention and  
 4.22 education program for pregnant and  
 4.23 breastfeeding individuals under Minnesota  
 4.24 Statutes, section 144.197, subdivision 2. The  
 4.25 base for this appropriation is \$1,834,000  
 4.26 beginning in fiscal year 2026.

4.27 Subd. 4. **Local and Tribal Health Departments** -0- **10,000,000**

4.28 For administration and grants under Minnesota  
 4.29 Statutes, section 144.197, subdivision 4. Of  
 4.30 the amount appropriated, \$1,094,000 is for  
 4.31 administration and \$8,906,000 is for grants.

5.1	<b>Subd. 5. Cannabis Data Collection and Biennial</b>		
5.2	<b>Reports</b>	493,000	493,000
5.3	For reports under Minnesota Statutes, section		
5.4	144.196.		
5.5	<b>Subd. 6. Administration for Expungement</b>		
5.6	<b>Orders</b>	71,000	71,000
5.7	For administration related to orders issued by		
5.8	the Cannabis Expungement Board. The base		
5.9	for this appropriation is \$71,000 in fiscal year		
5.10	2026, \$71,000 in fiscal year 2027, \$71,000 in		
5.11	fiscal year 2028, \$71,000 in fiscal year 2029,		
5.12	and \$0 in fiscal year 2030.		
5.13	<b>Subd. 7. Grants to the Minnesota Poison Control</b>		
5.14	<b>System</b>	910,000	810,000
5.15	For <u>administration and grants under Minnesota</u>		
5.16	<u>Statutes, section 145.93. Of the amount</u>		
5.17	<u>appropriated in fiscal year 2025, \$15,000 is</u>		
5.18	<u>for administration and \$795,000 is for grants.</u>		
5.19	<b>Subd. 8. Temporary Regulation of Edible</b>		1,107,000
5.20	<b>Products Extracted from Hemp</b>	1,107,000	<u>-0-</u>
5.21	For temporary regulation under the health		
5.22	enforcement consolidation act of edible		
5.23	products extracted from hemp. <u>The</u>		
5.24	<u>commissioner may transfer encumbrances and</u>		
5.25	<u>unobligated amounts to the Office of Cannabis</u>		
5.26	<u>Management for this purpose. This is a</u>		
5.27	onetime appropriation.		
5.28			771,000
5.29	<b>Subd. 9. Testing:</b>	719,000	<u>-0-</u>
5.30	For testing of edible cannabinoid products.		
5.31	<del>The base for this appropriation is \$690,000 in</del>		
5.32	<del>fiscal year 2026 and each fiscal year thereafter.</del>		
5.33	<u>The commissioner may transfer encumbrances</u>		
5.34	<u>and unobligated amounts to the Office of</u>		
5.35	<u>Cannabis Management for this purpose.</u>		

6.1 Sec. 7. Laws 2023, chapter 63, article 9, section 15, subdivision 4, is amended to read:

6.2 Subd. 4. **Office of Traffic and Safety** 11,485,000 6,117,000

6.3 (a) The base for this appropriation is  
 6.4 \$5,000,000 in fiscal year 2026 and each fiscal  
 6.5 year thereafter.

6.6 (b) \$10,000,000 the first year and \$5,000,000  
 6.7 the second year are for the drug evaluation  
 6.8 and classification program for drug recognition  
 6.9 evaluator training; additional phlebotomists;  
 6.10 drug recognition training for peace officers,  
 6.11 as defined in Minnesota Statutes, section  
 6.12 626.84, subdivision 1, paragraph (c); and  
 6.13 required continuing education training for drug  
 6.14 recognition experts, program administration,  
 6.15 grants to local law enforcement divisions, and  
 6.16 making grants to eligible employers for drug  
 6.17 evaluation and classification training costs of  
 6.18 their staff. The commissioner must make  
 6.19 reasonable efforts to reflect the geographic  
 6.20 diversity of the state in making expenditures  
 6.21 under this appropriation. This appropriation  
 6.22 is available until June 30, 2027.

6.23 (c) \$1,485,000 the first year and \$1,117,000  
 6.24 the second year are for a roadside testing pilot  
 6.25 project. These are onetime appropriations.

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

6.27 Sec. 8. Laws 2023, chapter 63, article 9, section 19, is amended to read:

6.28 Sec. 19. **APPROPRIATION AND BASE REDUCTIONS.**

6.29 (a) The commissioner of management and budget must reduce general fund appropriations  
 6.30 to the commissioner of corrections by \$165,000 in fiscal year 2024 and \$368,000 in fiscal  
 6.31 year 2025. The commissioner must reduce the base for general fund appropriations to the

7.1 commissioner of corrections by \$460,000 in fiscal year 2026 and \$503,000 in fiscal year  
7.2 2027.

7.3 (b) The commissioner of management and budget must reduce general fund appropriations  
7.4 to the commissioner of health by ~~\$260,000~~ \$781,000 in fiscal year 2025 for the administration  
7.5 of the medical cannabis program. The commissioner must reduce the base for general fund  
7.6 appropriations to the commissioner of health by \$781,000 in fiscal year 2026 and each fiscal  
7.7 year thereafter.

7.8 (c) The commissioner of management and budget must reduce state government special  
7.9 revenue fund appropriations to the commissioner of health by ~~\$1,141,000~~ \$3,424,000 in  
7.10 fiscal year 2025 for the administration of the medical cannabis program. The commissioner  
7.11 must reduce the base for state government special revenue fund appropriations to the  
7.12 commissioner of health by \$3,424,000 in fiscal year 2026 and each fiscal year thereafter.

7.13 Sec. 9. Laws 2023, chapter 63, article 9, section 20, is amended to read:

7.14 Sec. 20. **TRANSFERS.**

7.15 ~~(a)~~ \$1,000,000 in fiscal year 2024 and \$1,000,000 in fiscal year 2025 are transferred  
7.16 from the general fund to the dual training account in the special revenue fund under  
7.17 Minnesota Statutes, section 136A.246, subdivision 10, for grants to employers in the legal  
7.18 cannabis industry. The base for this transfer is \$1,000,000 in fiscal year 2026 and each fiscal  
7.19 year thereafter. The commissioner may use up to six percent of the amount transferred for  
7.20 administrative costs. The commissioner shall give priority to applications from employers  
7.21 who are, or who are training employees who are, eligible to be social equity applicants  
7.22 under Minnesota Statutes, section 342.17. After June 30, 2025, any unencumbered balance  
7.23 from this transfer may be used for grants to any eligible employer under Minnesota Statutes,  
7.24 section 136A.246.

7.25 ~~(b)~~ ~~\$5,500,000 in fiscal year 2024 and \$5,500,000 in fiscal year 2025 are transferred~~  
7.26 ~~from the general fund to the substance use treatment, recovery, and prevention grant account~~  
7.27 ~~established under Minnesota Statutes, section 342.72. The base for this transfer is \$5,500,000~~  
7.28 ~~in fiscal year 2026 and each fiscal year thereafter.~~

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

## ARTICLE 2

## CANNABIS POLICY

8.1

8.2

8.3 Section 1. Minnesota Statutes 2023 Supplement, section 3.9224, subdivision 1, is amended  
8.4 to read:

8.5 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the  
8.6 meanings given.

8.7 (b) "Medical cannabis law" or "medical cannabis program" means the regulatory  
8.8 framework for cultivation, production, distribution, and sale of cannabis to qualifying  
8.9 patients for therapeutic use in the treatment of a qualifying condition.

8.10 (c) "Medical cannabis flower" means cannabis flower approved for sale under the medical  
8.11 cannabis law of a Minnesota Tribal government or under a compact entered into under this  
8.12 section.

8.13 (d) "Medical cannabis product" means a cannabis product approved for sale under the  
8.14 medical cannabis law of a Minnesota Tribal government or under a compact entered into  
8.15 under this section.

8.16 (e) "Medical cannabis business" means a ~~medical cannabis cultivator, processor, or~~  
8.17 ~~retailer~~ business with a medical cannabis endorsement.

8.18 (f) "Medical cannabis industry" means every item, product, person, process, action,  
8.19 business, or other thing or activity related to medical cannabis flower or medical cannabis  
8.20 products and subject to regulation under the law of a Minnesota Tribal government or under  
8.21 a compact entered into under this section.

8.22 (g) "Cannabis product" means any of the following:

8.23 (1) cannabis concentrate;

8.24 (2) a product infused with cannabinoids, whether artificially derived, or extracted or  
8.25 derived from cannabis plants or cannabis flower, including but not limited to  
8.26 tetrahydrocannabinol; or

8.27 (3) any other product that contains cannabis concentrate.

8.28 (h) "Minnesota Tribal governments" means the following federally recognized Indian  
8.29 Tribes located in Minnesota:

8.30 (1) Bois Forte Band;

8.31 (2) Fond Du Lac Band;



9.1 (3) Grand Portage Band;

9.2 (4) Leech Lake Band;

9.3 (5) Mille Lacs Band;

9.4 (6) White Earth Band;

9.5 (7) Red Lake Nation;

9.6 (8) Lower Sioux Indian Community;

9.7 (9) Prairie Island Indian Community;

9.8 (10) Shakopee Mdewakanton Sioux Community; and

9.9 (11) Upper Sioux Indian Community.

9.10 (i) "Tribal medical cannabis business" means a medical cannabis business licensed by  
9.11 a Minnesota Tribal government, including the business categories identified in paragraph  
9.12 (e), as well as any others that may be provided under the law of a Minnesota Tribal  
9.13 government.

9.14 (j) "Tribally regulated land" means:

9.15 (1) all land held in trust by the United States for the benefit of a Minnesota Tribal  
9.16 government ("trust land");

9.17 (2) all land held by a Minnesota Tribal government in restricted fee status; and

9.18 (3) all land within the exterior boundaries of the reservation of a Minnesota Tribal  
9.19 government that is subject to the civil regulatory jurisdiction of the Tribal government. For  
9.20 the purposes of this section, land that is subject to the civil regulatory jurisdiction of the  
9.21 Tribal government includes:

9.22 (i) trust land, or fee land held, including leased land, by the Tribe, entities organized  
9.23 under Tribal law, or individual Indians; and

9.24 (ii) land held, including leased land, by non-Indian entities or individuals who consent  
9.25 to the civil regulation of the Tribal government or are otherwise subject to such regulation  
9.26 under federal law.

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

10.1 Sec. 2. Minnesota Statutes 2023 Supplement, section 15A.0815, subdivision 2, is amended  
10.2 to read:

10.3 Subd. 2. **Agency head salaries.** The salary for a position listed in this subdivision shall  
10.4 be determined by the Compensation Council under section 15A.082. The commissioner of  
10.5 management and budget must publish the salaries on the department's website. This  
10.6 subdivision applies to the following positions:

- 10.7 Commissioner of administration;
- 10.8 Commissioner of agriculture;
- 10.9 Commissioner of education;
- 10.10 Commissioner of children, youth, and families;
- 10.11 Commissioner of commerce;
- 10.12 Commissioner of corrections;
- 10.13 Commissioner of health;
- 10.14 Commissioner, Minnesota Office of Higher Education;
- 10.15 Commissioner, Minnesota IT Services;
- 10.16 Commissioner, Housing Finance Agency;
- 10.17 Commissioner of human rights;
- 10.18 Commissioner of human services;
- 10.19 Commissioner of labor and industry;
- 10.20 Commissioner of management and budget;
- 10.21 Commissioner of natural resources;
- 10.22 Commissioner, Pollution Control Agency;
- 10.23 Commissioner of public safety;
- 10.24 Commissioner of revenue;
- 10.25 Commissioner of employment and economic development;
- 10.26 Commissioner of transportation;
- 10.27 Commissioner of veterans affairs;
- 10.28 Executive director of the Gambling Control Board;

- 11.1 Executive director of the Minnesota State Lottery;
- 11.2 Executive director of the Office of Cannabis Management;
- 11.3 Commissioner of Iron Range resources and rehabilitation;
- 11.4 Commissioner, Bureau of Mediation Services;
- 11.5 Ombudsman for mental health and developmental disabilities;
- 11.6 Ombudsperson for corrections;
- 11.7 Chair, Metropolitan Council;
- 11.8 Chair, Metropolitan Airports Commission;
- 11.9 School trust lands director;
- 11.10 Executive director of pari-mutuel racing; and
- 11.11 Commissioner, Public Utilities Commission.

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

11.13 Sec. 3. Minnesota Statutes 2022, section 18K.03, is amended by adding a subdivision to  
11.14 read:

11.15 **Subd. 3. Sale to cannabis and hemp businesses.** (a) An industrial hemp grower licensed  
11.16 under this chapter may sell hemp plant parts and propagules to a cannabis business or hemp  
11.17 business licensed under chapter 342.

11.18 (b) An industrial hemp processor licensed under this chapter may sell hemp concentrate  
11.19 to a cannabis business or hemp business licensed under chapter 342.

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

11.21 Sec. 4. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 1, is amended  
11.22 to read:

11.23 Subdivision 1. **Definitions.** For the purposes of this section, the following terms have  
11.24 the meanings given.

11.25 (a) "Artificially derived cannabinoid" means a cannabinoid extracted from a hemp plant  
11.26 or hemp plant parts with a chemical makeup that is changed after extraction to create a  
11.27 different cannabinoid or other chemical compound by applying a catalyst other than heat  
11.28 or light. Artificially derived cannabinoid includes but is not limited to any  
11.29 tetrahydrocannabinol created from cannabidiol.

12.1 (b) "Batch" means a specific quantity of a specific product containing cannabinoids  
12.2 derived from hemp, including an edible cannabinoid product, that is manufactured at the  
12.3 same time and using the same methods, equipment, and ingredients that is uniform and  
12.4 intended to meet specifications for identity, strength, purity, and composition, and that is  
12.5 manufactured, packaged, and labeled according to a single batch production record executed  
12.6 and documented.

12.7 (c) "Certified hemp" means hemp plants that have been tested and found to meet the  
12.8 requirements of chapter 18K and the rules adopted thereunder.

12.9 ~~(d) "Commissioner" means the commissioner of health.~~

12.10 ~~(e)~~ (d) "Distributor" means a person who sells, arranges a sale, or delivers a product  
12.11 containing cannabinoids derived from hemp, including an edible cannabinoid product, that  
12.12 the person did not manufacture to a retail establishment for sale to consumers. Distributor  
12.13 does not include a common carrier used only to complete delivery to a retailer.

12.14 ~~(f)~~ (e) "Edible cannabinoid product" means any product that is intended to be eaten or  
12.15 consumed as a beverage by humans, contains a cannabinoid in combination with food  
12.16 ingredients, and is not a drug.

12.17 ~~(g)~~ (f) "Hemp" has the meaning given to "industrial hemp" in section 18K.02, subdivision  
12.18 3.

12.19 ~~(h)~~ (g) "Label" has the meaning given in section 151.01, subdivision 18.

12.20 ~~(i)~~ (h) "Labeling" means all labels and other written, printed, or graphic matter that are:

12.21 (1) affixed to the immediate container in which a product regulated under this section  
12.22 is sold;

12.23 (2) provided, in any manner, with the immediate container, including but not limited to  
12.24 outer containers, wrappers, package inserts, brochures, or pamphlets; or

12.25 (3) provided on that portion of a manufacturer's website that is linked by a scannable  
12.26 barcode or matrix barcode.

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

12.30 ~~(k)~~ (j) "Nonintoxicating cannabinoid" means substances extracted from certified hemp  
12.31 plants that do not produce intoxicating effects when consumed by any route of administration.

12.32 (k) "Office" means the director of the Office of Cannabis Management.

13.1 (l) "Synthetic cannabinoid" means a substance with a similar chemical structure and  
13.2 pharmacological activity to a cannabinoid, but which is not extracted or derived from hemp  
13.3 plants, or hemp plant parts and is instead created or produced by chemical or biochemical  
13.4 synthesis.

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

13.6 Sec. 5. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 2, is amended  
13.7 to read:

13.8 Subd. 2. **Scope.** (a) This section applies to the sale of any product that contains  
13.9 cannabinoids extracted from hemp and that is an edible cannabinoid product or is intended  
13.10 for human or animal consumption by any route of administration.

13.11 (b) This section does not apply to any product dispensed by a registered medical cannabis  
13.12 manufacturer pursuant to sections 152.22 to 152.37.

13.13 (c) The ~~commissioner~~ office must have no authority over food products, as defined in  
13.14 section 34A.01, subdivision 4, that do not contain cannabinoids extracted or derived from  
13.15 hemp.

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

13.17 Sec. 6. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 3, is amended  
13.18 to read:

13.19 Subd. 3. **Sale of cannabinoids derived from hemp.** (a) Notwithstanding any other  
13.20 section of this chapter, a product containing nonintoxicating cannabinoids, including an  
13.21 edible cannabinoid product, may be sold for human or animal consumption only if all of  
13.22 the requirements of this section are met, ~~provided that~~. A product sold for human or animal  
13.23 consumption ~~does~~ must not contain more than 0.3 percent of any tetrahydrocannabinol and  
13.24 an edible cannabinoid product ~~does~~ must not contain an amount of any tetrahydrocannabinol  
13.25 that exceeds the limits established in subdivision 5a, paragraph (f).

13.26 (b) A product containing nonintoxicating cannabinoids, other than an edible cannabinoid  
13.27 product, may be sold for human or animal consumption only if it is intended for application  
13.28 externally to a part of the body of a human or animal. Such a product must not be  
13.29 manufactured, marketed, distributed, or intended to be consumed:

13.30 (1) by combustion or vaporization of the product and inhalation of smoke, aerosol, or  
13.31 vapor from the product;

14.1 (2) through chewing, drinking, or swallowing; or

14.2 (3) through injection or application to a mucous membrane or nonintact skin.

14.3 (c) No other substance extracted or otherwise derived from hemp may be sold for human  
14.4 consumption if the substance is intended:

14.5 (1) for external or internal use in the diagnosis, cure, mitigation, treatment, or prevention  
14.6 of disease in humans or other animals; or

14.7 (2) to affect the structure or any function of the bodies of humans or other animals.

14.8 (d) No product containing any cannabinoid or tetrahydrocannabinol extracted or otherwise  
14.9 derived from hemp may be sold to any individual who is under the age of 21.

14.10 (e) Products that meet the requirements of this section are not controlled substances  
14.11 under section 152.02.

14.12 (f) Products may be sold for on-site consumption ~~provided that~~ if all of the following  
14.13 conditions are met:

14.14 (1) the retailer must also hold an on-sale license issued under chapter 340A;

14.15 (2) products, other than products that are intended to be consumed as a beverage, must  
14.16 be served in original packaging, but may be removed from the products' packaging by  
14.17 customers and consumed on site;

14.18 (3) products must not be sold to a customer who the retailer knows or reasonably should  
14.19 know is intoxicated;

14.20 (4) products must not be permitted to be mixed with an alcoholic beverage; and

14.21 (5) products that have been removed from packaging must not be removed from the  
14.22 premises.

14.23 (g) Edible cannabinoid products that are intended to be consumed as a beverage may be  
14.24 served outside of the products' packaging if the information that is required to be contained  
14.25 on the label of an edible cannabinoid product is posted or otherwise displayed by the retailer.

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

14.27 Sec. 7. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 4, is amended  
14.28 to read:

14.29 Subd. 4. **Testing requirements.** (a) A manufacturer of a product regulated under this  
14.30 section must submit representative samples of each batch of the product to an independent,

15.1 accredited laboratory in order to certify that the product complies with the standards adopted  
15.2 ~~by the board on or before July 1, 2023, or the standards~~ adopted by the ~~commissioner~~ office.

15.3 Testing must be consistent with generally accepted industry standards for herbal and botanical  
15.4 substances, and, at a minimum, the testing must confirm that the product:

15.5 (1) contains the amount or percentage of cannabinoids that is stated on the label of the  
15.6 product;

15.7 (2) does not contain more than trace amounts of any mold, residual solvents or other  
15.8 catalysts, pesticides, fertilizers, or heavy metals; and

15.9 (3) does not contain more than 0.3 percent of any tetrahydrocannabinol.

15.10 (b) A manufacturer of a product regulated under this section must disclose all known  
15.11 information regarding pesticides, fertilizers, solvents, or other foreign materials applied to  
15.12 industrial hemp or added to industrial hemp during any production or processing stages of  
15.13 any batch from which a representative sample has been sent for testing, including any  
15.14 catalysts used to create artificially derived cannabinoids. The disclosure must be made to  
15.15 the laboratory performing testing or sampling and, upon request, to the ~~commissioner~~ office.  
15.16 The disclosure must include all information known to the ~~licensee~~ manufacturer regardless  
15.17 of whether the application or addition was made intentionally or accidentally, or by the  
15.18 manufacturer or any other person.

15.19 (c) Upon the request of the ~~commissioner~~ office, the manufacturer of the product must  
15.20 provide the ~~commissioner~~ office with the results of the testing required in this section.

15.21 (d) The ~~commissioner~~ office may determine that any testing laboratory that does not  
15.22 operate formal management systems under the International Organization for Standardization  
15.23 is not an accredited laboratory and require that a representative sample of a batch of the  
15.24 product be retested by a testing laboratory that meets this requirement.

15.25 (e) Testing of the hemp from which the nonintoxicating cannabinoid was derived, or  
15.26 possession of a certificate of analysis for such hemp, does not meet the testing requirements  
15.27 of this section.

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

16.1 Sec. 8. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 5a, is amended  
16.2 to read:

16.3 Subd. 5a. **Additional requirements for edible cannabinoid products.** (a) In addition  
16.4 to the testing and labeling requirements under subdivisions 4 and 5, an edible cannabinoid  
16.5 must meet the requirements of this subdivision.

16.6 (b) An edible cannabinoid product must not:

16.7 (1) bear the likeness or contain cartoon-like characteristics of a real or fictional person,  
16.8 animal, or fruit that appeals to children;

16.9 (2) be modeled after a brand of products primarily consumed by or marketed to children;

16.10 (3) be made by applying an extracted or concentrated hemp-derived cannabinoid to a  
16.11 commercially available candy or snack food item;

16.12 (4) be substantively similar to a meat food product; poultry food product as defined in  
16.13 section 31A.02, subdivision 10; or a dairy product as defined in section 32D.01, subdivision  
16.14 7;

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

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

16.19 (7) be packaged in a container that includes a statement, artwork, or design that could  
16.20 reasonably mislead any person to believe that the package contains anything other than an  
16.21 edible cannabinoid product.

16.22 (c) An edible cannabinoid product must be prepackaged in packaging or a container that  
16.23 is child-resistant, tamper-evident, and opaque or placed in packaging or a container that is  
16.24 child-resistant, tamper-evident, and opaque at the final point of sale to a customer. The  
16.25 requirement that packaging be child-resistant does not apply to an edible cannabinoid product  
16.26 that is intended to be consumed as a beverage.

16.27 (d) If an edible cannabinoid product, other than a product that is intended to be consumed  
16.28 as a beverage, is intended for more than a single use or contains multiple servings, each  
16.29 serving must be indicated by scoring, wrapping, or other indicators designating the individual  
16.30 serving size that appear on the edible cannabinoid product. If it is not possible to indicate  
16.31 a single serving by scoring or use of another indicator that appears on the product, the edible  
16.32 cannabinoid product may not be packaged in a manner that includes more than a single



17.1 serving in each container, except that a calibrated dropper, measuring spoon, or similar  
17.2 device for measuring a single serving, when sold with the product, may be used for any  
17.3 edible cannabinoid products that are intended to be combined with food or beverage products  
17.4 prior to consumption.

17.5 (e) A label containing at least the following information must be affixed to the packaging  
17.6 or container of all edible cannabinoid products sold to consumers:

17.7 (1) the serving size;

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

17.9 (3) a list of ingredients, including identification of any major food allergens declared  
17.10 by name; and

17.11 (4) the following statement: "Keep this product out of reach of children."

17.12 (f) An edible cannabinoid product must not contain more than five milligrams of any  
17.13 tetrahydrocannabinol in a single serving. An edible cannabinoid product, other than a product  
17.14 that is intended to be consumed as a beverage, may not contain more than a total of 50  
17.15 milligrams of any tetrahydrocannabinol per package. An edible cannabinoid product that  
17.16 is intended to be consumed as a beverage may not contain more than two servings per  
17.17 container.

17.18 (g) An edible cannabinoid product may contain delta-8 tetrahydrocannabinol or delta-9  
17.19 tetrahydrocannabinol that is extracted from hemp plants or hemp plant parts or is an  
17.20 artificially derived cannabinoid. Edible cannabinoid products are prohibited from containing  
17.21 any other artificially derived cannabinoid, including but not limited to THC-P, THC-O, and  
17.22 HHC, unless the ~~commissioner~~ office authorizes use of the artificially derived cannabinoid  
17.23 in edible cannabinoid products. Edible cannabinoid products are prohibited from containing  
17.24 synthetic cannabinoids.

17.25 (h) Every person selling edible cannabinoid products to consumers, other than products  
17.26 that are intended to be consumed as a beverage, must ensure that all edible cannabinoid  
17.27 products are displayed behind a checkout counter where the public is not permitted or in a  
17.28 locked case.

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

18.1 Sec. 9. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 5b, is amended  
18.2 to read:

18.3 Subd. 5b. **Registration; prohibitions.** ~~(a) On or before October 1, 2023, every person~~  
18.4 ~~selling edible cannabinoid products to consumers must register with the commissioner in~~  
18.5 ~~a form and manner established by the commissioner. After October 1, 2023, the sale of~~  
18.6 ~~edible cannabinoid products by a person that is not registered is prohibited.~~

18.7 (a) Every person selling an edible cannabinoid product to a consumer must be registered  
18.8 with the office. Existing registrations through the Department of Health must be transferred  
18.9 to the office by July 1, 2024. All other persons required to register must register in a form  
18.10 and manner established by the office. The sale of edible cannabinoid products by a person  
18.11 who is not registered with the office is prohibited and subject to the penalties in section  
18.12 342.09, subdivision 6; any applicable criminal penalty; and any other applicable civil or  
18.13 administrative penalty.

18.14 (b) The registration form must contain an attestation of compliance and each registrant  
18.15 must affirm that it is operating and will continue to operate in compliance with the  
18.16 requirements of this section and all other applicable state and local laws and ordinances.

18.17 (c) ~~The commissioner shall~~ office must not charge a fee for registration under this  
18.18 subdivision.

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

18.20 Sec. 10. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 6, is amended  
18.21 to read:

18.22 Subd. 6. **Noncompliant products; enforcement.** (a) A product regulated under this  
18.23 section, including an edible cannabinoid product, shall be considered a noncompliant product  
18.24 if the product is offered for sale in this state or if the product is manufactured, imported,  
18.25 distributed, or stored with the intent to be offered for sale in this state in violation of any  
18.26 provision of this section, including but not limited to if:

18.27 (1) it consists, in whole or in part, of any filthy, putrid, or decomposed substance;

18.28 (2) it has been produced, prepared, packed, or held under unsanitary conditions where  
18.29 it may have been rendered injurious to health, or where it may have been contaminated with  
18.30 filth;

18.31 (3) its container is composed, in whole or in part, of any poisonous or deleterious  
18.32 substance that may render the contents injurious to health;

19.1 (4) it contains any food additives, color additives, or excipients that have been found by  
19.2 the FDA to be unsafe for human or animal consumption;

19.3 (5) it contains an amount or percentage of nonintoxicating cannabinoids that is different  
19.4 than the amount or percentage stated on the label;

19.5 (6) it contains more than 0.3 percent of any tetrahydrocannabinol or, if the product is  
19.6 an edible cannabinoid product, an amount of tetrahydrocannabinol that exceeds the limits  
19.7 established in subdivision 5a, paragraph (f); or

19.8 (7) it contains more than trace amounts of mold, residual solvents, pesticides, fertilizers,  
19.9 or heavy metals.

19.10 (b) A product regulated under this section shall be considered a noncompliant product  
19.11 if the product's labeling is false or misleading in any manner or in violation of the  
19.12 requirements of this section.

19.13 (c) The ~~commissioner~~ office may assume that any product regulated under this section  
19.14 that is present in the state, other than a product lawfully possessed for personal use, has  
19.15 been manufactured, imported, distributed, or stored with the intent to be offered for sale in  
19.16 this state if a product of the same type and brand was sold in the state on or after July 1,  
19.17 2023, or if the product is in the possession of a person who has sold any product in violation  
19.18 of this section.

19.19 (d) The ~~commissioner~~ office may enforce this section, including enforcement against a  
19.20 manufacturer or distributor of a product regulated under this section, under ~~sections 144.989~~  
19.21 ~~to 144.993~~ section 342.19.

19.22 (e) ~~The commissioner may enter into an interagency agreement with The office of~~  
19.23 ~~Cannabis Management and~~ may enter into an interagency agreement with the commissioner  
19.24 of agriculture to perform inspections and take other enforcement actions on behalf of the  
19.25 ~~commissioner~~ office.

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

19.27 Sec. 11. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 7, is amended  
19.28 to read:

19.29 **Subd. 7. Violations; criminal penalties.** (a) ~~Notwithstanding section 144.99, subdivision~~  
19.30 ~~H,~~ A person who does any of the following regarding a product regulated under this section  
19.31 is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than  
19.32 364 days or to payment of a fine of not more than \$3,000, or both:

20.1 (1) knowingly alters or otherwise falsifies testing results;  
 20.2 (2) intentionally alters or falsifies any information required to be included on the label  
 20.3 of an edible cannabinoid product; or

20.4 (3) intentionally makes a false material statement to the ~~commissioner~~ office.

20.5 (b) ~~Notwithstanding section 144.99, subdivision 11,~~ A person who does any of the  
 20.6 following on the premises of a registered retailer or another business that sells retail goods  
 20.7 to customers is guilty of a gross misdemeanor and may be sentenced to imprisonment for  
 20.8 not more than 364 days or to payment of a fine of not more than \$3,000, or both:

20.9 (1) sells an edible cannabinoid product knowing that the product does not comply with  
 20.10 the limits on the amount or types of cannabinoids that a product may contain;

20.11 (2) sells an edible cannabinoid product knowing that the product does not comply with  
 20.12 the applicable testing, packaging, or labeling requirements; or

20.13 (3) sells an edible cannabinoid product to a person under the age of 21, except that it is  
 20.14 an affirmative defense to a charge under this clause if the defendant proves by a  
 20.15 preponderance of the evidence that the defendant reasonably and in good faith relied on  
 20.16 proof of age as described in subdivision 5c.

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

20.18 Sec. 12. Minnesota Statutes 2022, section 152.22, subdivision 11, is amended to read:

20.19 Subd. 11. **Registered designated caregiver.** "Registered designated caregiver" means  
 20.20 a person who:

20.21 (1) is at least 18 years old;

20.22 ~~(2) does not have a conviction for a disqualifying felony offense;~~

20.23 ~~(3)~~ (2) has been approved by the ~~commissioner~~ office to assist a patient who requires  
 20.24 assistance in administering medical cannabis or obtaining medical cannabis from a  
 20.25 distribution facility; and

20.26 ~~(4)~~ (3) is authorized by the ~~commissioner~~ office to assist the patient with the use of  
 20.27 medical cannabis.

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

21.1 Sec. 13. Minnesota Statutes 2022, section 152.22, subdivision 14, is amended to read:

21.2 Subd. 14. **Qualifying medical condition.** "Qualifying medical condition" means either  
21.3 a medical condition for which an individual's health care practitioner has recommended,  
21.4 approved, or authorized the use of cannabis by that individual to treat the condition, or a  
21.5 diagnosis of any of the following conditions:

21.6 (1) Alzheimer's disease;

21.7 (2) autism spectrum disorder that meets the requirements of the fifth edition of the  
21.8 Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric  
21.9 Association;

21.10 ~~(4)~~ (3) cancer, if the underlying condition or treatment produces one or more of the  
21.11 following:

21.12 (i) severe or chronic pain;

21.13 (ii) nausea or severe vomiting; or

21.14 (iii) cachexia or severe wasting;

21.15 (4) chronic motor or vocal tic disorder;

21.16 (5) chronic pain;

21.17 ~~(2)~~ (6) glaucoma;

21.18 ~~(3)~~ (7) human immunodeficiency virus or acquired immune deficiency syndrome;

21.19 (8) intractable pain as defined in section 152.125, subdivision 1, paragraph (c);

21.20 (9) obstructive sleep apnea;

21.21 (10) post-traumatic stress disorder;

21.22 ~~(4)~~ (11) Tourette's syndrome;

21.23 ~~(5)~~ (12) amyotrophic lateral sclerosis;

21.24 ~~(6)~~ (13) seizures, including those characteristic of epilepsy;

21.25 ~~(7)~~ (14) severe and persistent muscle spasms, including those characteristic of multiple  
21.26 sclerosis;

21.27 ~~(8)~~ (15) inflammatory bowel disease, including Crohn's disease;

21.28 (16) irritable bowel syndrome;

21.29 (17) obsessive-compulsive disorder;

22.1 (18) sickle cell disease; or

22.2 ~~(9)~~ (19) terminal illness, with a probable life expectancy of under one year, if the illness  
 22.3 or its treatment produces one or more of the following:

22.4 (i) severe or chronic pain;

22.5 (ii) nausea or severe vomiting; or

22.6 (iii) cachexia or severe wasting; ~~or~~

22.7 ~~(10) any other medical condition or its treatment approved by the commissioner.~~

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

22.9 Sec. 14. Minnesota Statutes 2022, section 152.22, is amended by adding a subdivision to  
 22.10 read:

22.11 Subd. 19. **Veteran.** "Veteran" means an individual who satisfies the requirements in  
 22.12 section 197.447.

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

22.14 Sec. 15. Minnesota Statutes 2022, section 152.25, subdivision 2, is amended to read:

22.15 Subd. 2. **Range of compounds and dosages; report.** ~~The commissioner~~ office shall  
 22.16 review and publicly report the existing medical and scientific literature regarding the range  
 22.17 of recommended dosages for each qualifying condition and the range of chemical  
 22.18 compositions of any plant of the genus cannabis that will likely be medically beneficial for  
 22.19 each of the qualifying medical conditions. ~~The commissioner~~ office shall make this  
 22.20 information available to patients with qualifying medical conditions beginning December  
 22.21 1, 2014, and update the information ~~annually~~ every three years. ~~The commissioner~~ office  
 22.22 may consult with the independent laboratory under contract with the manufacturer or other  
 22.23 experts in reporting the range of recommended dosages for each qualifying medical condition,  
 22.24 the range of chemical compositions that will likely be medically beneficial, and any risks  
 22.25 of noncannabis drug interactions. ~~The commissioner~~ office shall consult with each  
 22.26 manufacturer on an annual basis on medical cannabis offered by the manufacturer. The list  
 22.27 of medical cannabis offered by a manufacturer shall be published on the ~~Department of~~  
 22.28 Health Office of Cannabis Management website.

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

23.1 Sec. 16. Minnesota Statutes 2022, section 152.27, subdivision 1, is amended to read:

23.2 Subdivision 1. **Patient registry program; establishment.** ~~(a) The commissioner~~ office  
23.3 shall establish a patient registry program to evaluate data on patient demographics, effective  
23.4 treatment options, clinical outcomes, and quality-of-life outcomes for the purpose of reporting  
23.5 on the benefits, risks, and outcomes regarding patients with a qualifying medical condition  
23.6 engaged in the therapeutic use of medical cannabis.

23.7 ~~(b) The establishment of the registry program shall not be construed or interpreted to~~  
23.8 ~~condone or promote the illicit recreational use of marijuana.~~

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

23.10 Sec. 17. Minnesota Statutes 2022, section 152.27, subdivision 2, is amended to read:

23.11 Subd. 2. **Commissioner Office duties.** (a) The ~~commissioner~~ office shall:

23.12 (1) give notice of the program to health care practitioners in the state who are eligible  
23.13 to serve as health care practitioners and explain the purposes and requirements of the  
23.14 program;

23.15 (2) allow each health care practitioner who meets or agrees to meet the program's  
23.16 requirements and who requests to participate, to be included in the registry program to  
23.17 collect data for the patient registry;

23.18 (3) provide explanatory information and assistance to each health care practitioner in  
23.19 understanding the nature of therapeutic use of medical cannabis within program requirements;

23.20 (4) create and provide a certification to be used by a health care practitioner for the  
23.21 practitioner to certify whether a patient has been diagnosed with a qualifying medical  
23.22 condition ~~and include in the certification an option for the practitioner to certify whether~~  
23.23 ~~the patient, in the health care practitioner's medical opinion, is developmentally or physically~~  
23.24 ~~disabled and, as a result of that disability, the patient requires assistance in administering~~  
23.25 ~~medical cannabis or obtaining medical cannabis from a distribution facility;~~

23.26 (5) supervise the participation of the health care practitioner in conducting patient  
23.27 treatment and health records reporting in a manner that ensures stringent security and  
23.28 record-keeping requirements and that prevents the unauthorized release of private data on  
23.29 individuals as defined by section 13.02;

23.30 (6) develop safety criteria for patients with a qualifying medical condition as a  
23.31 requirement of the patient's participation in the program, to prevent the patient from

24.1 undertaking any task under the influence of medical cannabis that would constitute negligence  
24.2 or professional malpractice on the part of the patient; and

24.3 (7) conduct research and studies based on data from health records submitted to the  
24.4 registry program and submit reports on intermediate or final research results to the legislature  
24.5 and major scientific journals. The ~~commissioner~~ office may contract with a third party to  
24.6 complete the requirements of this clause. Any reports submitted must comply with section  
24.7 152.28, subdivision 2.

24.8 (b) The ~~commissioner~~ office may add a delivery method under section 152.22, subdivision  
24.9 6, ~~or add, remove, or modify a qualifying medical condition under section 152.22, subdivision~~  
24.10 ~~14~~, upon a petition from a member of the public or the ~~task force on medical cannabis~~  
24.11 ~~therapeutic research~~ Cannabis Advisory Council under section 342.03 or as directed by law.  
24.12 ~~The commissioner shall evaluate all petitions to add a qualifying medical condition or to~~  
24.13 ~~remove or modify an existing qualifying medical condition submitted by the task force on~~  
24.14 ~~medical cannabis therapeutic research or as directed by law and may make the addition,~~  
24.15 ~~removal, or modification if the commissioner determines the addition, removal, or~~  
24.16 ~~modification is warranted based on the best available evidence and research.~~ If the  
24.17 ~~commissioner~~ office wishes to add a delivery method under section 152.22, subdivision 6,  
24.18 ~~or add or remove a qualifying medical condition under section 152.22, subdivision 14~~, the  
24.19 ~~commissioner~~ office must notify the chairs and ranking minority members of the legislative  
24.20 policy committees having jurisdiction over health and public safety of the addition ~~or removal~~  
24.21 and the reasons for its addition ~~or removal~~, including any written comments received by  
24.22 the ~~commissioner~~ office from the public and any guidance received from the ~~task force on~~  
24.23 ~~medical cannabis research~~ Cannabis Advisory Council under section 342.03, by January  
24.24 15 of the year in which the ~~commissioner~~ office wishes to make the change. The change  
24.25 shall be effective on August 1 of that year, unless the legislature by law provides otherwise.

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

24.27 Sec. 18. Minnesota Statutes 2022, section 152.27, subdivision 3, is amended to read:

24.28 Subd. 3. **Patient application.** (a) The ~~commissioner~~ office shall develop a patient  
24.29 application for enrollment into the registry program. The application shall be available to  
24.30 the patient and given to health care practitioners in the state who are eligible to serve as  
24.31 health care practitioners. The application must include:

24.32 (1) the name, mailing address, and date of birth of the patient;



25.1 (2) the name, mailing address, and telephone number of the patient's health care  
25.2 practitioner;

25.3 (3) the name, mailing address, and date of birth of the patient's designated caregiver, if  
25.4 any, or the patient's parent, legal guardian, or spouse if the parent, legal guardian, or spouse  
25.5 will be acting as a caregiver;

25.6 (4) a copy of the certification from the patient's health care practitioner that is dated  
25.7 within 90 days prior to submitting the application that certifies that the patient has been  
25.8 diagnosed with a qualifying medical condition; and

25.9 (5) all other signed affidavits and enrollment forms required by the ~~commissioner~~ office  
25.10 under sections 152.22 to 152.37, including, but not limited to, the disclosure form required  
25.11 under paragraph ~~(e)~~ (b).

25.12 ~~(b) The commissioner shall require a patient to resubmit a copy of the certification from~~  
25.13 ~~the patient's health care practitioner on a yearly basis and shall require that the recertification~~  
25.14 ~~be dated within 90 days of submission.~~

25.15 ~~(e)~~ (b) The ~~commissioner~~ office shall develop a disclosure form and require, as a condition  
25.16 of enrollment, all patients to sign a copy of the disclosure. The disclosure must include:

25.17 (1) a statement that, notwithstanding any law to the contrary, the ~~commissioner~~ office,  
25.18 or an employee of any state agency, may not be held civilly or criminally liable for any  
25.19 injury, loss of property, personal injury, or death caused by any act or omission while acting  
25.20 within the scope of office or employment under sections 152.22 to 152.37; and

25.21 (2) the patient's acknowledgment that enrollment in the patient registry program is  
25.22 conditional on the patient's agreement to meet all of the requirements of sections 152.22 to  
25.23 152.37.

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

25.25 Sec. 19. Minnesota Statutes 2022, section 152.27, is amended by adding a subdivision to  
25.26 read:

25.27 **Subd. 3a. Application procedure for veterans.** (a) Beginning July 1, 2024, the office  
25.28 shall establish an alternative certification procedure for veterans to enroll in the registry  
25.29 program.

25.30 (b) The office may request that a patient who is a veteran and is seeking to enroll in the  
25.31 registry program submit to the office a copy of the patient's veteran identification card and

26.1 an attestation that the veteran has been diagnosed with a qualifying medical condition listed  
26.2 in section 152.22, subdivision 14, clauses (1) to (19).

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

26.4 Sec. 20. Minnesota Statutes 2022, section 152.27, subdivision 4, is amended to read:

26.5 Subd. 4. **Registered designated caregiver.** (a) The ~~commissioner~~ office shall register  
26.6 a designated caregiver for a patient if the patient requires assistance in administering medical  
26.7 cannabis or obtaining medical cannabis from a distribution facility and the caregiver has  
26.8 agreed, in writing, to be the patient's designated caregiver. As a condition of registration as  
26.9 a designated caregiver, the ~~commissioner~~ office shall require the person to:

26.10 (1) be at least 18 years of age;

26.11 (2) agree to only possess the patient's medical cannabis for purposes of assisting the  
26.12 patient; and

26.13 (3) agree that if the application is approved, the person will not be a registered designated  
26.14 caregiver for more than six registered patients at one time. Patients who reside in the same  
26.15 residence shall count as one patient.

26.16 ~~(b) The commissioner shall conduct a criminal background check on the designated~~  
26.17 ~~caregiver prior to registration to ensure that the person does not have a conviction for a~~  
26.18 ~~disqualifying felony offense. Any cost of the background check shall be paid by the person~~  
26.19 ~~seeking registration as a designated caregiver. A designated caregiver must have the criminal~~  
26.20 ~~background check renewed every two years.~~

26.21 ~~(e)~~ (b) Nothing in sections 152.22 to 152.37 shall be construed to prevent a person  
26.22 registered as a designated caregiver from also being enrolled in the registry program as a  
26.23 patient and possessing and using medical cannabis as a patient.

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

26.25 Sec. 21. Minnesota Statutes 2022, section 152.27, subdivision 6, is amended to read:

26.26 Subd. 6. **Patient enrollment.** (a) After receipt of a patient's application, ~~application fees,~~  
26.27 ~~and signed disclosure, the commissioner~~ office shall enroll the patient in the registry program  
26.28 and issue the patient and patient's registered designated caregiver or parent, legal guardian,  
26.29 or spouse, if applicable, a registry verification. The ~~commissioner~~ office shall approve or  
26.30 deny a patient's application for participation in the registry program within 30 days after  
26.31 the ~~commissioner~~ office receives the patient's application ~~and application fee. The~~

27.1 ~~commissioner may approve applications up to 60 days after the receipt of a patient's~~  
27.2 ~~application and application fees until January 1, 2016.~~ A patient's enrollment in the registry  
27.3 program shall only be denied if the patient:

27.4 (1) does not have certification from a health care practitioner or, if the patient is a veteran,  
27.5 does not have the documentation requested by the office under subdivision 3a that the patient  
27.6 has been diagnosed with a qualifying medical condition;

27.7 (2) has not signed and returned the disclosure form required under subdivision 3,  
27.8 paragraph (c), to the ~~commissioner~~ office;

27.9 (3) does not provide the information required;

27.10 (4) has previously been removed from the registry program for violations of section  
27.11 152.30 or 152.33; or

27.12 (5) provides false information.

27.13 (b) The ~~commissioner~~ office shall give written notice to a patient of the reason for  
27.14 denying enrollment in the registry program.

27.15 (c) Denial of enrollment into the registry program is considered a final decision of the  
27.16 ~~commissioner~~ office and is subject to judicial review under the Administrative Procedure  
27.17 Act pursuant to chapter 14.

27.18 (d) A patient's enrollment in the registry program may only be revoked upon the death  
27.19 of the patient or if a patient violates a requirement under section 152.30 or 152.33.

27.20 (e) The ~~commissioner~~ office shall develop a registry verification to provide to the patient,  
27.21 the health care practitioner identified in the patient's application, and to the manufacturer.  
27.22 The registry verification shall include:

27.23 (1) the patient's name and date of birth;

27.24 (2) the patient registry number assigned to the patient; and

27.25 (3) the name and date of birth of the patient's registered designated caregiver, if any, or  
27.26 the name of the patient's parent, legal guardian, or spouse if the parent, legal guardian, or  
27.27 spouse will be acting as a caregiver.

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

28.1 Sec. 22. Minnesota Statutes 2023 Supplement, section 152.28, subdivision 1, is amended  
28.2 to read:

28.3 Subdivision 1. **Health care practitioner duties.** (a) Prior to a patient's enrollment in  
28.4 the registry program, a health care practitioner shall:

28.5 (1) determine, in the health care practitioner's medical judgment, whether a patient suffers  
28.6 from a qualifying medical condition, and, if so determined, provide the patient with a  
28.7 certification of that diagnosis;

28.8 (2) advise patients, registered designated caregivers, and parents, legal guardians, or  
28.9 spouses who are acting as caregivers of the existence of any nonprofit patient support groups  
28.10 or organizations;

28.11 (3) provide explanatory information from the ~~commissioner~~ office to patients with  
28.12 qualifying medical conditions, including disclosure to all patients about the experimental  
28.13 nature of therapeutic use of medical cannabis; the possible risks, benefits, and side effects  
28.14 of the proposed treatment; the application and other materials from the ~~commissioner~~ office;  
28.15 and provide patients with the Tennessen warning as required by section 13.04, subdivision  
28.16 2; and

28.17 (4) agree to continue treatment of the patient's qualifying medical condition and report  
28.18 medical findings to the ~~commissioner~~ office.

28.19 (b) Upon notification from the ~~commissioner~~ office of the patient's enrollment in the  
28.20 registry program, the health care practitioner shall:

28.21 (1) participate in the patient registry reporting system under the guidance and supervision  
28.22 of the ~~commissioner~~ office;

28.23 (2) report health records of the patient throughout the ongoing treatment of the patient  
28.24 to the ~~commissioner~~ office in a manner determined by the commissioner and in accordance  
28.25 with subdivision 2;

28.26 (3) determine, ~~on a yearly basis~~ every three years, if the patient continues to suffer from  
28.27 a qualifying medical condition and, if so, issue the patient a new certification of that  
28.28 diagnosis; and

28.29 (4) otherwise comply with all requirements developed by the ~~commissioner~~ office.

28.30 (c) A health care practitioner may utilize telehealth, as defined in section 62A.673,  
28.31 subdivision 2, for certifications and recertifications.

29.1 (d) Nothing in this section requires a health care practitioner to participate in the registry  
29.2 program.

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

29.4 Sec. 23. Minnesota Statutes 2022, section 152.28, subdivision 2, is amended to read:

29.5 Subd. 2. **Data.** Data collected on patients by a health care practitioner and reported to  
29.6 the patient registry, including data on patients who are veterans, are health records under  
29.7 section 144.291, and are private data on individuals under section 13.02, but may be used  
29.8 or reported in an aggregated, nonidentifiable form as part of a scientific, peer-reviewed  
29.9 publication of research conducted under section 152.25 or in the creation of summary data,  
29.10 as defined in section 13.02, subdivision 19.

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

29.12 Sec. 24. Minnesota Statutes 2022, section 152.29, subdivision 3, is amended to read:

29.13 Subd. 3. **Manufacturer; distribution.** (a) A manufacturer shall require that employees  
29.14 licensed as pharmacists pursuant to chapter 151 be the only employees to give final approval  
29.15 for the distribution of medical cannabis to a patient. A manufacturer may transport medical  
29.16 cannabis or medical cannabis products that have been cultivated, harvested, manufactured,  
29.17 packaged, and processed by that manufacturer to another registered manufacturer for the  
29.18 other manufacturer to distribute.

29.19 (b) A manufacturer may distribute medical cannabis products, whether or not the products  
29.20 have been manufactured by that manufacturer.

29.21 (c) Prior to distribution of any medical cannabis, the manufacturer shall:

29.22 (1) verify that the manufacturer has received the registry verification from the  
29.23 ~~commissioner~~ office for that individual patient;

29.24 (2) verify that the person requesting the distribution of medical cannabis is the patient,  
29.25 the patient's registered designated caregiver, or the patient's parent, legal guardian, or spouse  
29.26 listed in the registry verification using the procedures described in section 152.11, subdivision  
29.27 2d;

29.28 (3) assign a tracking number to any medical cannabis distributed from the manufacturer;

29.29 (4) ensure that any employee of the manufacturer licensed as a pharmacist pursuant to  
29.30 chapter 151 has consulted with the patient to determine the proper dosage for the individual  
29.31 patient after reviewing the ranges of chemical compositions of the medical cannabis and

30.1 the ranges of proper dosages reported by the ~~commissioner~~ office. For purposes of this  
30.2 clause, a consultation may be conducted remotely by secure videoconference, telephone,  
30.3 or other remote means, so long as the employee providing the consultation is able to confirm  
30.4 the identity of the patient and the consultation adheres to patient privacy requirements that  
30.5 apply to health care services delivered through telehealth. A pharmacist consultation under  
30.6 this clause is ~~not required when a manufacturer is distributing medical cannabis to a patient~~  
30.7 ~~according to a patient-specific dosage plan established with that manufacturer and is not~~  
30.8 ~~modifying the dosage or product being distributed under that plan and the medical cannabis~~  
30.9 ~~is distributed by a pharmacy technician; only required:~~

30.10 (i) if the patient is purchasing the medical cannabis flower or medical cannabinoid  
30.11 product for the first time;

30.12 (ii) if the patient purchases medical cannabis flower or a medical cannabinoid product  
30.13 that the patient must administer using a different method than the patient's previous method  
30.14 of administration;

30.15 (iii) if the patient purchases medical cannabis flower or a medical cannabinoid product  
30.16 with a cannabinoid concentration of at least double the patient's prior dosage; or

30.17 (iv) upon the request of the patient; and

30.18 (5) properly package medical cannabis in compliance with the United States Poison  
30.19 Prevention Packing Act regarding child-resistant packaging and exemptions for packaging  
30.20 for elderly patients, and label distributed medical cannabis with a list of all active ingredients  
30.21 and individually identifying information, including:

30.22 (i) the patient's name and date of birth;

30.23 (ii) the name and date of birth of the patient's registered designated caregiver or, if listed  
30.24 on the registry verification, the name of the patient's parent or legal guardian, if applicable;

30.25 (iii) the patient's registry identification number;

30.26 (iv) the chemical composition of the medical cannabis; and

30.27 (v) the dosage; ~~and~~

30.28 ~~(6) ensure that the medical cannabis distributed contains a maximum of a 90-day supply~~  
30.29 ~~of the dosage determined for that patient.~~

30.30 (d) A manufacturer shall require any employee of the manufacturer who is transporting  
30.31 medical cannabis or medical cannabis products to a distribution facility or to another

31.1 registered manufacturer to carry identification showing that the person is an employee of  
31.2 the manufacturer.

31.3 (e) A manufacturer shall distribute medical cannabis in dried raw cannabis form only  
31.4 to a patient age 21 or older, or to the registered designated caregiver, parent, legal guardian,  
31.5 or spouse of a patient age 21 or older.

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

31.7 Sec. 25. Minnesota Statutes 2023 Supplement, section 152.30, is amended to read:

31.8 **152.30 PATIENT DUTIES.**

31.9 (a) A patient shall apply to the ~~commissioner~~ office for enrollment in the registry program  
31.10 by submitting an application as required in section 152.27 ~~and an annual registration fee as~~  
31.11 ~~determined under section 152.35.~~

31.12 (b) As a condition of continued enrollment, patients shall agree to:

31.13 (1) continue to receive regularly scheduled treatment for their qualifying medical  
31.14 condition from their health care practitioner; and

31.15 (2) report changes in their qualifying medical condition to their health care practitioner.

31.16 (c) A patient shall only receive medical cannabis from a registered manufacturer or  
31.17 Tribal medical cannabis program but is not required to receive medical cannabis products  
31.18 from only a registered manufacturer or Tribal medical cannabis program.

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

31.20 Sec. 26. Minnesota Statutes 2022, section 181.950, subdivision 10, is amended to read:

31.21 Subd. 10. **Positive test result.** "Positive test result" means a finding of the presence of  
31.22 drugs, cannabis, alcohol, or their metabolites in the sample tested in levels at or above the  
31.23 threshold detection levels contained in the standards of one of the programs listed in section  
31.24 181.953, subdivision 1.

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

31.26 Sec. 27. Minnesota Statutes 2023 Supplement, section 181.951, subdivision 4, is amended  
31.27 to read:

31.28 Subd. 4. **Random testing.** An employer may request or require employees to undergo  
31.29 cannabis testing ~~or~~ and drug and alcohol testing on a random selection basis only if (1) they  
31.30 are employed in safety-sensitive positions, or (2) they are employed as professional athletes

32.1 if the professional athlete is subject to a collective bargaining agreement permitting random  
32.2 testing but only to the extent consistent with the collective bargaining agreement.

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

32.4 Sec. 28. Minnesota Statutes 2023 Supplement, section 181.951, subdivision 5, is amended  
32.5 to read:

32.6 Subd. 5. **Reasonable suspicion testing.** An employer may request or require an employee  
32.7 to undergo cannabis testing and drug and alcohol testing if the employer has a reasonable  
32.8 suspicion that the employee:

32.9 (1) is under the influence of drugs, cannabis, or alcohol;

32.10 (2) has violated the employer's written work rules prohibiting the use, possession,  
32.11 impairment, sale, or transfer of drugs or alcohol, cannabis flower, cannabis products,  
32.12 lower-potency hemp edibles, or hemp-derived consumer products while the employee is  
32.13 working or while the employee is on the employer's premises or operating the employer's  
32.14 vehicle, machinery, or equipment, ~~provided~~ if the work rules are in writing and contained  
32.15 in the employer's written cannabis testing or drug and alcohol testing policy;

32.16 (3) has sustained a personal injury, as that term is defined in section 176.011, subdivision  
32.17 16, or has caused another employee to sustain a personal injury; or

32.18 (4) has caused a work-related accident or was operating or helping to operate machinery,  
32.19 equipment, or vehicles involved in a work-related accident.

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

32.21 Sec. 29. Minnesota Statutes 2023 Supplement, section 181.951, subdivision 8, is amended  
32.22 to read:

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

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



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

33.3 (d) Cannabis testing authorized under ~~paragraph (d)~~ this section must comply with the  
33.4 safeguards for testing employees provided in sections 181.953 and 181.954.

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

33.6 Sec. 30. Minnesota Statutes 2022, section 181.952, as amended by Laws 2023, chapter  
33.7 63, article 6, section 38, is amended to read:

33.8 **181.952 POLICY CONTENTS; PRIOR WRITTEN NOTICE.**

33.9 Subdivision 1. **Contents of the policy.** An employer's drug and alcohol and cannabis  
33.10 testing policy must, at a minimum, set forth the following information:

33.11 (1) the employees or job applicants subject to testing under the policy;

33.12 (2) the circumstances under which drug or alcohol and cannabis testing may be requested  
33.13 or required;

33.14 (3) the right of an employee or job applicant to refuse to undergo drug and alcohol and  
33.15 cannabis testing and the consequences of refusal;

33.16 (4) any disciplinary or other adverse personnel action that may be taken based on a  
33.17 confirmatory test verifying a positive test result on an initial screening test;

33.18 (5) the right of an employee or job applicant to explain a positive test result on a  
33.19 confirmatory test or request and pay for a confirmatory retest; and

33.20 (6) any other appeal procedures available.

33.21 Subd. 2. **Notice.** An employer shall provide written notice of its drug and alcohol testing  
33.22 and cannabis testing policy to all affected employees upon adoption of the policy, to a  
33.23 previously nonaffected employee upon transfer to an affected position under the policy, and  
33.24 to a job applicant upon hire and before any testing of the applicant if the job offer is made  
33.25 contingent on the applicant passing drug and alcohol testing. An employer shall also post  
33.26 notice in an appropriate and conspicuous location on the employer's premises that the  
33.27 employer has adopted a drug and alcohol testing and cannabis testing policy and that copies  
33.28 of the policy are available for inspection during regular business hours by its employees or  
33.29 job applicants in the employer's personnel office or other suitable locations.

33.30 Subd. 3. **Cannabis ~~policy~~ work rules.** (a) Unless otherwise provided by state or federal  
33.31 law, an employer is not required to permit or accommodate cannabis flower, cannabis

34.1 product, lower-potency hemp edible, or hemp-derived consumer product use, possession,  
34.2 impairment, sale, or transfer while an employee is working or while an employee is on the  
34.3 employer's premises or operating the employer's vehicle, machinery, or equipment.

34.4 (b) An employer may only enact and enforce written work rules prohibiting cannabis  
34.5 flower, cannabis product, lower-potency hemp edible, and hemp-derived consumer product  
34.6 use, possession, impairment, sale, or transfer while an employee, is working or while an  
34.7 employee is on the employer's premises or operating the employer's vehicle, machinery, or  
34.8 equipment in a written policy that contains the minimum information required by this section.

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

34.10 Sec. 31. Minnesota Statutes 2023 Supplement, section 181.954, subdivision 1, is amended  
34.11 to read:

34.12 Subdivision 1. **Privacy limitations.** A laboratory may only disclose to the employer test  
34.13 result data regarding the presence or absence of drugs, cannabis, alcohol, or their metabolites  
34.14 in a sample tested.

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

34.16 Sec. 32. Minnesota Statutes 2023 Supplement, section 290.0132, subdivision 29, is amended  
34.17 to read:

34.18 Subd. 29. **Disallowed section 280E expenses; cannabis licensees.** The amount of  
34.19 expenses of a ~~medical cannabis business~~ license holder, as defined under section 342.01,  
34.20 subdivision ~~53~~ 48, related to the business of ~~medical cannabis under sections 342.47 to~~  
34.21 ~~342.59, or a license holder under chapter 342, related to the business of nonmedical cannabis~~  
34.22 ~~under that chapter,~~ cannabis or hemp and not allowed for federal income tax purposes under  
34.23 section 280E of the Internal Revenue Code is a subtraction.

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

34.25 Sec. 33. Minnesota Statutes 2023 Supplement, section 290.0134, subdivision 19, is amended  
34.26 to read:

34.27 Subd. 19. **Disallowed section 280E expenses; cannabis licensees.** The amount of  
34.28 expenses of a ~~medical cannabis business~~ license holder, as defined under section 342.01,  
34.29 subdivision ~~53~~ 48, related to the business of ~~medical cannabis under sections 342.47 to~~  
34.30 ~~342.59, or a license holder under chapter 342, related to the business of nonmedical cannabis~~

35.1 ~~under that chapter,~~ cannabis or hemp and not allowed for federal income tax purposes under  
35.2 section 280E of the Internal Revenue Code is a subtraction.

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

35.4 Sec. 34. Minnesota Statutes 2023 Supplement, section 295.81, subdivision 4, is amended  
35.5 to read:

35.6 Subd. 4. **Exemptions.** (a) The use tax imposed under subdivision 3, paragraph (a), does  
35.7 not apply to the possession, use, or storage of taxable cannabis products if (1) the taxable  
35.8 cannabis products have an aggregate cost in any calendar month to the customer of \$100  
35.9 or less, and (2) the taxable cannabis products were carried into this state by the customer.

35.10 (b) The tax imposed under this section does not apply to sales of medical items purchased  
35.11 by or for a patient enrolled in the registry program, including medical cannabis flower,  
35.12 medical cannabinoid products, or medical cannabis paraphernalia.

35.13 (c) Unless otherwise specified in this section, the exemptions applicable to taxes imposed  
35.14 under chapter 297A are not applicable to the taxes imposed under this section.

35.15 (d) The tax imposed under this section does not apply to:

35.16 (1) sales made ~~in Indian country as defined in United States Code, title 18, section 1151~~  
35.17 on Tribally regulated land as defined in section 3.9228, subdivision 1, by a cannabis business  
35.18 licensed by a Minnesota Tribal government, as defined in section 3.9228, subdivision 1,  
35.19 paragraph (f); or

35.20 (2) use tax owed on taxable cannabis products purchased on Tribally regulated land as  
35.21 defined in section 3.9228, subdivision 1, from a cannabis business licensed by a Minnesota  
35.22 Tribal government as defined in section 3.9228, subdivision 1, paragraph (f).

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

35.24 Sec. 35. Minnesota Statutes 2023 Supplement, section 297A.67, subdivision 39, is amended  
35.25 to read:

35.26 Subd. 39. **Reservation sales of taxable cannabis products.** The sale of a taxable  
35.27 cannabis product, as defined in section 295.81, subdivision 1, paragraph (r), that is made  
35.28 ~~in Indian country, as defined in United States Code, title 18, section 1151~~ on Tribally  
35.29 regulated land as defined in section 3.9228, subdivision 1, by a cannabis business licensed  
35.30 by a Minnesota Tribal government, as defined in section 3.9228, subdivision 1, paragraph  
35.31 (f), is exempt.

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

36.2 Sec. 36. Minnesota Statutes 2023 Supplement, section 297A.70, subdivision 2, is amended  
36.3 to read:

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

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

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

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

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

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

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

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

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

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

36.30 (4) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2),  
36.31 prepared food, candy, soft drinks, alcoholic beverages as defined in section 297A.67,  
36.32 subdivision 2, and taxable cannabis products as defined under section 295.81, subdivision

37.1 1, paragraph (r), except for lodging, prepared food, candy, soft drinks, alcoholic beverages,  
37.2 and taxable cannabis products purchased directly by the United States or its agencies or  
37.3 instrumentalities; or

37.4 (5) goods or services purchased by a local government as inputs to a liquor store, taxable  
37.5 cannabis product retailer as defined under section 295.81, subdivision 1, paragraph (p), gas  
37.6 or electric utility, solid waste hauling service, solid waste recycling service, landfill, golf  
37.7 course, marina, campground, cafe, or laundromat.

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

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

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

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

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

37.20 Sec. 37. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 14, is amended  
37.21 to read:

37.22 Subd. 14. **Cannabis business.** "Cannabis business" means any of the following licensed  
37.23 under this chapter:

37.24 (1) cannabis microbusiness;

37.25 (2) cannabis mezzobusiness;

37.26 (3) cannabis cultivator;

37.27 (4) cannabis manufacturer;

37.28 (5) cannabis retailer;

37.29 (6) cannabis wholesaler;

37.30 (7) cannabis transporter;

- 38.1 (8) cannabis testing facility;
- 38.2 (9) cannabis event organizer;
- 38.3 (10) cannabis delivery service; and
- 38.4 ~~(11) medical cannabis cultivator;~~
- 38.5 ~~(12) medical cannabis processor;~~
- 38.6 ~~(13) medical cannabis retailer; and~~
- 38.7 ~~(14)~~ (11) medical cannabis combination business.

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

38.9 Sec. 38. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 17, is amended

38.10 to read:

38.11 Subd. 17. **Cannabis industry.** "Cannabis industry" means every item, product, person,

38.12 process, action, business, or other thing related to cannabis plants, cannabis flower, and

38.13 cannabis products ~~and subject to regulation under this chapter.~~

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

38.15 Sec. 39. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 19, is amended

38.16 to read:

38.17 Subd. 19. **Cannabis plant.** "Cannabis plant" means all parts of the plant of the genus

38.18 Cannabis that is growing or has not been harvested ~~and has a delta-9 tetrahydrocannabinol~~

38.19 ~~concentration of more than 0.3 percent on a dry weight basis,~~ including but not limited to

38.20 a mother plant; a mature, flowering plant; an immature plant; or a seedling. Cannabis plant

38.21 does not include a hemp plant.

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

38.23 Sec. 40. Minnesota Statutes 2023 Supplement, section 342.01, is amended by adding a

38.24 subdivision to read:

38.25 Subd. 31a. **Endorsement.** "Endorsement" means an authorization from the office to

38.26 conduct a specified operation activity.

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

39.1 Sec. 41. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 48, is amended  
39.2 to read:

39.3 Subd. 48. **License holder.** "License holder" means a person, cooperative, or business  
39.4 that holds any of the following licenses:

39.5 (1) cannabis microbusiness;

39.6 (2) cannabis mezzobusiness;

39.7 (3) cannabis cultivator;

39.8 (4) cannabis manufacturer;

39.9 (5) cannabis retailer;

39.10 (6) cannabis wholesaler;

39.11 (7) cannabis transporter;

39.12 (8) cannabis testing facility;

39.13 (9) cannabis event organizer;

39.14 (10) cannabis delivery service;

39.15 (11) lower-potency hemp edible manufacturer;

39.16 (12) lower-potency hemp edible retailer; or

39.17 ~~(13) medical cannabis cultivator;~~

39.18 ~~(14) medical cannabis processor;~~

39.19 ~~(15) medical cannabis retailer; or~~

39.20 ~~(16)~~ (13) medical cannabis combination business.

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

39.22 Sec. 42. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 50, is amended  
39.23 to read:

39.24 Subd. 50. **Lower-potency hemp edible.** (a) "Lower-potency hemp edible" means any  
39.25 product that:

39.26 (1) is intended to be eaten or consumed as a beverage by humans;

39.27 (2) contains hemp concentrate or an artificially derived cannabinoid, in combination  
39.28 with food ingredients;

40.1 (3) is not a drug;

40.2 ~~(4) consists of servings that contain no more than five milligrams of delta-9~~  
40.3 ~~tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any~~  
40.4 ~~combination of those cannabinoids that does not exceed the identified amounts;~~

40.5 ~~(5) does not contain more than a combined total of 0.5 milligrams of all other~~  
40.6 ~~cannabinoids per serving;~~

40.7 ~~(6) does not contain an artificially derived cannabinoid other than delta-9~~  
40.8 ~~tetrahydrocannabinol;~~

40.9 ~~(7) (4) does not contain a cannabinoid derived from cannabis plants or cannabis flower;~~  
40.10 ~~and~~

40.11 ~~(8) (5) is a type of product approved for sale by the office or is substantially similar to~~  
40.12 ~~a product approved by the office, including but not limited to products that resemble~~  
40.13 ~~nonalcoholic beverages, candy, and baked goods; and~~

40.14 (6) meets either of the requirements in paragraph (b).

40.15 (b) A lower-potency hemp edible includes:

40.16 (1) a product that:

40.17 (i) consists of servings that contain no more than five milligrams of delta-9  
40.18 tetrahydrocannabinol; no more than 25 milligrams of cannabidiol, cannabigerol, cannabinol,  
40.19 or cannabichromene; any other cannabinoid authorized by the office; or any combination  
40.20 of those cannabinoids that does not exceed the identified amounts;

40.21 (ii) does not contain more than a combined total of 0.5 milligrams of all other  
40.22 cannabinoids per serving; and

40.23 (iii) does not contain an artificially derived cannabinoid other than delta-9  
40.24 tetrahydrocannabinol, except that a product may include artificially derived cannabinoids  
40.25 created during the process of creating the delta-9 tetrahydrocannabinol that is added to the  
40.26 product, if no artificially derived cannabinoid is added to the ingredient containing delta-9  
40.27 tetrahydrocannabinol and the ratio of delta-9 tetrahydrocannabinol to all other artificially  
40.28 derived cannabinoids is no less than 20 to one; or

40.29 (2) a product that:

40.30 (i) contains hemp concentrate processed or refined without increasing the percentage of  
40.31 targeted cannabinoids or altering the ratio of cannabinoids in the extracts or resins of a hemp  
40.32 plant or hemp plant parts beyond the variability generally recognized for the method used



41.1 for processing or refining or by an amount needed to reduce the total THC in the hemp  
41.2 concentrate; and

41.3 (ii) consists of servings that contain no more than five milligrams of total THC.

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

41.5 Sec. 43. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 52, is amended  
41.6 to read:

41.7 Subd. 52. **Medical cannabinoid product.** (a) "Medical cannabinoid product" means a  
41.8 product that:

41.9 (1) consists of or contains cannabis concentrate or hemp concentrate or is infused with  
41.10 cannabinoids, including but not limited to artificially derived cannabinoids; and

41.11 (2) is provided to a patient enrolled in the registry program; a registered designated  
41.12 caregiver; or a parent, legal guardian, or spouse of an enrolled patient, by a registered  
41.13 designated caregiver, cannabis retailer, or ~~medical cannabis retailer~~ cannabis business with  
41.14 a medical cannabis retail endorsement to treat or alleviate the symptoms of a qualifying  
41.15 medical condition.

41.16 (b) A medical cannabinoid product must be in the form of:

41.17 (1) liquid, including but not limited to oil;

41.18 (2) pill;

41.19 (3) liquid or oil for use with a vaporized delivery method;

41.20 (4) water-soluble cannabinoid multiparticulate, including granules, powder, and sprinkles;

41.21 (5) orally dissolvable product, including lozenges, gum, mints, buccal tablets, and  
41.22 sublingual tablets;

41.23 (6) edible products in the form of gummies and chews;

41.24 (7) topical formulation; or

41.25 (8) any allowable form or delivery method approved by the office.

41.26 (c) Medical cannabinoid product does not include adult-use cannabis products or  
41.27 hemp-derived consumer products.

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

42.1 Sec. 44. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 54, is amended  
42.2 to read:

42.3 Subd. 54. **Medical cannabis flower.** "Medical cannabis flower" means cannabis flower  
42.4 provided to a patient enrolled in the registry program or a visiting patient; a registered  
42.5 designated caregiver; or a parent, legal guardian, or spouse of an enrolled patient by a  
42.6 registered designated caregiver, cannabis retailer, or ~~medical cannabis business~~ cannabis  
42.7 business with a medical cannabis retail endorsement to treat or alleviate the symptoms of  
42.8 a qualifying medical condition. Medical cannabis flower does not include adult-use cannabis  
42.9 flower.

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

42.11 Sec. 45. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 57, is amended  
42.12 to read:

42.13 Subd. 57. **Office.** "Office" means the director of the Office of Cannabis Management.

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

42.15 Sec. 46. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 63, is amended  
42.16 to read:

42.17 Subd. 63. **Qualifying medical condition.** "Qualifying medical condition" means either  
42.18 a medical condition for which an individual's health care practitioner has recommended,  
42.19 approved, or authorized the use of cannabis by that individual to treat the condition, or a  
42.20 diagnosis of any of the following conditions:

42.21 (1) Alzheimer's disease;

42.22 (2) autism spectrum disorder that meets the requirements of the fifth edition of the  
42.23 Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric  
42.24 Association;

42.25 (3) cancer, if the underlying condition or treatment produces one or more of the following:

42.26 (i) severe or chronic pain;

42.27 (ii) nausea or severe vomiting; or

42.28 (iii) cachexia or severe wasting;

42.29 (4) chronic motor or vocal tic disorder;

42.30 (5) chronic pain;

- 43.1 (6) glaucoma;
- 43.2 (7) human immunodeficiency virus or acquired immune deficiency syndrome;
- 43.3 (8) intractable pain as defined in section 152.125, subdivision 1, paragraph (c);
- 43.4 (9) obstructive sleep apnea;
- 43.5 (10) post-traumatic stress disorder;
- 43.6 (11) Tourette's syndrome;
- 43.7 (12) amyotrophic lateral sclerosis;
- 43.8 (13) seizures, including those characteristic of epilepsy;
- 43.9 (14) severe and persistent muscle spasms, including those characteristic of multiple
- 43.10 sclerosis;
- 43.11 (15) inflammatory bowel disease, including Crohn's disease;
- 43.12 (16) irritable bowel syndrome;
- 43.13 (17) obsessive-compulsive disorder;
- 43.14 (18) sickle cell disease; or
- 43.15 (19) terminal illness, with a probable life expectancy of under one year, if the illness or
- 43.16 its treatment produces one or more of the following:
- 43.17 (i) severe or chronic pain;
- 43.18 (ii) nausea or severe vomiting; or
- 43.19 (iii) cachexia or severe wasting; ~~or~~
- 43.20 ~~(20) any other medical condition or its treatment approved by the office.~~

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

43.22 Sec. 47. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 64, is amended

43.23 to read:

43.24 Subd. 64. **Registered designated caregiver.** "Registered designated caregiver" means

43.25 an individual who:

43.26 (1) is at least 18 years old;

43.27 ~~(2) is not disqualified for a criminal offense according to rules adopted pursuant to~~

43.28 ~~section 342.15, subdivision 2;~~

44.1 ~~(3)~~ (2) has been approved by the ~~Division of Medical Cannabis~~ office to assist a patient  
44.2 with obtaining medical cannabis flower and medical cannabinoid products from a cannabis  
44.3 ~~retailer or medical cannabis retailer~~ business with a medical cannabis retail endorsement  
44.4 and with administering medical cannabis flower and medical cannabinoid products; and

44.5 ~~(4)~~ (3) is authorized by the ~~Division of Medical Cannabis~~ office to assist a patient with  
44.6 the use of medical cannabis flower and medical cannabinoid products.

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

44.8 Sec. 48. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 65, is amended  
44.9 to read:

44.10 Subd. 65. **Registry or registry program.** "Registry" or "registry program" means the  
44.11 patient registry established under this chapter listing patients; registered designated  
44.12 caregivers; and any parent, legal guardian, or spouse of a patient who is authorized to perform  
44.13 the following acts either as a patient or to assist a patient:

44.14 (1) obtain medical cannabis flower, medical cannabinoid products, and medical cannabis  
44.15 paraphernalia from a cannabis retailers and medical cannabis retailers business with a  
44.16 medical cannabis retail endorsement; and

44.17 (2) administer medical cannabis flower and medical cannabinoid products.

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

44.19 Sec. 49. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 66, is amended  
44.20 to read:

44.21 Subd. 66. **Registry verification.** "Registry verification" means the verification provided  
44.22 by the ~~Division of Medical Cannabis~~ office that a patient is enrolled in the registry program  
44.23 and that includes the patient's name, patient registry number, and, if applicable, the name  
44.24 of the patient's registered designated caregiver or parent, legal guardian, or spouse.

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

44.26 Sec. 50. Minnesota Statutes 2023 Supplement, section 342.01, is amended by adding a  
44.27 subdivision to read:

44.28 Subd. 69b. **Total THC.** "Total THC" means the sum of the percentage by weight of  
44.29 tetrahydrocannabinolic acid multiplied by 0.877 plus the percentage by weight of all  
44.30 tetrahydrocannabinols.

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

45.2 Sec. 51. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 2, is amended  
45.3 to read:

45.4 Subd. 2. **Powers and duties.** (a) The office has the following powers and duties:

45.5 (1) to develop, maintain, and enforce an organized system of regulation for the cannabis  
45.6 industry and hemp consumer industry;

45.7 (2) to establish programming, services, and notification to protect, maintain, and improve  
45.8 the health of citizens;

45.9 (3) to prevent unauthorized access to cannabis flower, cannabis products, lower-potency  
45.10 hemp edibles, and hemp-derived consumer products by individuals under 21 years of age;

45.11 (4) to establish and regularly update standards for product manufacturing, testing,  
45.12 packaging, and labeling, including requirements for an expiration, sell-by, or best-used-by  
45.13 date;

45.14 (5) to promote economic growth with an emphasis on growth in areas that experienced  
45.15 a disproportionate, negative impact from cannabis prohibition;

45.16 (6) to issue and renew licenses;

45.17 (7) to require fingerprints from individuals determined to be subject to fingerprinting,  
45.18 including the submission of fingerprints to the Federal Bureau of Investigation where  
45.19 required by law and to obtain criminal conviction data for individuals seeking a license  
45.20 from the office on the individual's behalf or as a cooperative member or director, manager,  
45.21 or general partner of a business entity;

45.22 (8) to receive reports required by this chapter and inspect the premises, records, books,  
45.23 and other documents of license holders to ensure compliance with all applicable laws and  
45.24 rules;

45.25 (9) to authorize the use of unmarked motor vehicles to conduct seizures or investigations  
45.26 pursuant to the office's authority;

45.27 (10) to impose and collect civil and administrative penalties as provided in this chapter;

45.28 (11) to publish such information as may be deemed necessary for the welfare of cannabis  
45.29 businesses, cannabis workers, hemp businesses, and hemp workers and the health and safety  
45.30 of citizens;

46.1 (12) to make loans and grants in aid to the extent that appropriations are made available  
46.2 for that purpose;

46.3 (13) to authorize research and studies on cannabis flower, cannabis products, artificially  
46.4 derived cannabinoids, lower-potency hemp edibles, hemp-derived consumer products, the  
46.5 cannabis industry, and the hemp consumer industry;

46.6 (14) to provide reports as required by law;

46.7 (15) to develop a warning label regarding the effects of the use of cannabis flower and  
46.8 cannabis products by persons 25 years of age or younger;

46.9 (16) to determine, based on a review of medical and scientific literature, whether it is  
46.10 appropriate to require additional health and safety warnings containing information that is  
46.11 both supported by credible science and helpful to consumers in considering potential health  
46.12 risks from the use of cannabis flower, cannabis products, lower-potency hemp edibles, and  
46.13 hemp-derived consumer products, including but not limited to warnings regarding any risks  
46.14 associated with use by pregnant or breastfeeding individuals, or by individuals planning to  
46.15 become pregnant, and the effects that use has on brain development for individuals under  
46.16 the age of 25;

46.17 (17) to establish limits on the potency of cannabis flower and cannabis products that can  
46.18 be sold to customers by licensed cannabis retailers, licensed cannabis microbusinesses, and  
46.19 licensed cannabis mezzobusinesses with an endorsement to sell cannabis flower and cannabis  
46.20 products to customers;

46.21 (18) to establish rules authorizing an increase in plant canopy limits and outdoor  
46.22 cultivation limits to meet market demand and limiting cannabis manufacturing consistent  
46.23 with the goals identified in subdivision 1; ~~and~~

46.24 (19) to order a person or business that cultivates cannabis flower or manufactures or  
46.25 produces cannabis products, medical cannabinoid products, artificially derived cannabinoids,  
46.26 lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical  
46.27 products to recall any cannabis flower, product, or ingredient containing cannabinoids that  
46.28 is used in a product if the office determines that the flower, product, or ingredient represents  
46.29 a risk of causing a serious adverse incident; and

46.30 ~~(19)~~ (20) to exercise other powers and authority and perform other duties required by  
46.31 law.

46.32 (b) In addition to the powers and duties in paragraph (a), the office has the following  
46.33 powers and duties until January 1, 2027:

47.1 (1) to establish limits on the potency of adult-use cannabis flower and adult-use cannabis  
47.2 products that can be sold to customers by licensed cannabis retailers, licensed cannabis  
47.3 microbusinesses, and licensed cannabis mezzobusinesses with an endorsement to sell  
47.4 adult-use cannabis flower and adult-use cannabis products to customers; and

47.5 (2) to permit, upon application to the office in the form prescribed by the director of the  
47.6 office, a licensee under this chapter to perform any activity if such permission is substantially  
47.7 necessary for the licensee to perform any other activity permitted by the applicant's license  
47.8 and is not otherwise prohibited by law.

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

47.10 Sec. 52. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 3, is amended  
47.11 to read:

47.12 Subd. 3. **Medical cannabis program.** (a) The powers and duties of the Department of  
47.13 Health with respect to the medical cannabis program under Minnesota Statutes 2022, sections  
47.14 152.22 to 152.37, are transferred to the Office of Cannabis Management under section  
47.15 15.039.

47.16 (b) The following protections shall apply to employees who are transferred from the  
47.17 Department of Health to the Office of Cannabis Management:

47.18 (1) the employment status and job classification of a transferred employee shall not be  
47.19 altered as a result of the transfer;

47.20 (2) transferred employees who were represented by an exclusive representative prior to  
47.21 the transfer shall continue to be represented by the same exclusive representative after the  
47.22 transfer;

47.23 (3) the applicable collective bargaining agreements with exclusive representatives shall  
47.24 continue in full force and effect for such transferred employees after the transfer;

47.25 (4) the state must meet and negotiate with the exclusive representatives of the transferred  
47.26 employees about any proposed changes affecting or relating to the transferred employees'  
47.27 terms and conditions of employment to the extent such changes are not addressed in the  
47.28 applicable collective bargaining agreement; and

47.29 (5) for an employee in a temporary unclassified position transferred to the Office of  
47.30 Cannabis Management, the total length of time that the employee has served in the  
47.31 appointment shall include all time served in the appointment and the transferring agency  
47.32 and the time served in the appointment at the Office of Cannabis Management. An employee

48.1 in a temporary unclassified position who was hired by a transferring agency through an  
48.2 open competitive selection process in accordance with a policy enacted by Minnesota  
48.3 Management and Budget shall be considered to have been hired through such process after  
48.4 the transfer.

48.5 (c) This subdivision is effective July 1, 2024.

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

48.7 Sec. 53. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 5, is amended  
48.8 to read:

48.9 Subd. 5. **Rulemaking.** (a) The office may adopt rules to implement any provisions in  
48.10 this chapter.

48.11 (b) Rules for which notice is published in the State Register before July 1, 2025, may  
48.12 be adopted using the expedited rulemaking process in section 14.389. The 18-month time  
48.13 limit imposed by section 14.125 does not apply to rules adopted under this paragraph.

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

48.15 Sec. 54. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 6, is amended  
48.16 to read:

48.17 Subd. 6. **Director.** (a) The governor shall appoint a director of the office with the advice  
48.18 and consent of the senate. The director must be in the unclassified service and must serve  
48.19 at the pleasure of the governor.

48.20 (b) The salary of the director must ~~not exceed the salary limit~~ be established by the  
48.21 Compensation Council under section ~~15A.0815, subdivision 3~~ 15A.082.

48.22 (c) The director may appoint and employ no more than two deputy directors.

48.23 (d) The director has administrative control of the office. The director has the powers  
48.24 described in section 15.06, subdivision 6.

48.25 (e) The director may apply for and accept on behalf of the state any grants, bequests,  
48.26 gifts, or contributions for the purpose of carrying out the duties and responsibilities of the  
48.27 director.

48.28 (f) Pursuant to state law, the director may apply for and receive money made available  
48.29 from federal sources for the purpose of carrying out the duties and responsibilities of the  
48.30 director.



49.1 (g) The director may make contracts with and grants to Tribal Nations, public and private  
49.2 agencies, for-profit and nonprofit organizations, and individuals using appropriated money.

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

49.4 Sec. 55. Minnesota Statutes 2023 Supplement, section 342.03, subdivision 1, is amended  
49.5 to read:

49.6 Subdivision 1. **Membership.** The Cannabis Advisory Council is created consisting of  
49.7 the following members:

49.8 (1) the director of the Office of Cannabis Management or a designee;

49.9 (2) the commissioner of employment and economic development or a designee;

49.10 (3) the commissioner of revenue or a designee;

49.11 (4) the commissioner of health or a designee;

49.12 (5) the commissioner of human services or a designee;

49.13 (6) the commissioner of public safety or a designee;

49.14 (7) the commissioner of human rights or a designee;

49.15 (8) the commissioner of labor or a designee;

49.16 (9) the commissioner of agriculture or a designee;

49.17 (10) the commissioner of the Pollution Control Agency or a designee;

49.18 (11) the superintendent of the Bureau of Criminal Apprehension or a designee;

49.19 (12) the colonel of the State Patrol or a designee;

49.20 (13) the director of the Office of Traffic Safety in the Department of Public Safety or a  
49.21 designee;

49.22 (14) a representative from the League of Minnesota Cities appointed by the league;

49.23 (15) a representative from the Association of Minnesota Counties appointed by the  
49.24 association;

49.25 (16) an expert in minority business development appointed by the governor;

49.26 (17) an expert in economic development strategies for under-resourced communities  
49.27 appointed by the governor;

49.28 (18) an expert in farming or representing the interests of farmers appointed by the  
49.29 governor;

- 50.1 (19) an expert representing the interests of cannabis workers appointed by the governor;
- 50.2 (20) an expert representing the interests of employers appointed by the governor;
- 50.3 (21) an expert in municipal law enforcement with advanced training in impairment  
50.4 detection and evaluation appointed by the governor;
- 50.5 (22) an expert in social welfare or social justice appointed by the governor;
- 50.6 (23) an expert in criminal justice reform to mitigate the disproportionate impact of drug  
50.7 prosecutions on communities of color appointed by the governor;
- 50.8 (24) an expert in prevention, treatment, and recovery related to substance use disorders  
50.9 appointed by the governor;
- 50.10 (25) an expert in minority business ownership appointed by the governor;
- 50.11 (26) an expert in women-owned businesses appointed by the governor;
- 50.12 (27) an expert in cannabis retailing appointed by the governor;
- 50.13 (28) an expert in cannabis product manufacturing appointed by the governor;
- 50.14 (29) an expert in laboratory sciences and toxicology appointed by the governor;
- 50.15 (30) an expert in providing legal services to cannabis businesses appointed by the  
50.16 governor;
- 50.17 (31) an expert in cannabis cultivation appointed by the governor;
- 50.18 (32) an expert in pediatric medicine appointed by the governor;
- 50.19 (33) an expert in adult medicine appointed by the governor;
- 50.20 (34) an expert in clinical pharmacy appointed by the governor;
- 50.21 (35) three patient advocates, one who is a patient enrolled in the medical cannabis  
50.22 program; one who is a parent or caregiver of a patient in the medical cannabis program;  
50.23 and one patient with experience in the mental health system or substance use disorder  
50.24 treatment system appointed by the governor;
- 50.25 ~~(35)~~ (36) two licensed mental health professionals appointed by the governor;
- 50.26 ~~(36)~~ (37) a veteran appointed by the governor;
- 50.27 ~~(37)~~ (38) one member of each of the following federally recognized Tribes, designated  
50.28 by the elected Tribal president or chairperson of the governing bodies of:
- 50.29 (i) the Fond du Lac Band;

- 51.1 (ii) the Grand Portage Band;
- 51.2 (iii) the Mille Lacs Band;
- 51.3 (iv) the White Earth Band;
- 51.4 (v) the Bois Forte Band;
- 51.5 (vi) the Leech Lake Band;
- 51.6 (vii) the Red Lake Nation;
- 51.7 (viii) the Upper Sioux Community;
- 51.8 (ix) the Lower Sioux Indian Community;
- 51.9 (x) the Shakopee Mdewakanton Sioux Community; and
- 51.10 (xi) the Prairie Island Indian Community; ~~and~~
- 51.11 ~~(38)~~ (39) a representative from the Local Public Health Association of Minnesota
- 51.12 appointed by the association; and
- 51.13 (40) one youth from outside the seven-county metropolitan area as defined in section
- 51.14 473.121, subdivision 4, and one youth from the seven-county metropolitan area who are
- 51.15 both appointed by the governor. The youths must have been disproportionately affected by
- 51.16 cannabis or cannabis use or have an immediate family member who was negatively affected
- 51.17 by cannabis use. The youths must be between the ages of 18 and 24 years old.
- 51.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 51.19 Sec. 56. Minnesota Statutes 2023 Supplement, section 342.03, subdivision 4, is amended
- 51.20 to read:
- 51.21 Subd. 4. **Duties.** (a) The duties of the advisory council shall include:
- 51.22 (1) reviewing national cannabis policy;
- 51.23 (2) examining the effectiveness of state cannabis policy;
- 51.24 (3) reviewing developments in the cannabis industry and hemp consumer industry;
- 51.25 (4) reviewing developments in the study of cannabis flower, cannabis products, artificially
- 51.26 derived cannabinoids, lower-potency hemp edibles, and hemp-derived consumer products;
- 51.27 (5) taking public testimony; ~~and~~
- 51.28 (6) considering the impact of legalized adult-use cannabis on the rate of cannabis use
- 51.29 by minors; and

52.1 ~~(6)~~ (7) making recommendations to the Office of Cannabis Management.

52.2 (b) At its discretion, the advisory council may examine other related issues consistent  
52.3 with this section.

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

52.5 Sec. 57. Minnesota Statutes 2023 Supplement, section 342.06, is amended to read:

52.6 **342.06 APPROVAL OF CANNABIS FLOWER, PRODUCTS, AND**  
52.7 **CANNABINOIDS.**

52.8 **Subdivision 1. Approval of cannabis flower and products.** (a) For the purposes of  
52.9 this section, "product category" means a type of product that may be sold in different sizes,  
52.10 distinct packaging, or at various prices but is still created using the same manufacturing or  
52.11 agricultural processes. A new or additional stock keeping unit (SKU) or Universal Product  
52.12 Code (UPC) shall not prevent a product from being considered the same type as another  
52.13 unit. All other terms have the meanings provided in section 342.01.

52.14 (b) The office shall approve product categories of cannabis flower, cannabis products,  
52.15 lower-potency hemp edibles, and hemp-derived consumer products for retail sale.

52.16 (c) The office may establish limits on the total THC of cannabis flower, cannabis products,  
52.17 and hemp-derived consumer products. As used in this paragraph, "total THC" means the  
52.18 sum of the percentage by weight of tetrahydrocannabinolic acid multiplied by 0.877 plus  
52.19 the percentage by weight of all tetrahydrocannabinols.

52.20 (d) The office shall not approve any cannabis product, lower-potency hemp edible, or  
52.21 hemp-derived consumer product that:

52.22 (1) is or appears to be a lollipop or ice cream;

52.23 (2) bears the likeness or contains characteristics of a real or fictional person, animal, or  
52.24 fruit;

52.25 (3) is modeled after a type or brand of products primarily consumed by or marketed to  
52.26 children;

52.27 (4) is substantively similar to a meat food product; poultry food product as defined in  
52.28 section 31A.02, subdivision 10; or a dairy product as defined in section 32D.01, subdivision  
52.29 7;

52.30 (5) contains a synthetic cannabinoid;

53.1 (6) is made by applying a cannabinoid, including but not limited to an artificially derived  
53.2 cannabinoid, to a finished food product that does not contain cannabinoids and is sold to  
53.3 consumers, including but not limited to a candy or snack food; or

53.4 (7) if the product is an edible cannabis product or lower-potency hemp edible, contains  
53.5 an ingredient, other than a cannabinoid, that is not approved by the United States Food and  
53.6 Drug Administration for use in food.

53.7 Subd. 2. Approval of cannabinoids. (a) The office may designate any cannabinoid as  
53.8 nonintoxicating and may approve the use of any cannabinoid in lower-potency hemp edibles.  
53.9 The office may establish limits on the amount of an intoxicating cannabinoid that may be  
53.10 present in a lower-potency hemp edible.

53.11 (b) Beginning January 1, 2026, any person may petition the office to designate a  
53.12 cannabinoid as nonintoxicating or to allow the use of any cannabinoid in lower-potency  
53.13 hemp edibles. Petitions must be filed in the form and manner established by the office and  
53.14 must:

53.15 (1) specify the cannabinoid that is the subject of the petition;

53.16 (2) indicate whether the petition seeks to have the cannabinoid designated as  
53.17 nonintoxicating or approved for use in lower-potency hemp edibles;

53.18 (3) indicate whether the cannabinoid has been identified in cannabis plants, cannabis  
53.19 extract, hemp plant parts, or hemp extract; and

53.20 (4) include verified data, validated studies, or other evidence that is generally relied  
53.21 upon in the scientific community to support the petition.

53.22 (c) The office must post all final determinations on the office's publicly facing website.

53.23 (d) If the office denies a petition to designate a cannabinoid as nonintoxicating or to  
53.24 allow the cannabinoid's use in lower-potency hemp edibles, that denial shall be in effect for  
53.25 two years. Any petition filed under this subdivision within two years of a final determination  
53.26 denying a petition for the same cannabinoid must be summarily denied.

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

53.28 Sec. 58. Minnesota Statutes 2023 Supplement, section 342.07, subdivision 3, is amended  
53.29 to read:

53.30 Subd. 3. **Edible cannabinoid product handler endorsement.** (a) Any person seeking  
53.31 to manufacture, process, sell, handle, or store an edible cannabis product or lower-potency  
53.32 hemp edible, other than an edible cannabis product or lower-potency hemp edible that has

54.1 been placed in its final packaging, must first obtain an edible cannabinoid product handler  
54.2 endorsement.

54.3 (b) In consultation with the commissioner of agriculture, the office shall establish an  
54.4 edible cannabinoid product handler endorsement.

54.5 (c) The office must regulate edible cannabinoid product handlers ~~and assess penalties~~  
54.6 ~~in the same~~ in a manner provided for consistent with Department of Agriculture regulation  
54.7 of food handlers under chapters 28A, 31, and 34A and associated rules, with the following  
54.8 exceptions:

54.9 (1) the office must issue an edible cannabinoid product handler endorsement, rather than  
54.10 a license;

54.11 (2) eligibility for an edible cannabinoid product handler endorsement is limited to persons  
54.12 who possess a valid license issued by the office;

54.13 (3) the office may not charge a fee for issuing or renewing the endorsement;

54.14 (4) the office must align the term and renewal period for edible cannabinoid product  
54.15 handler endorsements with the term and renewal period of the license issued by the office;  
54.16 and

54.17 (5) an edible cannabis product or lower-potency hemp edible must not be considered  
54.18 adulterated solely because the product or edible contains tetrahydrocannabinol, cannabis  
54.19 concentrate, hemp concentrate, artificially derived cannabinoids, or any other material  
54.20 extracted or derived from a cannabis plant, cannabis flower, hemp plant, or hemp plant  
54.21 parts.

54.22 (d) The edible cannabinoid product handler endorsement must prohibit the manufacture  
54.23 of edible cannabis products at the same premises where food is manufactured, except for  
54.24 the limited production of edible products produced solely for product development, sampling,  
54.25 or testing. This limitation does not apply to the manufacture of lower-potency hemp edibles.

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

54.27 Sec. 59. Minnesota Statutes 2023 Supplement, section 342.09, subdivision 1, is amended  
54.28 to read:

54.29 Subdivision 1. **Personal adult use, possession, and transportation of cannabis flower**  
54.30 **and cannabinoid products.** (a) An individual 21 years of age or older may:

54.31 (1) use, possess, or transport cannabis paraphernalia;

- 55.1 (2) possess or transport two ounces or less of adult-use cannabis flower in a public place;
- 55.2 (3) possess two pounds or less of adult-use cannabis flower in the individual's private  
55.3 residence;
- 55.4 (4) possess or transport eight grams or less of adult-use cannabis concentrate;
- 55.5 (5) possess or transport edible cannabis products or lower-potency hemp edibles infused  
55.6 with a combined total of 800 milligrams or less of tetrahydrocannabinol;
- 55.7 (6) give for no remuneration to an individual who is at least 21 years of age:
- 55.8 (i) two ounces or less of adult-use cannabis flower;
- 55.9 (ii) eight grams or less of adult-use cannabis concentrate; or
- 55.10 (iii) an edible cannabis product or lower-potency hemp edible infused with 800 milligrams  
55.11 or less of tetrahydrocannabinol; and
- 55.12 (7) use adult-use cannabis flower and adult-use cannabis products in the following  
55.13 locations:
- 55.14 (i) a private residence, including the individual's curtilage or yard;
- 55.15 (ii) on private property, not generally accessible by the public, unless the individual is  
55.16 explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency  
55.17 hemp edibles, or hemp-derived consumer products on the property by the owner of the  
55.18 property; or
- 55.19 (iii) on the premises of an establishment or event licensed to permit on-site consumption.
- 55.20 (b) Except as provided in paragraph (c), an individual may not:
- 55.21 (1) use, possess, or transport cannabis flower, cannabis products, lower-potency hemp  
55.22 edibles, or hemp-derived consumer products if the individual is under 21 years of age;
- 55.23 (2) use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived  
55.24 consumer products in a motor vehicle as defined in section 169A.03, subdivision 15;
- 55.25 (3) use cannabis flower, cannabis products, or hemp-derived consumer products in a  
55.26 manner that involves the inhalation of smoke, aerosol, or vapor at any location where  
55.27 smoking is prohibited under section 144.414;
- 55.28 (4) use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or  
55.29 hemp-derived consumer products in a public school, as defined in section 120A.05,  
55.30 subdivisions 9, 11, and 13, or in a charter school governed by chapter 124E, including all

56.1 facilities, whether owned, rented, or leased, and all vehicles that a school district owns,  
56.2 leases, rents, contracts for, or controls;

56.3 (5) use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or  
56.4 hemp-derived consumer products in a state correctional facility;

56.5 (6) operate a motor vehicle while under the influence of cannabis flower, cannabis  
56.6 products, lower-potency hemp edibles, or hemp-derived consumer products;

56.7 (7) give for no remuneration cannabis flower, cannabis products, lower-potency hemp  
56.8 edibles, or hemp-derived consumer products to an individual under 21 years of age;

56.9 (8) give for no remuneration cannabis flower or cannabis products as a sample or  
56.10 promotional gift if the giver is in the business of selling goods or services; or

56.11 (9) vaporize or smoke cannabis flower, cannabis products, artificially derived  
56.12 cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol,  
56.13 or vapor would be inhaled by a minor.

56.14 (c) The prohibitions under paragraph (b), clauses (1) to (4), do not apply to use other  
56.15 than by smoking or by a vaporized delivery method, possession, or transportation of medical  
56.16 cannabis flower or medical cannabinoid products by a patient; a registered designated  
56.17 caregiver; or a parent, legal guardian, or spouse of a patient.

56.18 (d) The possession limits in paragraph (a), clauses (2) to (5), do not apply to a person  
56.19 enrolled in the medical cannabis patient registry program under section 342.52 if the person  
56.20 possesses cannabis flower or cannabinoid products that include patient-specific labeling  
56.21 according to sections 342.51, subdivision 2, and 342.63, subdivision 4.

56.22 ~~(d)~~ (e) A proprietor of a family or group family day care program must disclose to parents  
56.23 or guardians of children cared for on the premises of the family or group family day care  
56.24 program, if the proprietor permits the smoking or use of cannabis flower, cannabis products,  
56.25 lower-potency hemp edibles, or hemp-derived consumer products on the premises outside  
56.26 of its hours of operation. Disclosure must include posting on the premises a conspicuous  
56.27 written notice and orally informing parents or guardians. Cannabis flower or cannabis  
56.28 products must be inaccessible to children and stored away from food products.

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



57.1 Sec. 60. Minnesota Statutes 2023 Supplement, section 342.09, subdivision 3, is amended  
57.2 to read:

57.3 Subd. 3. **Home extraction of cannabis concentrate by use of volatile solvent**  
57.4 **prohibited.** No person may use a volatile solvent to separate or extract cannabis concentrate  
57.5 or hemp concentrate without a cannabis microbusiness, cannabis mezzobusiness, cannabis  
57.6 manufacturer, medical cannabis ~~processor~~ combination business, or lower-potency hemp  
57.7 edible manufacturer license issued under this chapter.

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

57.9 Sec. 61. Minnesota Statutes 2023 Supplement, section 342.10, is amended to read:

57.10 **342.10 LICENSES; TYPES.**

57.11 The office shall issue the following types of license:

- 57.12 (1) cannabis microbusiness;
- 57.13 (2) cannabis mezzobusiness;
- 57.14 (3) cannabis cultivator;
- 57.15 (4) cannabis manufacturer;
- 57.16 (5) cannabis retailer;
- 57.17 (6) cannabis wholesaler;
- 57.18 (7) cannabis transporter;
- 57.19 (8) cannabis testing facility;
- 57.20 (9) cannabis event organizer;
- 57.21 (10) cannabis delivery service;
- 57.22 (11) lower-potency hemp edible manufacturer;
- 57.23 (12) lower-potency hemp edible retailer; and
- 57.24 ~~(13) medical cannabis cultivator;~~
- 57.25 ~~(14) medical cannabis processor;~~
- 57.26 ~~(15) medical cannabis retailer; or~~
- 57.27 ~~(16)~~ (13) medical cannabis combination business.

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

58.1 Sec. 62. Minnesota Statutes 2023 Supplement, section 342.11, is amended to read:

58.2 **342.11 LICENSES; FEES.**

58.3 (a) The office shall require the payment of application fees, initial licensing fees, and  
58.4 renewal licensing fees as provided in this section. The initial license fee shall include the  
58.5 fee for initial issuance of the license and the first annual renewal. The renewal fee shall be  
58.6 charged at the time of the second renewal and each subsequent annual renewal thereafter.  
58.7 Nothing in this section prohibits a local unit of government from charging the retailer  
58.8 registration fee established in section 342.22. Application fees, initial licensing fees, and  
58.9 renewal licensing fees are nonrefundable.

58.10 (b) Application and licensing fees shall be as follows:

58.11 (1) for a cannabis microbusiness:

58.12 (i) an application fee of \$500;

58.13 (ii) an initial license fee of \$0; and

58.14 (iii) a renewal license fee of \$2,000;

58.15 (2) for a cannabis mezzobusiness:

58.16 (i) an application fee of \$5,000;

58.17 (ii) an initial license fee of \$5,000; and

58.18 (iii) a renewal license fee of \$10,000;

58.19 (3) for a cannabis cultivator:

58.20 (i) an application fee of \$10,000;

58.21 (ii) an initial license fee of \$20,000; and

58.22 (iii) a renewal license fee of \$30,000;

58.23 (4) for a cannabis manufacturer:

58.24 (i) an application fee of \$10,000;

58.25 (ii) an initial license fee of \$10,000; and

58.26 (iii) a renewal license fee of \$20,000;

58.27 (5) for a cannabis retailer:

58.28 (i) an application fee of \$2,500;

58.29 (ii) an initial license fee of \$2,500; and

- 59.1 (iii) a renewal license fee of \$5,000;
- 59.2 (6) for a cannabis wholesaler:
- 59.3 (i) an application fee of \$5,000;
- 59.4 (ii) an initial license fee of \$5,000; and
- 59.5 (iii) a renewal license fee of \$10,000;
- 59.6 (7) for a cannabis transporter:
- 59.7 (i) an application fee of \$250;
- 59.8 (ii) an initial license fee of \$500; and
- 59.9 (iii) a renewal license fee of \$1,000;
- 59.10 (8) for a cannabis testing facility:
- 59.11 (i) an application fee of \$5,000;
- 59.12 (ii) an initial license fee of \$5,000; and
- 59.13 (iii) a renewal license fee of \$10,000;
- 59.14 (9) for a cannabis delivery service:
- 59.15 (i) an application fee of \$250;
- 59.16 (ii) an initial license fee of \$500; and
- 59.17 (iii) a renewal license fee of \$1,000;
- 59.18 (10) for a cannabis event organizer:
- 59.19 (i) an application fee of \$750; and
- 59.20 (ii) an initial license fee of \$750;
- 59.21 (11) for a lower-potency hemp edible manufacturer:
- 59.22 (i) an application fee of \$250;
- 59.23 (ii) an initial license fee of \$1,000; and
- 59.24 (iii) a renewal license fee of \$1,000;
- 59.25 (12) for a lower-potency hemp edible retailer:
- 59.26 (i) an application fee of \$250 per retail location;
- 59.27 (ii) an initial license fee of \$250 per retail location; and

60.1 (iii) a renewal license fee of \$250 per retail location; and

60.2 ~~(13) for a medical cannabis cultivator:~~

60.3 ~~(i) an application fee of \$250;~~

60.4 ~~(ii) an initial license fee of \$0; and~~

60.5 ~~(iii) a renewal license fee of \$0;~~

60.6 ~~(14) for a medical cannabis processor:~~

60.7 ~~(i) an application fee of \$250;~~

60.8 ~~(ii) an initial license fee of \$0; and~~

60.9 ~~(iii) a renewal license fee of \$0;~~

60.10 ~~(15) for a medical cannabis retailer:~~

60.11 ~~(i) an application fee of \$250;~~

60.12 ~~(ii) an initial license fee of \$0; and~~

60.13 ~~(iii) a renewal license fee of \$0; and~~

60.14 ~~(16)~~ (13) for a medical cannabis combination business:

60.15 (i) an application fee of \$10,000;

60.16 (ii) an initial license fee of \$20,000; and

60.17 (iii) a renewal license fee of \$70,000.

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

60.19 Sec. 63. Minnesota Statutes 2023 Supplement, section 342.12, is amended to read:

60.20 **342.12 LICENSES; TRANSFERS; ADJUSTMENTS.**

60.21 (a) Licenses issued under this chapter that are available to all applicants pursuant to  
 60.22 section 342.14, subdivision 1b, paragraph (c), may be freely transferred subject to the prior  
 60.23 written approval of the office, ~~which approval may be given or withheld in the office's sole~~  
 60.24 ~~discretion, provided that a social equity applicant may only transfer the applicant's license~~  
 60.25 ~~to another social equity applicant~~ unless the license holder has not received a final site  
 60.26 inspection or the license holder is a social equity applicant.

60.27 (b) Licenses issued as social equity licenses pursuant to either section 342.14, subdivision  
 60.28 1b, paragraph (b), or section 342.175, paragraph (b), may only be transferred to another  
 60.29 social equity applicant for three years after the date on which the office issues the license.

61.1 Three years after the date of issuance, a license holder may transfer a license to any entity.  
 61.2 Transfer of a license that was issued as a social equity license must be reviewed by the  
 61.3 Division of Social Equity and is subject to the prior written approval of the office.

61.4 (c) License preapproval issued pursuant to section 342.125 may not be transferred.

61.5 (d) A new license must be obtained when:

61.6 (1) the form of the licensee's legal business structure converts or changes to a different  
 61.7 type of legal business structure; or

61.8 (2) the licensee dissolves; consolidates; reorganizes; undergoes bankruptcy, insolvency,  
 61.9 or receivership proceedings; merges with another legal organization; or assigns all or  
 61.10 substantially all of its assets for the benefit of creditors.

61.11 ~~(b) Transfers between social equity applicants must be reviewed by the Division of~~  
 61.12 ~~Social Equity.~~

61.13 ~~(e)~~ (e) Licenses must be renewed annually.

61.14 ~~(d)~~ (f) License holders may petition the office to adjust the tier of a license issued within  
 61.15 a license category ~~provided that~~ if the license holder meets all applicable requirements.

61.16 ~~(e)~~ (g) The office by rule may permit the relocation of a licensed cannabis business;  
 61.17 permit the relocation of an approved operational location, including a cultivation,  
 61.18 manufacturing, processing, or retail location; adopt requirements for the submission of a  
 61.19 license relocation application;  
 61.20 establish standards for the approval of a relocation  
 61.21 application;  
 61.22 and charge a fee not to exceed \$250 for reviewing and processing applications.  
 Relocation of a licensed premises pursuant to this paragraph does not extend or otherwise  
 modify the license term of the license subject to relocation.

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

61.24 Sec. 64. Minnesota Statutes 2023 Supplement, section 342.13, is amended to read:

61.25 **342.13 LOCAL CONTROL.**

61.26 (a) A local unit of government may not prohibit the possession, transportation, or use  
 61.27 of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived  
 61.28 consumer products authorized under this chapter.

61.29 (b) Except as provided in section 342.22, a local unit of government may not prohibit  
 61.30 the establishment or operation of a cannabis business or hemp business licensed under this  
 61.31 chapter.

62.1 (c) A local unit of government may adopt reasonable restrictions on the time, place, and  
62.2 manner of the operation of a cannabis business provided that such restrictions do not prohibit  
62.3 the establishment or operation of cannabis businesses. A local unit of government may  
62.4 prohibit the operation of a cannabis business within 1,000 feet of a school, or 500 feet of a  
62.5 day care, residential treatment facility, or an attraction within a public park that is regularly  
62.6 used by minors, including a playground or athletic field.

62.7 (d) The office shall work with local units of government to:

62.8 (1) develop model ordinances for reasonable restrictions on the time, place, and manner  
62.9 of the operation of a cannabis business;

62.10 (2) develop standardized forms and procedures for the issuance of a retail registration  
62.11 pursuant to section 342.22; and

62.12 (3) develop model policies and procedures for the performance of compliance checks  
62.13 required under section 342.22.

62.14 (e) If a local unit of government is conducting studies or has authorized a study to be  
62.15 conducted or has held or has scheduled a hearing for the purpose of considering adoption  
62.16 or amendment of reasonable restrictions on the time, place, and manner of the operation of  
62.17 a cannabis business, the governing body of the local unit of government may adopt an  
62.18 interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting  
62.19 the planning process and the health, safety, and welfare of its citizens. Before adopting the  
62.20 interim ordinance, the governing body must hold a public hearing. The interim ordinance  
62.21 may regulate, restrict, or prohibit the operation of a cannabis business within the jurisdiction  
62.22 or a portion thereof until January 1, 2025.

62.23 (f) Within 30 days of receiving a copy of an application from the office, a local unit of  
62.24 government shall certify on a form provided by the office whether a proposed cannabis  
62.25 business complies with local zoning ordinances and, if applicable, whether the proposed  
62.26 business complies with the state fire code and building code. The office may not issue a  
62.27 license if a the local unit of government informs the office that the cannabis business does  
62.28 not meet local zoning and land use laws. If the local unit of government does not provide  
62.29 the certification to the office within 30 days of receiving a copy of an application from the  
62.30 office, the office may issue a license.

62.31 ~~(g) Upon receipt of an application for a license issued under this chapter, the office shall~~  
62.32 ~~contact the local unit of government in which the business would be located and provide~~  
62.33 ~~the local unit of government with 30 days in which to provide input on the application. The~~  
62.34 ~~local unit of government may provide the office with any additional information it believes~~

63.1 ~~is relevant to the office's decision on whether to issue a license, including but not limited~~  
 63.2 ~~to identifying concerns about the proposed location of a cannabis business or sharing public~~  
 63.3 ~~information about an applicant.~~

63.4 ~~(h)~~ (g) The office by rule shall establish an expedited complaint process to receive,  
 63.5 review, and respond to complaints made by a local unit of government about a cannabis  
 63.6 business. ~~Complaints may include alleged violations of local ordinances or other alleged~~  
 63.7 ~~violations.~~ At a minimum, the expedited complaint process shall require the office to provide  
 63.8 an initial response to the complaint within seven days and perform any necessary inspections  
 63.9 within 30 days. Nothing in this paragraph prohibits a local unit of government from enforcing  
 63.10 a local ordinance. If a local unit of government notifies the office that a cannabis business  
 63.11 other than a cannabis retailer, cannabis microbusiness or cannabis mezzobusiness with a  
 63.12 retail operations endorsement, ~~cannabis mezzobusiness~~, lower-potency hemp edible retailer,  
 63.13 ~~medical cannabis retailer~~, or medical cannabis combination business operating a retail  
 63.14 location poses an immediate threat to the health or safety of the public, the office must  
 63.15 respond within one business day and may take any action described in section 342.19 or  
 63.16 342.21.

63.17 ~~(h)~~ (h) A local government unit that issues a cannabis retailer registration under section  
 63.18 342.22 may, by ordinance, limit the number of licensed cannabis retailers, cannabis  
 63.19 mezzobusinesses with a retail operations endorsement, and cannabis microbusinesses with  
 63.20 a retail operations endorsement to no fewer than one registration for every 12,500 residents.

63.21 ~~(i)~~ (i) If a county has one active registration for every 12,500 residents, a city or town  
 63.22 within the county is not obligated to register a cannabis business.

63.23 ~~(j)~~ (j) Nothing in this section shall prohibit a local government unit from allowing  
 63.24 licensed cannabis retailers in excess of the minimums set in paragraph ~~(h)~~ (h).

63.25 ~~(k)~~ (k) Notwithstanding the foregoing provisions, the state shall not issue a license to  
 63.26 any cannabis business to operate in Indian country, as defined in United States Code, title  
 63.27 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal  
 63.28 government.

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

63.30 Sec. 65. Minnesota Statutes 2023 Supplement, section 342.14, is amended to read:

63.31 **342.14 CANNABIS LICENSE APPLICATION AND RENEWAL; PROCEDURE.**

63.32 Subdivision 1. **Application; contents.** (a) The office ~~by rule~~ shall establish ~~forms and~~  
 63.33 procedures for the processing of cannabis licenses issued under this chapter. At a minimum,

64.1 any application to obtain or renew a cannabis license shall include the following information,  
64.2 if applicable:

64.3 (1) the name, address, and date of birth of the applicant;

64.4 (2) the disclosure of ownership and control required under paragraph (b);

64.5 (3) the disclosure of whether the applicant or, if the applicant is a business, any officer,  
64.6 director, manager, and general partner of the business has ever filed for bankruptcy;

64.7 (4) the address and legal property description of the business, if applicable, except an  
64.8 applicant is not required to secure a physical premises for the business at the time of  
64.9 application;

64.10 (5) a general description of the location or locations that the applicant plans to operate,  
64.11 including the planned square feet of ~~planned~~ space for cultivation, wholesaling, and retailing,  
64.12 as applicable;

64.13 (6) a copy of the security plan, including security monitoring, security equipment, and  
64.14 facility maps if applicable, except an applicant is not required to secure a physical premises  
64.15 for the business at the time of application;

64.16 (7) proof of trade name registration;

64.17 (8) a copy of the applicant's business plan showing the expected size of the business;  
64.18 anticipated growth; the methods of record keeping; the knowledge and experience of the  
64.19 applicant and any officer, director, manager, and general partner of the business; the  
64.20 environmental plan; and other relevant financial and operational components;

64.21 (9) standard operating procedures for:

64.22 (i) quality assurance;

64.23 (ii) inventory control, storage, and diversion prevention; and

64.24 (iii) accounting and tax compliance;

64.25 ~~(9)~~ (10) an attestation signed by a bona fide labor organization stating that the applicant  
64.26 has entered into a labor peace agreement;

64.27 (11) a description of any training and education that the applicant will provide to  
64.28 employees of the business;

64.29 (12) a disclosure of any violation of a license agreement or a federal, state, or local law  
64.30 or regulation committed by the applicant or any true party of interest in the applicant's  
64.31 business that is relevant to business and working conditions;



65.1 ~~(10)~~ (13) certification that the applicant will comply with the requirements of this chapter  
65.2 ~~relating to the ownership and operation of a cannabis business;~~

65.3 ~~(11)~~ (14) identification of one or more controlling persons or managerial employees as  
65.4 agents who shall be responsible for dealing with the office on all matters; ~~and~~

65.5 ~~(12)~~ (15) a statement that the applicant agrees to respond to the office's supplemental  
65.6 requests for information; and

65.7 (16) a release of information for the applicant and every true party of interest in the  
65.8 applicant's business license for the office to perform the background checks required under  
65.9 section 342.15.

65.10 (b) An applicant must file and update as necessary a disclosure of ownership and control  
65.11 identifying any true party of interest as defined in section 342.185, subdivision 1, paragraph  
65.12 (g). The office ~~by rule~~ shall establish the contents ~~and form~~ of the disclosure. Except as  
65.13 provided in paragraph (f), the disclosure shall, at a minimum, include the following:

65.14 (1) the management structure, ownership, and control of the applicant or license holder,  
65.15 including the name of each cooperative member, officer, director, manager, general partner,  
65.16 or business entity; the office or position held by each person; each person's percentage  
65.17 ownership interest, if any; and, if the business has a parent company, the name of each  
65.18 owner, board member, and officer of the parent company and the owner's, board member's,  
65.19 or officer's percentage ownership interest in the parent company and the cannabis business;

65.20 (2) a statement from the applicant and, if the applicant is a business, from every officer,  
65.21 director, manager, and general partner of the business, indicating whether that person has  
65.22 previously held, or currently holds, an ownership interest in a cannabis business in Minnesota,  
65.23 any other state or territory of the United States, or any other country;

65.24 (3) if the applicant is a corporation, copies of the applicant's articles of incorporation  
65.25 and bylaws and any amendments to the applicant's articles of incorporation or bylaws;

65.26 (4) copies of any partnership agreement, operating agreement, or shareholder agreement;

65.27 (5) copies of any promissory notes, security instruments, or other similar agreements;

65.28 (6) an explanation detailing the funding sources used to finance the business;

65.29 (7) a list of operating and investment accounts for the business, including any applicable  
65.30 financial institution and account number; and

65.31 (8) a list of each outstanding loan and financial obligation obtained for use in the business,  
65.32 including the loan amount, loan terms, and name and address of the creditor.

66.1 (c) An application may include:

66.2 (1) proof that the applicant is a social equity applicant;

66.3 (2) a description of the training and education that will be provided to any employee;

66.4 or

66.5 (3) a copy of business policies governing operations to ensure compliance with this  
66.6 chapter.

66.7 (d) Commitments made by an applicant in its application, including but not limited to  
66.8 the maintenance of a labor peace agreement, shall be an ongoing material condition of  
66.9 maintaining and renewing the license.

66.10 (e) An application on behalf of a corporation or association shall be signed by at least  
66.11 two officers or managing agents of that entity.

66.12 (f) The office may, ~~by rule,~~ establish exceptions to the disclosures required under  
66.13 paragraph (b) for members of a cooperative who hold less than a five percent ownership  
66.14 interest in the cooperative.

66.15 Subd. 1a. **Market stability.** Subject to the limits under subdivision 1b, paragraphs (a)  
66.16 to (d), the office shall issue the necessary number of licenses in order to ensure that there  
66.17 is a sufficient supply of cannabis flower and cannabis products to meet demand, provide  
66.18 market stability, ensure that there is a competitive market, and limit the sale of unregulated  
66.19 cannabis flower and cannabis products.

66.20 Subd. 1b. **Maximum number of licenses.** (a) Before July 1, 2026, the office may issue  
66.21 up to the maximum total number of licenses in each license category listed in paragraphs  
66.22 (b) and (c).

66.23 (b) For licenses that are available to social equity applicants, the maximum number of  
66.24 licenses that the office may issue are:

66.25 (1) cannabis cultivator licenses, 25;

66.26 (2) cannabis manufacturer licenses, 12;

66.27 (3) cannabis retailer licenses, 75; and

66.28 (4) cannabis mezzobusiness licenses, 50.

66.29 (c) For licenses that are available to all applicants, the maximum number of licenses  
66.30 that the office may issue are:

66.31 (1) cannabis cultivator licenses, 25;

67.1 (2) cannabis manufacturer licenses, 12;

67.2 (3) cannabis retailer licenses, 75; and

67.3 (4) cannabis mezzobusiness licenses, 50.

67.4 (d) Beginning July 1, 2026, the office must determine the number of cannabis cultivator  
67.5 licenses, cannabis manufacturer licenses, cannabis retailer licenses, and cannabis  
67.6 mezzobusiness licenses that the office will issue consistent with the goals identified in  
67.7 subdivision 1a. If the office makes any of those types of licenses available, the number of  
67.8 licenses available to social equity applicants must be equal to or greater than the number  
67.9 of licenses available to all applicants.

67.10 (e) The office may issue as many licenses as the office deems necessary of a license  
67.11 type that is not listed in this subdivision. If the office limits the number of license types not  
67.12 listed in this subdivision available in any licensing period, the office must identify the  
67.13 number of licenses available to social equity applicants and the number of licenses available  
67.14 to all applicants. The number of licenses available to social equity applicants must be equal  
67.15 to or greater than the number of licenses available to all applicants. The office is not required  
67.16 to issue a license for a license type that is not listed in this subdivision.

67.17 (f) The office is not required to issue licenses to meet the maximum number of licenses  
67.18 that may be issued under paragraphs (b) and (c).

67.19 Subd. 1c. **Social equity applicant verification.** (a) The office must establish a procedure  
67.20 to verify that an individual seeking to apply for a cannabis business license as a social equity  
67.21 applicant, either as an individual or as a true party of interest who must be identified on an  
67.22 application, meets the requirements of section 342.17. As used in this paragraph, "true party  
67.23 of interest" has the meaning given in section 342.185, subdivision 1, paragraph (g).

67.24 (b) The office may announce social equity applicant verification periods and may require  
67.25 verification that an individual seeking to apply for a cannabis business license as a social  
67.26 equity applicant meets the requirements of section 342.17 before the office accepts an  
67.27 application from the individual.

67.28 (c) A person seeking to be verified as a social equity applicant must submit all required  
67.29 information on the forms and in the manner prescribed by the office.

67.30 (d) The office must issue a notice to an individual seeking to be verified as a social  
67.31 equity applicant stating that the office has verified the individual's status as a social equity  
67.32 applicant or that the office has been unable to verify the individual's status as a social equity  
67.33 applicant.

68.1 (e) Data collected, created, or maintained by the office pursuant to this subdivision, other  
68.2 than data listed in section 342.20, subdivision 2, are classified as nonpublic data, as defined  
68.3 by section 13.02, subdivision 9, or as private data on individuals, as defined by section  
68.4 13.02, subdivision 12.

68.5 Subd. 2. Licensing periods; initial application; process. (a) The office must announce  
68.6 the commencement of a licensing period in advance of accepting applications for cannabis  
68.7 business licenses. At a minimum, the announcement must include:

68.8 (1) the types of licenses that will be available during the licensing period;

68.9 (2) if the office limits the number of a type of license that will be available, the number  
68.10 of that type of license available in the licensing period;

68.11 (3) the date on which the office will begin accepting applications; and

68.12 (4) the date on which the office will no longer accept applications.

68.13 ~~(a)~~ (b) An applicant must submit all required information and the applicable application  
68.14 fee to the office on the forms and in the manner prescribed by the office.

68.15 ~~(b)~~ (c) If the office receives an application that fails to provide the required information  
68.16 or pay the applicable application fee, the office shall issue a deficiency notice to the applicant.  
68.17 The applicant shall have ten business days to submit the required information or pay the required  
68.18 application fee within 14 calendar days from the date of the deficiency notice to submit the  
68.19 required information.

68.20 ~~(e)~~ (d) Failure by an applicant to submit all required information or pay the application  
68.21 fee to the office will result in the application being rejected.

68.22 ~~(d) Upon receipt of a completed application and fee, the office shall forward a copy of~~  
68.23 ~~the application to the local unit of government in which the business operates or intends to~~  
68.24 ~~operate with a form for certification as to whether a proposed cannabis business complies~~  
68.25 ~~with local zoning ordinances and, if applicable, whether the proposed business complies~~  
68.26 ~~with the state fire code and building code.~~

68.27 ~~(e) Within 90 days of receiving a completed application and the results of any required~~  
68.28 ~~criminal history check, the office shall issue the appropriate license or send the applicant a~~  
68.29 ~~notice of rejection setting forth specific reasons that the office did not approve the application.~~

68.30 Subd. 3. Review. (a) After an applicant submits an application that contains all required  
68.31 information and pays the applicable licensing fee, the office must review the application.

68.32 (b) The office may deny an application if:

- 69.1 (1) the application is incomplete;
- 69.2 (2) the application contains a materially false statement about the applicant or omits  
69.3 information required under subdivision 1;
- 69.4 (3) the applicant does not meet the qualifications under section 342.16;
- 69.5 (4) the applicant is prohibited from holding the license under section 342.18, subdivision  
69.6 2;
- 69.7 (5) the application does not meet the minimum requirements under section 342.18,  
69.8 subdivision 3;
- 69.9 (6) the applicant fails to pay the applicable application fee;
- 69.10 (7) the application was not submitted by the application deadline;
- 69.11 (8) the applicant submitted more than one application for a license type; or
- 69.12 (9) the office determines that the applicant would be prohibited from holding a license  
69.13 for any other reason.
- 69.14 (c) If the office denies an application, the office must notify the applicant of the denial  
69.15 and the basis for the denial.
- 69.16 (d) The office may request additional information from any applicant if the office  
69.17 determines that the information is necessary to review or process the application. If the  
69.18 applicant does not provide the additional requested information within 14 calendar days of  
69.19 the office's request for information, the office may deny the application.
- 69.20 (e) An applicant whose application is not denied under this subdivision is a qualified  
69.21 applicant.
- 69.22 **Subd. 4. Lottery.** (a) If the number of qualified applicants who are verified social equity  
69.23 applicants seeking a type of license exceeds the number of licenses of that type that are  
69.24 made available for social equity applicants, the office must first conduct a lottery consisting  
69.25 of verified social equity applicants to select qualified applicants for preliminary license  
69.26 approval. If a social equity applicant is not selected in a lottery conducted under this  
69.27 paragraph, the office must include the social equity applicant in the pool of applicants for  
69.28 licenses of that type that are made available to all applicants.
- 69.29 (b) If the number of qualified applicants seeking a type of license exceeds the number  
69.30 of licenses of that type that are made available to all applicants, the office must conduct a  
69.31 lottery to select applicants for preliminary license approval.

70.1 (c) A lottery conducted under this section must be impartial, random, and in a format  
70.2 determined by the office.

70.3 (d) Following the completion of any lottery conducted pursuant to paragraphs (a) or (b),  
70.4 the office must notify each applicant entered in the lottery that the applicant was either  
70.5 selected or not selected in the lottery.

70.6 **Subd. 5. Background check; preliminary license approval.** (a) Before granting  
70.7 preliminary license approval, the office may conduct a background check of qualified  
70.8 applicants consistent with section 342.15.

70.9 (b) The office must issue preliminary license approval to a qualified applicant if the  
70.10 applicant is not disqualified under section 342.15, and:

70.11 (1) there are a sufficient number of licenses of the type the applicant is seeking for all  
70.12 qualified applicants to receive preliminary license approval; or

70.13 (2) the qualified applicant is selected in the lottery conducted under subdivision 4.

70.14 (c) The office must notify an applicant of the results of any background check and  
70.15 whether the office has granted preliminary license approval. If the office does not grant  
70.16 preliminary license approval, the notice must state the specific reasons for the office's  
70.17 decision.

70.18 **Subd. 6. Completed application; final authorization; issuance of license.** (a) Within  
70.19 18 months of receiving notice of preliminary license approval, an applicant must provide:

70.20 (1) the address and legal property description of the location where the business will  
70.21 operate;

70.22 (2) the name of the local unit of government where the business will be located; and

70.23 (3) if applicable, an updated description of the location where the business will operate,  
70.24 an updated security plan, and any other additional information required by the office.

70.25 (b) Upon receipt of the information required under paragraph (a) from an applicant that  
70.26 has received preliminary license approval, the office must:

70.27 (1) forward a copy of the application to the local unit of government in which the business  
70.28 operates or intends to operate with a form for certification as to whether a proposed cannabis  
70.29 business complies with local zoning ordinances and, if applicable, whether the proposed  
70.30 business complies with the state fire code and building code;

70.31 (2) schedule a site inspection; and

71.1 (3) require the applicant to pay the applicable license fee.

71.2 (c) The office may deny final authorization if:

71.3 (1) an applicant fails to submit any required information;

71.4 (2) the applicant submits a materially false statement about the applicant or fails to  
71.5 provide any required information;

71.6 (3) the office confirms that the cannabis business for which the office granted a license  
71.7 preapproval does not meet local zoning and land use laws;

71.8 (4) the applicant fails to pay the applicable license fee; or

71.9 (5) the office determines that the applicant is disqualified from holding the license or  
71.10 would operate in violation of the provisions of this chapter.

71.11 (d) Within 90 days of receiving the information required under paragraph (a) and the  
71.12 results of any required background check, the office shall grant final authorization and issue  
71.13 the appropriate license or send the applicant a notice of rejection setting forth specific  
71.14 reasons that the office did not approve the application.

71.15 Subd. 7. Local units of government. (a) Except as provided in paragraph (d), the office  
71.16 must issue a license to a city or county seeking to establish, own, or operate a single  
71.17 municipal cannabis store authorized under section 342.32, subdivision 5, if the city or  
71.18 county:

71.19 (1) submits all information required by the office;

71.20 (2) meets the minimum requirements under section 342.18, subdivision 3; and

71.21 (3) pays the applicable application and license fee.

71.22 (b) A license issued to a city or county must not be counted against the maximum number  
71.23 of licenses made available in a licensing period.

71.24 (c) A municipal cannabis store established, owned, or operated by a city or county must  
71.25 not be included in any limitation on the number of licensed cannabis retailers, cannabis  
71.26 mezzobusinesses with a retail operations endorsement, or cannabis microbusinesses with a  
71.27 retail operations endorsement that a local unit of government imposes or adopts pursuant  
71.28 to section 342.13, paragraph (i) or (j).

71.29 (d) The office may refuse to issue a license to a city or county if the office determines  
71.30 that the issuance of the license would be inconsistent with the goals in subdivision 1a.

72.1 (e) Nothing in this subdivision prohibits a city or county from applying for a cannabis  
72.2 retail license subject to the requirements and procedure applicable to all other applicants.

72.3 Subd. 8. **Reconsideration.** If the office denies an application or denies final authorization  
72.4 and does not issue a license after granting preliminary license approval, the applicant may  
72.5 seek reconsideration from the office. A decision by the office on a request for reconsideration  
72.6 is final.

72.7 Subd. 9. **Retention.** (a) If the office holds a lottery as provided in subdivision 4, the  
72.8 office must retain the applications of any applicant not selected in the lottery for one year.  
72.9 The office must consider a retained application during any licensing periods that begin  
72.10 within the year and, except as otherwise provided in this subdivision, the office must treat  
72.11 a retained application as if the application were submitted during the licensing period.

72.12 (b) At the beginning of a subsequent licensing period, the applicant may amend an  
72.13 application or provide additional information to the office. The office may request additional  
72.14 information from any applicant whose application is retained to determine if the applicant  
72.15 meets the requirements for a subsequent licensing period. If the applicant does not provide  
72.16 the requested information to the office within 14 calendar days of the office's request, the  
72.17 office may deny the application.

72.18 (c) The office must not charge an additional application fee to an applicant whose  
72.19 application was retained by the office.

72.20 (d) An applicant may withdraw a retained application at any time. If the applicant  
72.21 withdraws a retained application, the applicant may submit a new application during a  
72.22 licensing period. An applicant who submits a new application must pay the applicable  
72.23 application fee.

72.24 (e) The office may disqualify an application from retention if the office could deny the  
72.25 application under subdivision 3, paragraph (a).

72.26 Subd. 10. **Revocation or expiration of preliminary approval.** (a) A preliminary license  
72.27 approval expires after 18 months unless the office revokes the preliminary license approval  
72.28 or grants an extension. The office may grant a onetime extension of up to six months if an  
72.29 applicant has made good faith efforts to convert a preliminary license approval into a license.  
72.30 The office must not issue a license to an applicant whose preliminary license approval has  
72.31 expired.

72.32 (b) If the office determines that an applicant is not eligible for a license, the office may  
72.33 revoke a preliminary license approval.



73.1 (c) The office must notify an applicant if the office revokes the applicant's preliminary  
 73.2 license approval or if the applicant's preliminary license approval expires.

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

73.4 Sec. 66. Minnesota Statutes 2023 Supplement, section 342.15, subdivision 1, is amended  
 73.5 to read:

73.6 Subdivision 1. **Criminal history check.** (a) Upon request by the office, every license  
 73.7 applicant, license holder, or, in the case of a business entity, every individual responsible  
 73.8 for conducting the affairs of the entity, including but not limited to every owner and every  
 73.9 cooperative member or director, manager, and general partner of the business entity, for a  
 73.10 cannabis business license, ~~or in the case of a business entity, every cooperative member or~~  
 73.11 ~~director, manager, and general partner of the business entity, and prospective cannabis~~  
 73.12 ~~worker~~ must submit a completed criminal history records check consent form, a full set of  
 73.13 classifiable fingerprints, and the required fees to the office. Upon receipt of this information,  
 73.14 the office must submit the completed criminal history records check consent form, full set  
 73.15 of classifiable fingerprints, and required fees to the Bureau of Criminal Apprehension.

73.16 (b) After receiving this information, the bureau must conduct a Minnesota state criminal  
 73.17 history records check of the license applicant or prospective cannabis worker an individual  
 73.18 identified in paragraph (a). The bureau may exchange a license applicant's or prospective  
 73.19 ~~cannabis worker's~~ an individual's fingerprints with the Federal Bureau of Investigation to  
 73.20 obtain the ~~license applicant's or prospective cannabis worker's~~ national criminal history  
 73.21 record information of the individual. The bureau must return the results of the Minnesota  
 73.22 state and federal criminal history records checks to the office to determine if the license  
 73.23 ~~applicant or prospective cannabis worker~~ individual is disqualified under rules adopted  
 73.24 pursuant to this section.

73.25 ~~(b)~~ (c) The office may, by rule, establish exceptions to the requirement under ~~paragraph~~  
 73.26 paragraphs (a) and (b) for members of a cooperative who hold less than a five percent  
 73.27 ownership interest in the cooperative.

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

73.29 Sec. 67. Minnesota Statutes 2023 Supplement, section 342.15, subdivision 2, is amended  
 73.30 to read:

73.31 Subd. 2. **Criminal offenses; disqualifications.** (a) The office may by rule determine  
 73.32 whether any felony convictions ~~shall~~, including but not limited to convictions for noncannabis

74.1 controlled substance crimes in the first or second degree, human trafficking, labor trafficking,  
74.2 fraud, or financial crimes, disqualify a person an individual from holding or receiving a  
74.3 cannabis business license issued under this chapter or working for a cannabis business, and  
74.4 the length of any such disqualification. In adopting rules pursuant to this subdivision, the  
74.5 office shall not disqualify a person an individual for a violation of section 152.025.

74.6 (b) The office must not issue a cannabis business license to any person or business who  
74.7 was convicted of illegally selling cannabis after August 1, 2023, unless five years have  
74.8 passed since the date of conviction.

74.9 (c) The office must not issue a cannabis business license to any person or business who  
74.10 violated this chapter after August 1, 2023, unless five years have passed since the date of  
74.11 violation. The office may set aside the violation if the office finds that the violation occurred  
74.12 as a result of a mistake made in good faith and the violation did not involve gross negligence,  
74.13 an illegal sale of cannabis, or cause harm to the public. The office must not issue a license  
74.14 to any person or business who the office has assessed a fine to under section 342.09,  
74.15 subdivision 6.

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

74.17 Sec. 68. Minnesota Statutes 2023 Supplement, section 342.15, is amended by adding a  
74.18 subdivision to read:

74.19 **Subd. 5. Civil and regulatory offenses; disqualifications.** The office may determine  
74.20 whether any civil or regulatory violations, as determined by another state agency, local unit  
74.21 of government, or any other jurisdiction, disqualify an individual from holding or receiving  
74.22 a cannabis business license issued under this chapter or disqualify an individual from working  
74.23 for a cannabis business, and the length of the disqualification. Upon the office's request, a  
74.24 state agency, as defined in section 13.02, subdivision 17, except for the Department of  
74.25 Revenue, may release civil investigative data, including data classified as protected nonpublic  
74.26 or confidential under section 13.39, subdivision 2, if the request is related to a specific  
74.27 applicant and the data is necessary to make a determination under this section.

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

74.29 Sec. 69. **[342.151] EMPLOYEES OF LICENSE HOLDERS.**

74.30 **Subdivision 1. Definitions.** For purposes of this section, a "license holder" includes a  
74.31 cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer,  
74.32 cannabis retailer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis

75.1 event organizer, cannabis delivery service, lower-potency hemp edible manufacturer,  
75.2 lower-potency hemp edible retailer, or medical cannabis combination business.

75.3 Subd. 2. **Criminal history check.** A license holder may employ or contract with as  
75.4 many unlicensed individuals as may be necessary, provided that the license holder is at all  
75.5 times accountable for the good conduct of every individual employed by or contracted with  
75.6 the license holder. Before hiring an individual as a cannabis worker, the license holder must  
75.7 submit to the Bureau of Criminal Apprehension the individual's full set of fingerprints and  
75.8 written consent for the bureau to conduct a state and national criminal history check. The  
75.9 bureau may exchange an individual's fingerprints with the Federal Bureau of Investigation.  
75.10 The Bureau of Criminal Apprehension must determine whether the individual is qualified  
75.11 to be employed as a cannabis worker and must notify the license holder of the bureau's  
75.12 determination. The license holder must not employ an individual who is disqualified from  
75.13 being employed as a cannabis worker.

75.14 Subd. 3. **Disqualification.** (a) A license holder must not employ an individual as a  
75.15 cannabis worker if the individual has been convicted of any of the following crimes that  
75.16 would constitute a felony:

75.17 (1) human trafficking;

75.18 (2) noncannabis controlled substance crimes in the first or second degree;

75.19 (3) labor trafficking;

75.20 (4) fraud;

75.21 (5) embezzlement;

75.22 (6) extortion;

75.23 (7) money laundering; or

75.24 (8) insider trading;

75.25 if committed in this state or any other jurisdiction for which a full pardon or similar relief  
75.26 has not been granted.

75.27 (b) A license holder must not employ an individual as a cannabis worker if the individual  
75.28 made any false statement in an application for employment.

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

76.1 Sec. 70. Minnesota Statutes 2023 Supplement, section 342.16, is amended to read:

76.2 **342.16 CANNABIS BUSINESSES; GENERAL OWNERSHIP**

76.3 **DISQUALIFICATIONS AND REQUIREMENTS.**

76.4 (a) A license holder or applicant must meet each of the following requirements, if  
76.5 applicable, to hold or receive a cannabis license issued under this chapter:

76.6 (1) be at least 21 years of age;

76.7 (2) have completed an application for licensure or application for renewal;

76.8 (3) have paid the applicable application fee and license fee;

76.9 (4) if the applicant or license holder is a business entity, be incorporated in the state or  
76.10 otherwise formed or organized under the laws of the state;

76.11 (5) not be employed by the office or any state agency with regulatory authority under  
76.12 this chapter or the rules adopted pursuant to this chapter;

76.13 (6) not be a licensed peace officer, as defined in section 626.84, subdivision 1, paragraph  
76.14 (c);

76.15 (7) never have had a license previously issued under this chapter revoked, and never  
76.16 have had a cannabis license, a registration, an agreement, or another authorization to operate  
76.17 a cannabis business issued under the laws of another state revoked;

76.18 (8) have filed any previously required tax returns for a cannabis business;

76.19 (9) have paid and remitted any business taxes, gross receipts taxes, interest, or penalties  
76.20 due relating to the operation of a cannabis business;

76.21 (10) have fully and truthfully complied with all information requests of the office relating  
76.22 to license application and renewal;

76.23 (11) not be disqualified under section 342.15;

76.24 (12) not employ an individual who is disqualified from working for a cannabis business  
76.25 under this chapter; ~~and~~

76.26 (13) meet the ownership and operational requirements for the type of license and, if  
76.27 applicable, endorsement sought or held; and

76.28 (14) not have had any confirmed labor violation with the Department of Labor, National  
76.29 Labor Relations Board, or the Occupational Safety and Health Administration within the  
76.30 last five years.

77.1 (b) A health care practitioner who certifies qualifying medical conditions for patients is  
77.2 prohibited from:

77.3 (1) holding a direct or indirect economic interest in a cannabis business;

77.4 (2) serving as a cooperative member, director, manager, general partner, or employee  
77.5 of a cannabis business; or

77.6 (3) advertising with a cannabis business in any way.

77.7 (c) If the license holder or applicant is a business entity, every officer, director, manager,  
77.8 and general partner of the business entity must meet each of the requirements of this section.

77.9 (d) The ownership disqualifications and requirements under this section do not apply to  
77.10 a hemp business license holder or applicant.

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

77.12 Sec. 71. Minnesota Statutes 2023 Supplement, section 342.17, is amended to read:

77.13 **342.17 SOCIAL EQUITY APPLICANTS.**

77.14 (a) An applicant qualifies as a social equity applicant if the applicant:

77.15 (1) was convicted of an offense involving the possession or sale of cannabis or marijuana  
77.16 prior to May 1, 2023;

77.17 (2) had a parent, guardian, child, spouse, or dependent who was convicted of an offense  
77.18 involving the possession or sale of cannabis or marijuana prior to May 1, 2023;

77.19 (3) was a dependent of an individual who was convicted of an offense involving the  
77.20 possession or sale of cannabis or marijuana prior to May 1, 2023;

77.21 (4) is a military veteran, including a service-disabled veteran, current or former member  
77.22 of the national guard,~~or any;~~

77.23 (5) is a military veteran or current or former member of the national guard who lost  
77.24 honorable status due to an offense involving the possession or sale of cannabis or marijuana;

77.25 ~~(5) (6)~~ (6) has been a resident for the last five years of one or more subareas, such as census  
77.26 tracts or neighborhoods;

77.27 (i) that experienced a disproportionately large amount of cannabis enforcement as  
77.28 determined by the study conducted by the office pursuant to section 342.04, paragraph (b),  
77.29 and reported in the preliminary report, final report, or both or another report based on federal  
77.30 or state data on arrests or convictions;

78.1 (ii) where the poverty rate was 20 percent or more;

78.2 (iii) where the median family income did not exceed 80 percent of the statewide median  
78.3 family income or, if in a metropolitan area, did not exceed the greater of 80 percent of the  
78.4 statewide median family income or 80 percent of the median family income for that  
78.5 metropolitan area;

78.6 (iv) where at least 20 percent of the households receive assistance through the  
78.7 Supplemental Nutrition Assistance Program; or

78.8 (v) where the population has a high level of vulnerability according to the Centers for  
78.9 Disease Control and Prevention and Agency for Toxic Substances and Disease Registry  
78.10 (CDC/ATSDR) Social Vulnerability Index; or

78.11 ~~(6) is an emerging farmer as defined in section 17.055, subdivision 1; or~~

78.12 (7) has participated in the business operation of a farm for at least three years and  
78.13 currently provides the majority of the day-to-day physical labor and management of a farm  
78.14 that had gross farm sales of at least \$5,000 but not more than \$100,000 in the previous year.

78.15 ~~(7) has been a resident for the last five years of one or more census tracts where, as~~  
78.16 ~~reported in the most recently completed decennial census published by the United States~~  
78.17 ~~Bureau of the Census, either:~~

78.18 ~~(i) the poverty rate was 20 percent or more; or~~

78.19 ~~(ii) the median family income did not exceed 80 percent of statewide median family~~  
78.20 ~~income or, if in a metropolitan area, did not exceed the greater of 80 percent of the statewide~~  
78.21 ~~median family income or 80 percent of the median family income for that metropolitan~~  
78.22 ~~area.~~

78.23 (b) The qualifications described in paragraph (a) apply to each individual applicant or,  
78.24 in the case of a business entity, ~~every cooperative member or director, manager, and general~~  
78.25 ~~partner~~ apply to at least 65 percent of the controlling ownership of the business entity.

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

78.27 Sec. 72. **[342.175] SOCIAL EQUITY LICENSE CLASSIFICATION.**

78.28 (a) The office must classify licenses listed in section 342.10, clauses (1) to (10) and (13)  
78.29 as:

78.30 (1) available to social equity applicants who meet the requirements of section 342.17;  
78.31 and

79.1 (2) available to all applicants.

79.2 (b) The office must classify any license issued to a social equity applicant as a social  
79.3 equity license.

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

79.5 Sec. 73. Minnesota Statutes 2023 Supplement, section 342.18, subdivision 2, is amended  
79.6 to read:

79.7 Subd. 2. **Vertical integration prohibited; exceptions.** (a) Except as otherwise provided  
79.8 in this subdivision, the office shall not issue licenses to a single applicant that would result  
79.9 in the applicant being vertically integrated in violation of the provisions of this chapter.

79.10 (b) Nothing in this section prohibits or limits the issuance of microbusiness licenses ~~or~~,  
79.11 mezzobusiness licenses, or medical cannabis combination business licenses, or the issuance  
79.12 of both lower-potency hemp edible manufacturer and lower-potency hemp edible retailer  
79.13 licenses to the same person or entity.

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

79.15 Sec. 74. Minnesota Statutes 2023 Supplement, section 342.18, subdivision 3, is amended  
79.16 to read:

79.17 Subd. 3. **Application score; license priority review.** (a) The office shall ~~award points~~  
79.18 ~~to~~ review each completed application for a license to operate a cannabis business in the  
79.19 following categories:

79.20 ~~(1) status as a social equity applicant or as an applicant who is substantially similar to~~  
79.21 ~~a social equity applicant as described in paragraph (c);~~

79.22 ~~(2) status as a veteran or retired national guard applicant who does not meet the definition~~  
79.23 ~~of social equity applicant;~~

79.24 ~~(3)~~ (1) security and record keeping;

79.25 ~~(4)~~ (2) employee training plan;

79.26 ~~(5)~~ (3) business plan and financial situation;

79.27 ~~(6)~~ (4) labor and employment practices;

79.28 ~~(7)~~ (5) knowledge and experience; and

79.29 ~~(8)~~ (6) environmental plan.

80.1 ~~(b) The office may award additional points to an application if the license holder would~~  
80.2 ~~expand service to an underrepresented market, including but not limited to participation in~~  
80.3 ~~the medical cannabis program.~~

80.4 ~~(c) The office shall establish application materials permitting individual applicants to~~  
80.5 ~~demonstrate the impact that cannabis prohibition has had on that applicant, including but~~  
80.6 ~~not limited to the arrest or imprisonment of the applicant or a member of the applicant's~~  
80.7 ~~immediate family, and the office may award points to such applicants in the same manner~~  
80.8 ~~as points are awarded to social equity applicants.~~

80.9 ~~(d) (b) The office shall establish policies and guidelines, which the office must be made~~  
80.10 ~~make available to the public, regarding the number of points available minimum~~  
80.11 ~~qualifications in each category and the basis for awarding those points. Status as a social~~  
80.12 ~~equity applicant must account for at least 20 percent of the total available points. In~~  
80.13 ~~determining the number of points to award to a cooperative or business applying as a social~~  
80.14 ~~equity applicant, the office shall consider the number or ownership percentage of cooperative~~  
80.15 ~~members, officers, directors, managers, and general partners who qualify as social equity~~  
80.16 ~~applicants criteria that the office uses to determine whether an applicant meets the minimum~~  
80.17 ~~qualifications in each category.~~

80.18 ~~(e) Consistent with the goals identified in subdivision 1, the office shall issue licenses~~  
80.19 ~~in each license category, giving priority to applicants who receive the highest score under~~  
80.20 ~~paragraphs (a) and (b). If there are insufficient licenses available for entities that receive~~  
80.21 ~~identical scores, the office shall utilize a lottery to randomly select license recipients from~~  
80.22 ~~among those entities.~~

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

80.24 Sec. 75. Minnesota Statutes 2023 Supplement, section 342.18, is amended by adding a  
80.25 subdivision to read:

80.26 **Subd. 5. Conversion to hemp business license.** (a) After the office adopts initial rules  
80.27 pursuant to section 342.02, subdivision 5, the office may permit a person selling edible  
80.28 cannabinoid products who has registered pursuant to section 151.72, subdivision 5b, to  
80.29 convert the registration to a comparable hemp business license if:

80.30 (1) the registration was active before the office adopted initial rules;

80.31 (2) the person submits documentation to the office sufficient to meet the minimum  
80.32 requirements in section 342.44;



81.1 (3) the person pays the applicable application and licensing fee as required by section  
81.2 342.11; and

81.3 (4) the person is in good standing with the state.

81.4 (b) A person selling edible cannabinoid products who has registered pursuant to section  
81.5 151.72, subdivision 5b, and remains in good standing with the state may continue operations  
81.6 under an active registration for the longer of:

81.7 (1) 30 days after the date that the office begins accepting applications for hemp business  
81.8 licenses; or

81.9 (2) if the person submits an application for a hemp business license, until the office  
81.10 makes a determination regarding the registrant's application.

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

81.12 Sec. 76. **[342.185] TRUE PARTY OF INTEREST.**

81.13 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the  
81.14 meanings given.

81.15 (b) "Control" means the power to independently order or direct the management,  
81.16 managers, or policies of a cannabis business.

81.17 (c) "Financial institution" means any bank, mutual savings bank, consumer loan company,  
81.18 credit union, savings and loan association, trust company, or other lending institution under  
81.19 the jurisdiction of the Minnesota Department of Commerce, the United States Department  
81.20 of Commerce, or both.

81.21 (d) "Financier" means any person that:

81.22 (1) is not a financial institution or government entity;

81.23 (2) provides money as a gift, grant, or loan to an applicant for a cannabis business license,  
81.24 a cannabis business, or both; and

81.25 (3) expects to be repaid for the money provided, with or without reasonable interest.

81.26 (e) "Gross profit" means sales minus the cost of goods sold.

81.27 (f) "Revenue" means the income generated from the sale of goods and services associated  
81.28 with the main operations of a business before any costs or expenses have been deducted.

81.29 (g) "True party of interest" means an individual who as an individual or as part of another  
81.30 business:

- 82.1 (1) is a sole proprietor of a sole proprietorship;
- 82.2 (2) is a partner in a general partnership;
- 82.3 (3) is a general partner or limited partner in a limited partnership, a limited liability  
82.4 partnership, or a limited liability limited partnership;
- 82.5 (4) is a member of a limited liability company or a manager in a limited liability company;
- 82.6 (5) is a corporate officer or director or holds an equivalent title in a privately held  
82.7 corporation;
- 82.8 (6) is a stockholder in a privately held corporation;
- 82.9 (7) is part of a multilevel ownership structure;
- 82.10 (8) has membership rights to a nonprofit corporation in accordance with the provisions  
82.11 of the articles of incorporation or bylaws for the nonprofit corporation;
- 82.12 (9) has the right to receive some or all of the revenue, gross profit, or net profit from a  
82.13 cannabis business during any full or partial calendar or fiscal year; or
- 82.14 (10) has the right to exercise control over a cannabis business.
- 82.15 True party of interest does not include:
- 82.16 (1) an individual receiving payment for rent on a fixed basis under a lease or rental  
82.17 agreement;
- 82.18 (2) an employee of a cannabis business who receives a salary or hourly rate compensation  
82.19 if the employee does not otherwise hold an ownership interest in the cannabis business or  
82.20 have the right to exercise control over the cannabis business;
- 82.21 (3) an individual who receives a bonus or commission based on the individual's sales,  
82.22 if the bonus or commission does not exceed ten percent of the individual's sales in any given  
82.23 bonus or commission period and the terms of the bonus or commission-based compensation  
82.24 agreement is in writing;
- 82.25 (4) an individual with an ownership interest held or acquired solely for the purpose of  
82.26 passive investment as described in Code of Federal Regulations, title 31, section 800.243;
- 82.27 (5) an individual contracting with a cannabis business to receive a commission for the  
82.28 sale of a business or real property;
- 82.29 (6) a consultant receiving a flat or hourly rate compensation under a written contractual  
82.30 agreement;

83.1 (7) any person with a contract or an agreement for services with a cannabis business,  
83.2 such as a branding or staffing company, as long as that person does not obtain any ownership  
83.3 or control of the cannabis business; or

83.4 (8) a financial institution.

83.5 Subd. 2. **Application number limitations.** An individual may not be a true party of  
83.6 interest for more than one application for (1) any single type of license, or (2) multiple types  
83.7 of licenses if the individual would be prohibited from holding the licenses under section  
83.8 342.18, subdivision 2. The limitation does not apply to an individual who holds no more  
83.9 than ten percent ownership of the business entity.

83.10 Subd. 3. **License number limitations.** An individual may not be a true party of interest  
83.11 for more than one license unless explicitly allowed by this chapter. The limitation does not  
83.12 apply to an individual who holds ten percent or less controlling ownership of the business  
83.13 entity.

83.14 Subd. 4. **Notification.** Except as otherwise provided in this subdivision, a cannabis  
83.15 business has a continuing duty to disclose the source of all money that will be invested in  
83.16 the cannabis business, including but not limited to all money obtained from financiers,  
83.17 before investing the money in the cannabis business. The notice requirement under this  
83.18 section does not apply to:

83.19 (1) revenues of a licensed cannabis business that are reinvested in the business; and

83.20 (2) proceeds of a revolving loan unless the source of the money has changed or the  
83.21 approved loan amount has increased.

83.22 Subd. 5. **Disclosure agreements and intellectual property.** A cannabis business must  
83.23 not enter into an intellectual property agreement with another cannabis business if a single  
83.24 entity could not hold licenses for both types of cannabis business.

83.25 Subd. 6. **Financiers.** A financier may not receive an ownership interest, control of a  
83.26 business, a share of revenue, gross profits or net profits, a profit sharing interest, or a  
83.27 percentage of the profits in exchange for a loan or gift of money, unless the financier, if  
83.28 directly involved in the loaning of money, has been disclosed to the office as a true party  
83.29 of interest.

83.30 Subd. 7. **Disclosure requirements.** An applicant for a cannabis business license and  
83.31 cannabis business license holders must disclose all true parties of interest. Applicants and  
83.32 license holders have a continuing duty to notify the office of any change in true parties of  
83.33 interest in the form and manner specified by the office.

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

84.2 Sec. 77. Minnesota Statutes 2023 Supplement, section 342.19, is amended by adding a  
84.3 subdivision to read:

84.4 Subd. 6. **Inspection of unlicensed businesses and facilities.** (a) The office may inspect  
84.5 any commercial premises that is not licensed under this chapter where cultivation,  
84.6 manufacturing, processing, or sale of cannabis plants, cannabis flower, cannabis concentrate,  
84.7 artificially derived cannabinoids, hemp-derived consumer products, or edible cannabinoid  
84.8 products is taking place.

84.9 (b) A representative of the office performing an inspection under this subdivision must  
84.10 present appropriate credentials to the owner, operator, or agent in charge and clearly state  
84.11 the purpose of the inspection.

84.12 (c) After providing the notice required under paragraph (b), a representative of the office  
84.13 may enter the commercial premises and perform any of the following to determine if any  
84.14 person is engaging in activities that are regulated by this chapter and not authorized without  
84.15 the possession of a license and to determine the appropriate penalty under section 342.09,  
84.16 subdivision 6:

84.17 (1) inspect and investigate the commercial premises;

84.18 (2) inspect and copy records; and

84.19 (3) question privately any employer, owner, operator, agent, or employee of the  
84.20 commercial operation.

84.21 (d) Entry of a commercial premises must take place during regular working hours or at  
84.22 other reasonable times.

84.23 (e) If the office finds any cannabis plant, cannabis flower, cannabis product, artificially  
84.24 derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product on  
84.25 the inspected commercial premises, the office may either immediately seize the item or  
84.26 affix to the item a tag, withdrawal from distribution order, or other appropriate marking  
84.27 providing notice that the cannabis plant, cannabis flower, cannabis product, artificially  
84.28 derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product is, or  
84.29 is suspected of being, possessed or distributed in violation of this chapter, and has been  
84.30 detained or embargoed, and warning all persons not to remove or dispose of the item by  
84.31 sale or otherwise until permission for removal or disposal is given by the office or the court.  
84.32 It is unlawful for a person to remove or dispose of a detained or embargoed cannabis plant,  
84.33 cannabis flower, cannabis product, artificially derived cannabinoid, lower-potency hemp

85.1 edible, or hemp-derived consumer product by sale or otherwise without the office's or a  
85.2 court's permission and each transaction may be treated as a sale for the purposes of imposing  
85.3 a penalty pursuant to section 342.09, subdivision 6.

85.4 (f) If the office has seized, detained, or embargoed any item pursuant to paragraph (e),  
85.5 the office must:

85.6 (1) petition the district court in the county in which the item was found for an order  
85.7 authorizing destruction of the product; and

85.8 (2) notify the county attorney in the county where the item was found of the office's  
85.9 actions.

85.10 (g) If the court finds that the seized, detained, or embargoed cannabis plant, cannabis  
85.11 flower, cannabis product, artificially derived cannabinoid, lower-potency hemp edible, or  
85.12 hemp-derived consumer product was possessed or distributed in violation of this chapter  
85.13 or rules adopted under this chapter, the office may destroy the cannabis plant, cannabis  
85.14 flower, cannabis product, artificially derived cannabinoid, lower-potency hemp edible, or  
85.15 hemp-derived consumer product at the expense of the person who possessed or distributed  
85.16 the item in violation of this chapter and all court costs, fees, storage, and other proper  
85.17 expenses must be assessed against the person or the person's agent.

85.18 (h) The provisions of subdivision 2, paragraph (f) apply to any analysis or examination  
85.19 performed under this subdivision.

85.20 (i) The authorization under paragraph (e) does not apply to any cannabis flower, cannabis  
85.21 product, lower-potency hemp edible, or hemp-derived consumer product lawfully purchased  
85.22 for personal use.

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

85.24 Sec. 78. Minnesota Statutes 2023 Supplement, section 342.22, is amended to read:

85.25 **342.22 RETAILERS; LOCAL REGISTRATION AND ENFORCEMENT.**

85.26 Subdivision 1. **Registration required.** Before making retail sales to customers or patients,  
85.27 a cannabis microbusiness ~~with a retail operations endorsement~~, cannabis mezzobusiness  
85.28 ~~with a retail operations endorsement~~, cannabis retailer, ~~medical cannabis retailer~~, medical  
85.29 cannabis combination business, or lower-potency hemp edible retailer must register with  
85.30 the city, town, or county in which the retail establishment is located. A county may issue a  
85.31 registration in cases where a city or town has provided consent for the county to issue the  
85.32 registration for the jurisdiction.

86.1 Subd. 2. **Registration fee.** (a) A local unit of government may impose an initial retail  
86.2 registration fee of \$500 or up to half the amount of the applicable initial license fee under  
86.3 section 342.11, whichever is less. The local unit of government may also impose a renewal  
86.4 retail registration fee of \$1,000 or up to half the amount of the applicable renewal license  
86.5 fee under section 342.11, whichever is less. The initial registration fee shall include the fee  
86.6 for initial registration and the first annual renewal. Any renewal fee imposed by the local  
86.7 unit of government shall be charged at the time of the second renewal and each subsequent  
86.8 annual renewal thereafter.

86.9 (b) The local unit of government may not charge an application fee.

86.10 ~~(e) A cannabis business with a cannabis retailer license and a medical cannabis retailer~~  
86.11 ~~license for the same location may only be charged a single registration fee.~~

86.12 ~~(d)~~ (c) Registration fees are nonrefundable.

86.13 Subd. 3. **Issuance of registration.** (a) A local unit of government shall issue a retail  
86.14 registration to a cannabis microbusiness with a retail operations endorsement, cannabis  
86.15 mezzobusiness with a retail operations endorsement, cannabis retailer, medical cannabis  
86.16 ~~retailer~~ combination business operating a retail location, or lower-potency hemp edible  
86.17 retailer that:

86.18 (1) has a valid license or license preapproval issued by the office;

86.19 (2) has paid the registration fee or renewal fee pursuant to subdivision 2;

86.20 (3) is found to be in compliance with the requirements of this chapter at any preliminary  
86.21 compliance check that the local unit of government performs; and

86.22 (4) if applicable, is current on all property taxes and assessments at the location where  
86.23 the retail establishment is located.

86.24 (b) Before issuing a retail registration, the local unit of government may conduct a  
86.25 preliminary compliance check to ensure that the cannabis business or hemp business is in  
86.26 compliance with the any applicable ~~operation requirements and the limits on the types of~~  
86.27 ~~cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer~~  
86.28 ~~products that may be sold~~ local ordinance established pursuant to section 342.13.

86.29 (c) A local unit of government shall renew the retail registration of a cannabis business  
86.30 or hemp business when the office renews the license of the cannabis business or hemp  
86.31 business.

86.32 (d) A retail registration issued under this section may not be transferred.

87.1 Subd. 4. **Compliance checks.** (a) A local unit of government shall conduct compliance  
87.2 checks of every cannabis business and hemp business with a retail registration issued by  
87.3 the local unit of government. ~~The checks~~ During a compliance check, a local unit of  
87.4 government shall assess a business's compliance with age verification requirements, the  
87.5 and compliance with any applicable operation requirements, and the applicable limits on  
87.6 the types of cannabis flower, cannabis products, lower-potency hemp edibles, and  
87.7 hemp-derived consumer products being sold local ordinance established pursuant to section  
87.8 342.13.

87.9 (b) ~~The~~ A local unit of government must conduct unannounced age verification  
87.10 compliance checks of every cannabis business and hemp business at least once each calendar  
87.11 year. Age verification compliance checks must involve persons at least 17 years of age but  
87.12 under the age of 21 who, with the prior written consent of a parent or guardian if the person  
87.13 is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis  
87.14 products, lower-potency hemp edibles, or hemp-derived consumer products under the direct  
87.15 supervision of a law enforcement officer or an employee of the local unit of government.

87.16 ~~(c) Checks to ensure compliance with the applicable operation requirements and the~~  
87.17 ~~limits on the types of cannabis flower, cannabis products, lower-potency hemp edibles, and~~  
87.18 ~~hemp-derived consumer products that may be sold must be performed at least once each~~  
87.19 ~~calendar year and may be performed by a law enforcement officer or an employee of the~~  
87.20 ~~local unit of government.~~

87.21 Subd. 5. **Registration suspension and cancellation; notice to office; penalties.** (a) If  
87.22 a local unit of government determines that a cannabis business or hemp business with a  
87.23 retail registration issued by the local unit of government is not operating in compliance with  
87.24 the requirements of ~~this chapter~~ a local ordinance authorized under section 342.13 or that  
87.25 the operation of the business poses an immediate threat to the health or safety of the public,  
87.26 the local unit of government may suspend the retail registration of the cannabis business or  
87.27 hemp business. The local unit of government must immediately notify the office of the  
87.28 suspension and shall include a description of the grounds for the suspension.

87.29 (b) The office shall review the retail registration suspension and may order reinstatement  
87.30 of the retail registration or take any action described in section 342.19 or 342.21.

87.31 (c) The retail registration suspension must be for up to 30 days unless the office suspends  
87.32 the license and operating privilege of the cannabis business or hemp business for a longer  
87.33 period or revokes the license.

88.1 (d) The local unit of government may reinstate the retail registration if the local unit of  
88.2 government determines that any violation has been cured. The local unit of government  
88.3 must reinstate the retail registration if the office orders reinstatement.

88.4 (e) No cannabis microbusiness ~~with a retail operations endorsement~~, cannabis  
88.5 mezzobusiness ~~with a retail operations endorsement~~, cannabis retailer, ~~medical cannabis~~  
88.6 ~~retailer~~, medical cannabis combination business, or lower-potency hemp edible retailer may  
88.7 make any sale to a customer or patient without a valid retail registration with a local unit  
88.8 of government and a valid license with any applicable endorsement from the office. A local  
88.9 unit of government may impose a civil penalty of up to \$2,000 for each violation of this  
88.10 paragraph.

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

88.12 Sec. 79. Minnesota Statutes 2023 Supplement, section 342.24, subdivision 1, is amended  
88.13 to read:

88.14 Subdivision 1. **Individuals under 21 years of age.** (a) A cannabis business may not  
88.15 employ an individual under 21 years of age and may not contract with an individual under  
88.16 21 years of age if the individual's scope of work involves the handling of cannabis plants,  
88.17 cannabis flower, artificially derived cannabinoids, or cannabinoid products.

88.18 (b) A cannabis business may not permit an individual under 21 years of age to enter the  
88.19 business premises other than entry by a ~~patient~~ person enrolled in the registry program.

88.20 (c) A cannabis business may not sell or give cannabis flower, cannabis products,  
88.21 lower-potency hemp edibles, or hemp-derived consumer products to an individual under  
88.22 21 years of age unless the individual is a ~~patient; registered designated caregiver; or a parent,~~  
88.23 ~~legal guardian, or spouse of a patient who is authorized to use, possess, or transport medical~~  
88.24 ~~cannabis flower or medical cannabinoid products~~ enrolled in the registry program and the  
88.25 cannabis business holds a medical cannabis retail endorsement.

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

88.27 Sec. 80. Minnesota Statutes 2023 Supplement, section 342.24, subdivision 2, is amended  
88.28 to read:

88.29 Subd. 2. **Use of cannabis flower and products within a licensed cannabis business.** (a)  
88.30 A cannabis business may not permit an individual who is not an employee to consume  
88.31 cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer



89.1 products within its licensed premises unless the business is licensed to permit on-site  
89.2 consumption.

89.3 (b) Except as otherwise provided in this subdivision, a cannabis business may not permit  
89.4 an employee to consume cannabis flower, cannabis products, lower-potency hemp edibles,  
89.5 or hemp-derived consumer products within its licensed premises or while the employee is  
89.6 otherwise engaged in activities within the course and scope of employment.

89.7 (c) A cannabis business may permit an employee to use medical cannabis flower and  
89.8 medical cannabinoid products if that individual is a patient enrolled in the registry program.

89.9 (d) For quality control, employees of a licensed cannabis business may sample cannabis  
89.10 flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products.  
89.11 Employees may not interact directly with customers for at least three hours after sampling  
89.12 a product. Employees may not consume more than three samples in a single 24-hour period.  
89.13 All samples must be recorded in the statewide monitoring system.

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

89.15 Sec. 81. Minnesota Statutes 2023 Supplement, section 342.28, is amended by adding a  
89.16 subdivision to read:

89.17 Subd. 1a. **Cannabis research.** An institution of higher education, any department or  
89.18 program of an institution of higher education that is regionally or nationally accredited, and  
89.19 any entity working in partnership with an institution of higher education may apply for a  
89.20 cannabis microbusiness license to conduct cannabis crop research. A cannabis researcher  
89.21 with a cannabis microbusiness license may perform activities identified in subdivision 1,  
89.22 clauses (1) to (9) and (13). Cannabis plants and cannabis flower grown for research purposes  
89.23 must not be offered for sale or otherwise enter the stream of commerce. As used in this  
89.24 subdivision, "institution of higher education" has the meaning given in sections 135A.51,  
89.25 subdivision 5, and 136A.28, subdivision 6.

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

89.27 Sec. 82. Minnesota Statutes 2023 Supplement, section 342.28, subdivision 2, is amended  
89.28 to read:

89.29 Subd. 2. **Size limitations.** (a) A cannabis microbusiness that cultivates cannabis at an  
89.30 indoor facility may cultivate up to 5,000 square feet of plant canopy. The office may adjust  
89.31 plant canopy limits for licensed businesses upward to meet market demand consistent with  
89.32 the goals identified in section 342.02, subdivision 1. In each licensing period, the office

90.1 may adjust plant canopy limits upward or downward for licenses that will be issued in that  
90.2 period to meet market demand consistent with the goals identified in section 342.02,  
90.3 subdivision 1, except that the office must not impose a limit of less than 5,000 square feet  
90.4 of plant canopy.

90.5 (b) A cannabis microbusiness that cultivates cannabis at an outdoor location may cultivate  
90.6 up to one-half acre of mature, flowering plants ~~unless the office increases that limit.~~ The  
90.7 office may increase the limit ~~to no more than one acre if the office determines that expansion~~  
90.8 ~~is for licensed businesses to meet market demand~~ consistent with the goals identified in  
90.9 section 342.02, subdivision 1. In each licensing period, the office may adjust the limit  
90.10 upward or downward for licenses that will be issued in that period to meet market demand  
90.11 consistent with the goals identified in section 342.02, subdivision 1, except that the office  
90.12 must not impose a limit of less than one-half acre of mature, flowering plants.

90.13 (c) The office shall establish a limit on the manufacturing of cannabis products,  
90.14 lower-potency hemp edibles, or hemp-derived consumer products a cannabis microbusiness  
90.15 that manufactures such products may perform. The limit must be equivalent to the amount  
90.16 of cannabis flower that can be harvested from a facility with a plant canopy of 5,000 square  
90.17 feet in a year, but may be increased if the office expands the allowable area of cultivation  
90.18 under paragraph (a).

90.19 (d) A cannabis microbusiness with the appropriate endorsement may operate one retail  
90.20 location.

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

90.22 Sec. 83. Minnesota Statutes 2023 Supplement, section 342.28, subdivision 4, is amended  
90.23 to read:

90.24 Subd. 4. **Exception.** ~~The requirement of (a)~~ An attestation signed by a bona fide labor  
90.25 organization stating that the applicant has entered into a labor peace agreement is not required  
90.26 as part of an application for a cannabis microbusiness license.

90.27 (b) When renewing a cannabis microbusiness license, a cannabis microbusiness with  
90.28 ten or more full-time equivalent employees must submit an attestation signed by a bona  
90.29 fide labor organization stating that the applicant has entered into a labor peace agreement.

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

91.1 Sec. 84. Minnesota Statutes 2023 Supplement, section 342.28, is amended by adding a  
91.2 subdivision to read:

91.3 Subd. 11. **Transportation between facilities.** A cannabis microbusiness may transport  
91.4 immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially  
91.5 derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles,  
91.6 and hemp-derived consumer products between facilities operated by the cannabis  
91.7 microbusiness if the cannabis microbusiness:

91.8 (1) provides the office with the information described in section 342.35, subdivision 2;  
91.9 and

91.10 (2) complies with the requirements of section 342.36.

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

91.12 Sec. 85. Minnesota Statutes 2023 Supplement, section 342.29, subdivision 4, is amended  
91.13 to read:

91.14 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a  
91.15 cannabis mezzobusiness license may also hold a cannabis event organizer license ~~and a~~  
91.16 ~~medical cannabis retailer license.~~

91.17 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a  
91.18 cannabis mezzobusiness license may own or operate any other cannabis business or hemp  
91.19 business or hold more than one cannabis mezzobusiness license.

91.20 (c) For purposes of this subdivision, a restriction on the number or type of license that  
91.21 a business may hold applies to every cooperative member or every director, manager, and  
91.22 general partner of a cannabis business.

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

91.24 Sec. 86. Minnesota Statutes 2023 Supplement, section 342.29, is amended by adding a  
91.25 subdivision to read:

91.26 Subd. 8a. **Multiple endorsements required.** Within 18 months of receiving a cannabis  
91.27 mezzobusiness license, a cannabis mezzobusiness must obtain at least two of the  
91.28 endorsements identified in subdivisions 5, 6, 7, and 8. If a cannabis mezzobusiness fails to  
91.29 obtain multiple endorsements within 18 months, the office may suspend, revoke, or not  
91.30 renew the license as provided in section 342.21.

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

92.1 Sec. 87. Minnesota Statutes 2023 Supplement, section 342.29, is amended by adding a  
92.2 subdivision to read:

92.3 Subd. 10. **Transportation between facilities.** A cannabis mezzobusiness may transport  
92.4 immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially  
92.5 derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles,  
92.6 and hemp-derived consumer products between facilities operated by the cannabis  
92.7 mezzobusiness if the cannabis mezzobusiness:

92.8 (1) provides the office with the information described in section 342.35, subdivision 2;  
92.9 and

92.10 (2) complies with the requirements of section 342.36.

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

92.12 Sec. 88. Minnesota Statutes 2023 Supplement, section 342.30, subdivision 4, is amended  
92.13 to read:

92.14 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a  
92.15 cannabis cultivator license may also hold a cannabis manufacturing license, ~~medical cannabis~~  
92.16 ~~cultivator license, medical cannabis producer license,~~ license to grow industrial hemp, and  
92.17 cannabis event organizer license.

92.18 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a  
92.19 cannabis cultivator license may own or operate any other cannabis business or hemp business.  
92.20 This prohibition does not prevent the transportation of cannabis flower from a cannabis  
92.21 cultivator to a cannabis manufacturer licensed to the same person, cooperative, or business  
92.22 and located on the same premises.

92.23 (c) The office by rule may limit the number of cannabis cultivator licenses a person,  
92.24 cooperative, or business may hold.

92.25 (d) For purposes of this subdivision, a restriction on the number or type of license a  
92.26 business may hold applies to every cooperative member or every director, manager, and  
92.27 general partner of a cannabis business.

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

93.1 Sec. 89. Minnesota Statutes 2023 Supplement, section 342.31, subdivision 4, is amended  
93.2 to read:

93.3 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a  
93.4 cannabis manufacturer license may also hold a cannabis cultivator license, ~~a medical cannabis~~  
93.5 ~~cultivator license, a medical cannabis processor license,~~ and a cannabis event organizer  
93.6 license.

93.7 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a  
93.8 cannabis manufacturer license may own or operate any other cannabis business or hemp  
93.9 business. This prohibition does not prevent transportation of cannabis flower from a cannabis  
93.10 cultivator to a cannabis manufacturer licensed to the same person, cooperative, or business  
93.11 and located on the same premises.

93.12 (c) The office by rule may limit the number of cannabis manufacturer licenses that a  
93.13 person or business may hold.

93.14 (d) For purposes of this subdivision, a restriction on the number or type of license that  
93.15 a business may hold applies to every cooperative member or every director, manager, and  
93.16 general partner of a cannabis business.

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

93.18 Sec. 90. Minnesota Statutes 2023 Supplement, section 342.32, subdivision 4, is amended  
93.19 to read:

93.20 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a  
93.21 cannabis retailer license may also hold a cannabis delivery service license, ~~a medical cannabis~~  
93.22 ~~retailer license,~~ and a cannabis event organizer license.

93.23 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a  
93.24 cannabis retailer license may own or operate any other cannabis business or hemp business.

93.25 (c) No person, cooperative, or business may hold a license to own or operate more than  
93.26 one cannabis retail business in one city and three retail businesses in one county.

93.27 (d) The office by rule may limit the number of cannabis retailer licenses a person,  
93.28 cooperative, or business may hold.

93.29 (e) For purposes of this subdivision, a restriction on the number or type of license a  
93.30 business may hold applies to every cooperative member or every director, manager, and  
93.31 general partner of a cannabis business.

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

94.1 Sec. 91. Minnesota Statutes 2023 Supplement, section 342.35, subdivision 1, is amended  
94.2 to read:

94.3 Subdivision 1. **Authorized actions.** A cannabis transporter license entitles the license  
94.4 holder to transport immature cannabis plants and seedlings, cannabis flower, cannabis  
94.5 products, artificially derived cannabinoids, hemp plant parts, hemp concentrate,  
94.6 lower-potency hemp edibles, and hemp-derived consumer products from cannabis  
94.7 microbusinesses, cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers,  
94.8 cannabis wholesalers, lower-potency hemp edible manufacturers, ~~medical cannabis retailers,~~  
94.9 ~~medical cannabis processors,~~ and industrial hemp growers to cannabis microbusinesses,  
94.10 cannabis mezzobusinesses, cannabis manufacturers, cannabis testing facilities, cannabis  
94.11 wholesalers, cannabis retailers, lower-potency hemp edible retailers, ~~medical cannabis~~  
94.12 ~~processors, medical cannabis retailers,~~ and medical cannabis combination businesses and  
94.13 perform other actions approved by the office.

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

94.15 Sec. 92. Minnesota Statutes 2023 Supplement, section 342.37, subdivision 1, is amended  
94.16 to read:

94.17 Subdivision 1. **Authorized actions.** A cannabis testing facility license entitles the license  
94.18 holder to obtain and test immature cannabis plants and seedlings, cannabis flower, cannabis  
94.19 products, hemp plant parts, hemp concentrate, artificially derived cannabinoids,  
94.20 lower-potency hemp edibles, and hemp-derived consumer products from cannabis  
94.21 microbusinesses, cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers,  
94.22 cannabis wholesalers, lower-potency hemp edible manufacturers, ~~medical cannabis~~  
94.23 ~~cultivators, medical cannabis processors,~~ medical cannabis combination businesses, and  
94.24 industrial hemp growers.

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

94.26 Sec. 93. Minnesota Statutes 2023 Supplement, section 342.40, subdivision 7, is amended  
94.27 to read:

94.28 Subd. 7. **Cannabis event sales.** (a) Cannabis microbusinesses with a retail endorsement,  
94.29 cannabis mezzobusinesses with a retail endorsement, cannabis retailers, medical cannabis  
94.30 combination businesses operating a retail location, and lower-potency hemp edible retailers,  
94.31 including the cannabis event organizer, may be authorized to sell cannabis plants, adult-use  
94.32 cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived  
94.33 consumer products to customers at a cannabis event.

95.1 (b) All sales of cannabis plants, adult-use cannabis flower, adult-use cannabis products,  
95.2 lower-potency hemp edibles, and hemp-derived consumer products at a cannabis event must  
95.3 take place in a retail area as designated in the premises diagram.

95.4 (c) Authorized retailers may only conduct sales within their specifically assigned area.

95.5 (d) Authorized retailers must verify the age of all customers pursuant to section 342.27,  
95.6 subdivision 4, before completing a sale and may not sell cannabis plants, adult-use cannabis  
95.7 flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer  
95.8 products to an individual under 21 years of age.

95.9 (e) Authorized retailers may display one sample of each type of cannabis plant, adult-use  
95.10 cannabis flower, adult-use cannabis product, lower-potency hemp edible, and hemp-derived  
95.11 consumer product available for sale. Samples of adult-use cannabis and adult-use cannabis  
95.12 products must be stored in a sample jar or display case and be accompanied by a label or  
95.13 notice containing the information required to be affixed to the packaging or container  
95.14 containing adult-use cannabis flower and adult-use cannabis products sold to customers. A  
95.15 sample may not consist of more than eight grams of adult-use cannabis flower or adult-use  
95.16 cannabis concentrate, or an edible cannabis product infused with more than 100 milligrams  
95.17 of tetrahydrocannabinol. A cannabis retailer may allow customers to smell the adult-use  
95.18 cannabis flower or adult-use cannabis product before purchase.

95.19 (f) The notice requirements under section 342.27, subdivision 6, apply to authorized  
95.20 retailers offering cannabis plants, adult-use cannabis flower, adult-use cannabinoid products,  
95.21 and hemp-derived consumer products for sale at a cannabis event.

95.22 (g) Authorized retailers may not:

95.23 (1) sell adult-use cannabis flower, adult-use cannabis products, lower-potency hemp  
95.24 edibles, or hemp-derived consumer products to a person who is visibly intoxicated;

95.25 (2) knowingly sell more cannabis plants, adult-use cannabis flower, adult-use cannabis  
95.26 products, lower-potency hemp edibles, or hemp-derived consumer products than a customer  
95.27 is legally permitted to possess;

95.28 (3) sell medical cannabis flower or medical cannabinoid products;

95.29 (4) give away cannabis plants, cannabis flower, cannabis products, lower-potency hemp  
95.30 edibles, or hemp-derived consumer products; or

95.31 (5) allow for the dispensing of cannabis plants, cannabis flower, cannabis products,  
95.32 lower-potency hemp edibles, or hemp-derived consumer products in vending machines.

96.1 (h) Except for samples of a cannabis plant, adult-use cannabis flower, adult-use cannabis  
96.2 product, lower-potency hemp edible, and hemp-derived consumer product, all cannabis  
96.3 plants, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles,  
96.4 and hemp-derived consumer products for sale at a cannabis event must be stored in a secure,  
96.5 locked container that is not accessible to the public. Such items being stored at a cannabis  
96.6 event shall not be left unattended.

96.7 (i) All cannabis plants, adult-use cannabis flower, adult-use cannabis products,  
96.8 lower-potency hemp edibles, and hemp-derived consumer products for sale at a cannabis  
96.9 event must comply with this chapter and rules adopted pursuant to this chapter regarding  
96.10 the testing, packaging, and labeling of those items.

96.11 (j) All cannabis plants, adult-use cannabis flower, and adult-use cannabis products sold,  
96.12 damaged, or destroyed at a cannabis event must be recorded in the statewide monitoring  
96.13 system.

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

96.15 Sec. 94. Minnesota Statutes 2023 Supplement, section 342.41, subdivision 1, is amended  
96.16 to read:

96.17 Subdivision 1. **Authorized actions.** A cannabis delivery service license entitles the  
96.18 license holder to purchase cannabis flower, cannabis products, lower-potency hemp edibles,  
96.19 and hemp-derived consumer products from licensed cannabis microbusinesses with a retail  
96.20 endorsement, cannabis mezzobusinesses with a retail endorsement, cannabis retailers,  
96.21 ~~medical cannabis retailers,~~ and medical cannabis combination businesses; transport and  
96.22 deliver cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived  
96.23 consumable products to customers; and perform other actions approved by the office.

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

96.25 Sec. 95. Minnesota Statutes 2023 Supplement, section 342.41, subdivision 3, is amended  
96.26 to read:

96.27 Subd. 3. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a  
96.28 cannabis delivery service license may also hold a cannabis retailer license, a cannabis  
96.29 wholesaler license, a cannabis transporter license, and a cannabis event organizer license,  
96.30 ~~and a medical cannabis retailer license~~ subject to the ownership limitations that apply to  
96.31 those licenses.



97.1 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a  
97.2 cannabis delivery service license may own or operate any other cannabis business or hemp  
97.3 business.

97.4 (c) The office by rule may limit the number of cannabis delivery service licenses that a  
97.5 person or business may hold.

97.6 (d) For purposes of this subdivision, a restriction on the number or type of license that  
97.7 a business may hold applies to every cooperative member or every director, manager, and  
97.8 general partner of a cannabis business.

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

97.10 Sec. 96. Minnesota Statutes 2023 Supplement, section 342.46, subdivision 6, is amended  
97.11 to read:

97.12 Subd. 6. **Compliant products.** (a) A lower-potency hemp edible retailer shall ensure  
97.13 that all lower-potency hemp edibles offered for sale comply with the limits on the amount  
97.14 and types of cannabinoids that a lower-potency hemp edible can contain, including but not  
97.15 limited to the requirement that lower-potency hemp edibles:

97.16 (1) consist of servings that contain no more than five milligrams of delta-9  
97.17 tetrahydrocannabinol, no more than 25 milligrams of cannabidiol, no more than 25 milligrams  
97.18 of cannabigerol, or any combination of those cannabinoids that does not exceed the identified  
97.19 amounts;

97.20 (2) do not contain more than a combined total of 0.5 milligrams of all other cannabinoids  
97.21 per serving; and

97.22 (3) do not contain an artificially derived cannabinoid other than delta-9  
97.23 tetrahydrocannabinol.

97.24 (b) If a lower-potency hemp edible is packaged in a manner that includes more than a  
97.25 single serving, the lower-potency hemp edible must indicate each serving by scoring,  
97.26 wrapping, or other indicators that appear on the lower-potency hemp edible designating the  
97.27 individual serving size. If it is not possible to indicate a single serving by scoring or use of  
97.28 another indicator that appears on the product, the lower-potency hemp edible may not be  
97.29 packaged in a manner that includes more than a single serving in each container, except  
97.30 that a calibrated dropper, measuring spoon, or similar device for measuring a single serving  
97.31 may be used for any edible cannabinoid products that are intended to be combined with  
97.32 food or beverage products prior to consumption. If the lower-potency hemp edible is meant

98.1 to be consumed as a beverage, the beverage container may not contain more than two  
98.2 servings per container.

98.3 (c) A single package containing multiple servings of a lower-potency hemp edible must  
98.4 contain no more than 50 milligrams of delta-9 tetrahydrocannabinol, 250 milligrams of  
98.5 cannabidiol, 250 milligrams of cannabigerol, or any combination of those cannabinoids that  
98.6 does not exceed the identified amounts.

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

98.8 Sec. 97. Minnesota Statutes 2023 Supplement, section 342.46, subdivision 8, is amended  
98.9 to read:

98.10 Subd. 8. **On-site consumption.** (a) A lower-potency hemp edible retailer may permit  
98.11 on-site consumption of lower-potency hemp edibles on a portion of its premises if it has an  
98.12 on-site consumption endorsement.

98.13 (b) The office shall issue an on-site consumption endorsement to any lower-potency  
98.14 hemp edible retailer that also holds an on-sale license issued under chapter 340A.

98.15 (c) A lower-potency hemp edible retailer must ensure that lower-potency hemp edibles  
98.16 sold for on-site consumption comply with this chapter and rules adopted pursuant to this  
98.17 chapter regarding testing.

98.18 (d) Lower-potency hemp edibles sold for on-site consumption, other than lower-potency  
98.19 hemp edibles that are intended to be consumed as a beverage, must be served in the required  
98.20 packaging, but may be removed from the products' packaging by customers and consumed  
98.21 on site.

98.22 (e) Lower-potency hemp edibles that are intended to be consumed as a beverage may  
98.23 be served outside of ~~their~~ the edibles' packaging ~~provided that~~ if the information that is  
98.24 required to be contained on the label of a lower-potency hemp edible is posted or otherwise  
98.25 displayed by the lower-potency hemp edible retailer. Hemp workers who serve beverages  
98.26 under this paragraph are not required to obtain an edible cannabinoid product handler  
98.27 endorsement under section 342.07, subdivision 3.

98.28 (f) Food and beverages not otherwise prohibited by this subdivision may be prepared  
98.29 and sold on site ~~provided that~~ if the lower-potency hemp edible retailer complies with all  
98.30 relevant state and local laws, ordinances, licensing requirements, and zoning requirements.

99.1 (g) A lower-potency hemp edible retailer may offer recorded or live entertainment  
 99.2 ~~provided that~~ if the lower-potency hemp edible retailer complies with all relevant state and  
 99.3 local laws, ordinances, licensing requirements, and zoning requirements.

99.4 (h) In addition to the prohibitions under subdivision 7, a lower-potency hemp edible  
 99.5 retailer with an on-site consumption endorsement may not:

99.6 (1) sell, give, furnish, or in any way procure for another lower-potency hemp edibles to  
 99.7 ~~a customer who the lower-potency hemp edible retailer knows or reasonably should know~~  
 99.8 ~~is intoxicated or has consumed alcohol within the previous five hours~~ for the use of an  
 99.9 obviously intoxicated person;

99.10 (2) sell lower-potency hemp edibles that are designed or reasonably expected to be mixed  
 99.11 with an alcoholic beverage; or

99.12 (3) permit lower-potency hemp edibles that have been removed from the products'  
 99.13 packaging to be removed from the premises of the lower-potency hemp edible retailer.

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

99.15 Sec. 98. **[342.465] LOWER-POTENCY HEMP EDIBLES; PROHIBITED CONDUCT.**

99.16 No person may sell, give, furnish, or in any way procure for another lower-potency hemp  
 99.17 edibles for the use of an obviously intoxicated person.

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

99.19 Sec. 99. Minnesota Statutes 2023 Supplement, section 342.51, is amended to read:

99.20 **342.51 MEDICAL CANNABIS RETAILERS ENDORSEMENTS.**

99.21 Subdivision 1. **Endorsement; authorized actions.** (a) The office may issue a medical  
 99.22 cannabis endorsement to a cannabis business authorizing the business to:

99.23 (1) cultivate medical cannabis;

99.24 (2) process medical cannabinoid products; or

99.25 (3) sell or distribute medical cannabis flower and medical cannabinoid products to any  
 99.26 person authorized to receive medical cannabis flower or medical cannabinoid products.

99.27 (b) The office must issue a medical cannabis cultivation endorsement to a cannabis  
 99.28 license holder if the license holder:

99.29 (1) is authorized to cultivate cannabis;

100.1 (2) submits a medical cannabis endorsement application to the office; and

100.2 (3) otherwise meets all applicable requirements established by the office.

100.3 (c) A medical cannabis cultivation endorsement entitles the license holder to grow

100.4 cannabis plants within the approved amount of space from seed or immature plant to mature

100.5 plant, harvest cannabis flower from a mature plant, package and label cannabis flower as

100.6 medical cannabis flower, sell medical cannabis flower to cannabis businesses with a medical

100.7 cannabis endorsement, and perform other actions approved by the office.

100.8 (d) The office must issue a medical cannabis processor endorsement to a cannabis license

100.9 holder if the license holder:

100.10 (1) is authorized to manufacture cannabis products;

100.11 (2) submits a medical cannabis endorsement application to the office; and

100.12 (3) otherwise meets all applicable requirements established by the office.

100.13 (e) A medical cannabis processor endorsement entitles the license holder to:

100.14 (1) purchase medical cannabis flower, medical cannabinoid products, hemp plant parts,

100.15 and hemp concentrate from cannabis businesses with a medical cannabis cultivator

100.16 endorsement or a medical cannabis processor endorsement;

100.17 (2) purchase hemp plant parts from industrial hemp growers;

100.18 (3) make cannabis concentrate from medical cannabis flower;

100.19 (4) make hemp concentrate, including hemp concentrate with a delta-9

100.20 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;

100.21 (5) manufacture medical cannabinoid products;

100.22 (6) package and label medical cannabinoid products for sale to cannabis businesses with

100.23 a medical cannabis processor endorsement or a medical cannabis retailer endorsement; and

100.24 (7) perform other actions approved by the office.

100.25 (f) The office must issue a medical cannabis retailer endorsement to a cannabis license

100.26 holder if the license holder:

100.27 (1) submits a medical cannabis retail endorsement application to the office;

100.28 (2) has at least one employee who earned a medical cannabis consultant certificate issued

100.29 by the office and has completed the required training or has at least one employee who is

100.30 a licensed pharmacist under chapter 151; and

101.1 (3) otherwise meets all applicable requirements established by the office.

101.2 (g) A medical cannabis ~~retailer license~~ retail endorsement entitles the license holder to  
101.3 purchase medical cannabis flower and medical cannabinoid products from ~~medical cannabis~~  
101.4 ~~cultivators and medical cannabis processors~~ cannabis businesses with medical cannabis  
101.5 cultivator endorsements and medical cannabis processor endorsements, and sell or distribute  
101.6 medical cannabis flower and, medical cannabinoid products, and associated paraphernalia  
101.7 to any person authorized to receive medical cannabis flower or medical cannabinoid products.

101.8 (~~b~~) (h) A medical cannabis ~~retailer license holder~~ business with a medical cannabis retail  
101.9 endorsement must verify that all medical cannabis flower and medical cannabinoid products  
101.10 have passed safety, potency, and consistency testing at a cannabis testing facility approved  
101.11 by the office for the testing of medical cannabis flower and medical cannabinoid products  
101.12 before the ~~medical cannabis retailer~~ cannabis business with a medical cannabis retail  
101.13 endorsement may distribute the medical cannabis flower or medical cannabinoid product  
101.14 to any person ~~authorized to receive medical cannabis flower or medical cannabinoid products~~  
101.15 enrolled in the registry program.

101.16 **Subd. 2. Distribution requirements.** (a) Prior to distribution of medical cannabis flower  
101.17 or medical cannabinoid products, ~~a medical cannabis retailer licensee~~ to a person enrolled  
101.18 in the registry program, an employee with a valid medical cannabis consultant certificate  
101.19 issued by the office or a licensed pharmacist under chapter 151 must:

101.20 (1) review and confirm the patient's enrollment in the registry ~~verification~~ program;

101.21 (2) verify that the person requesting the distribution of medical cannabis flower or  
101.22 medical cannabinoid products is the patient, the patient's registered designated caregiver,  
101.23 or the patient's parent, legal guardian, or spouse using the procedures ~~specified in section~~  
101.24 152.11, ~~subdivision 2d~~ established by the office;

101.25 ~~(3) ensure that a pharmacist employee of the medical cannabis retailer has consulted~~  
101.26 ~~with the patient if required according to subdivision 3; and~~

101.27 (3) provide consultation to the patient to determine the proper medical cannabis flower  
101.28 or medical cannabinoid product, dosage, and paraphernalia for the patient if required under  
101.29 subdivision 3;

101.30 (4) apply a patient-specific label on the medical cannabis flower or medical cannabinoid  
101.31 product that includes recommended dosage requirements and other information as required  
101.32 ~~by rules adopted by the office;~~ and

101.33 (5) provide the patient with any other information required by the office.

102.1 (b) A cannabis business with a medical cannabis retailer retail endorsement may not  
102.2 deliver medical cannabis flower or medical cannabinoid products to a person enrolled in  
102.3 the registry program unless the cannabis business with a medical cannabis retailer retail  
102.4 endorsement also holds a cannabis delivery service license. The delivery of medical cannabis  
102.5 flower and medical cannabinoid products are subject to the provisions of section 342.42.

102.6 Subd. 3. **Final approval for distribution of medical cannabis flower and medical**  
102.7 **cannabinoid products.** (a) A cannabis worker who is employed by a cannabis business  
102.8 with a medical cannabis retailer and retail endorsement who is licensed as a pharmacist  
102.9 pursuant to chapter 151 ~~shall be~~ or certified as a medical cannabis consultant by the office  
102.10 is the only person who may give final approval for the distribution of medical cannabis  
102.11 flower and medical cannabinoid products. Prior to the distribution of medical cannabis  
102.12 flower or medical cannabinoid products, a pharmacist or certified medical cannabis consultant  
102.13 employed by the cannabis business with a medical cannabis retailer retail endorsement must  
102.14 consult with the patient to determine the proper type of medical cannabis flower, medical  
102.15 cannabinoid product, or medical cannabis paraphernalia, and the proper dosage for the  
102.16 patient after reviewing the range of chemical compositions of medical cannabis flower or  
102.17 medical cannabinoid product: intended for distribution:

102.18 (1) if the patient is purchasing the medical cannabis flower or medical cannabinoid  
102.19 product for the first time;

102.20 (2) if the patient purchases medical cannabis flower or a medical cannabinoid product  
102.21 that the patient must administer using a different method than the patient's previous method  
102.22 of administration;

102.23 (3) if the patient purchases medical cannabis flower or a medical cannabinoid product  
102.24 with a cannabinoid concentration of at least double the patient's prior dosage; or

102.25 (4) upon the request of the patient.

102.26 (b) For purposes of this subdivision, a consultation may be conducted remotely by secure  
102.27 videoconference, telephone, or other remote means, as long as:

102.28 (1) the pharmacist or consultant engaging in the consultation is able to confirm the  
102.29 identity of the patient; and

102.30 (2) the consultation adheres to patient privacy requirements that apply to health care  
102.31 services delivered through telemedicine.

102.32 ~~(b) Notwithstanding paragraph (a), a pharmacist consultation is not required prior to the~~  
102.33 ~~distribution of medical cannabis flower or medical cannabinoid products when a medical~~

103.1 ~~cannabis retailer is distributing medical cannabis flower or medical cannabinoid products~~  
103.2 ~~to a patient according to a patient-specific dosage plan established with that medical cannabis~~  
103.3 ~~retailer and is not modifying the dosage or product being distributed under that plan. Medical~~  
103.4 ~~cannabis flower or medical cannabinoid products distributed under this paragraph must be~~  
103.5 ~~distributed by a pharmacy technician employed by the medical cannabis retailer.~~

103.6 ~~Subd. 4. **90-day supply.** A medical cannabis retailer shall not distribute more than a~~  
103.7 ~~90-day supply of medical cannabis flower or medical cannabinoid products to a patient,~~  
103.8 ~~registered designated caregiver, or parent, legal guardian, or spouse of a patient according~~  
103.9 ~~to the dosages established for the individual patient.~~

103.10 ~~Subd. 5. **Distribution to recipient in a motor vehicle.** A cannabis business with a~~  
103.11 ~~medical cannabis retailer retail endorsement may distribute medical cannabis flower and~~  
103.12 ~~medical cannabinoid products to a patient, registered designated caregiver, or parent, legal~~  
103.13 ~~guardian, or spouse of a patient person enrolled in the registry program who is at a dispensary~~  
103.14 ~~location but remains in a motor vehicle, provided that if:~~

103.15 (1) ~~staff receive payment and distribute medical cannabis flower and medical cannabinoid~~  
103.16 ~~products in a designated zone that is as close as feasible to the front door of the facility;~~

103.17 (2) ~~the cannabis business with a medical cannabis retailer retail endorsement ensures~~  
103.18 ~~that the receipt of payment and distribution of medical cannabis flower and medical~~  
103.19 ~~cannabinoid products are visually recorded by a closed-circuit television surveillance camera~~  
103.20 ~~and provides any other necessary security safeguards;~~

103.21 (3) ~~the cannabis business with a medical cannabis retailer retail endorsement does not~~  
103.22 ~~store medical cannabis flower or medical cannabinoid products outside a restricted access~~  
103.23 ~~area and staff transport medical cannabis flower and medical cannabinoid products from a~~  
103.24 ~~restricted access area to the designated zone for distribution only after confirming that the~~  
103.25 ~~patient, designated caregiver, or parent, guardian, or spouse person enrolled in the registry~~  
103.26 ~~program has arrived in the designated zone;~~

103.27 (4) ~~the payment for and distribution of medical cannabis flower and medical cannabinoid~~  
103.28 ~~products take place only after a pharmacist consultation takes place, if required under~~  
103.29 ~~subdivision 3 meeting the requirements in subdivision 2;~~

103.30 (5) ~~immediately following the distribution of medical cannabis flower or medical~~  
103.31 ~~cannabinoid products, staff ~~enter~~ record the transaction in the statewide monitoring system;~~  
103.32 ~~and~~

104.1 (6) immediately following the distribution of medical cannabis flower and medical  
104.2 cannabinoid products, staff take the payment received into the facility.

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

104.4 Sec. 100. Minnesota Statutes 2023 Supplement, section 342.515, is amended to read:

104.5 **342.515 MEDICAL CANNABIS COMBINATION BUSINESSES.**

104.6 Subdivision 1. **Authorized actions.** (a) A person, cooperative, or business holding a  
104.7 medical cannabis combination business license is prohibited from owning or operating any  
104.8 other cannabis business or hemp business or holding an active registration agreement under  
104.9 section 152.25, subdivision 1.

104.10 (b) A person or business may hold only one medical cannabis combination business  
104.11 license.

104.12 (c) A medical cannabis combination business license entitles the license holder to perform  
104.13 any or all of the following within the limits established by this section:

104.14 (1) grow cannabis plants from seed or immature plant to mature plant and harvest  
104.15 adult-use cannabis flower and medical cannabis flower from a mature plant;

104.16 (2) make cannabis concentrate;

104.17 (3) make hemp concentrate, including hemp concentrate with a delta-9  
104.18 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;

104.19 (4) manufacture artificially derived cannabinoids;

104.20 (5) manufacture medical cannabinoid products;

104.21 (6) manufacture adult-use cannabis products, lower-potency hemp edibles, and  
104.22 hemp-derived consumer products for public consumption;

104.23 (7) purchase immature cannabis plants and seedlings and cannabis flower from a cannabis  
104.24 microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler,  
104.25 ~~a medical cannabis cultivator,~~ or another medical cannabis combination business;

104.26 (8) purchase hemp plant parts and propagules from an industrial hemp grower licensed  
104.27 under chapter 18K;

104.28 (9) purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids  
104.29 from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a  
104.30 cannabis wholesaler, ~~a medical cannabis processor,~~ or another medical cannabis combination  
104.31 business;



105.1 (10) purchase hemp concentrate from an industrial hemp processor licensed under chapter  
105.2 18K;

105.3 (11) package and label medical cannabis flower and medical cannabinoid products for  
105.4 sale to cannabis businesses with a medical cannabis processors processor endorsement,  
105.5 cannabis businesses with a medical cannabis retailers retail endorsement, other medical  
105.6 cannabis combination businesses, and ~~patients enrolled~~ persons in the registry program;  
105.7 ~~registered designated caregivers, and parents, legal guardians, and spouses of an enrolled~~  
105.8 ~~patient~~;

105.9 (12) package and label adult-use cannabis flower, adult-use cannabis products,  
105.10 lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;

105.11 (13) sell medical cannabis flower and medical cannabinoid products to patients enrolled  
105.12 in the registry program, registered designated caregivers, and parents, legal guardians, and  
105.13 spouses of an enrolled patient;

105.14 (14) sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use  
105.15 cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and  
105.16 other products authorized by law to other cannabis businesses and to customers; and

105.17 (15) perform other actions approved by the office.

105.18 (d) A medical cannabis combination business is not required to obtain a medical cannabis  
105.19 endorsement to perform any actions authorized under this section.

105.20 Subd. 2. **Cultivation; size limitations.** (a) A medical cannabis combination business  
105.21 may cultivate cannabis to be sold as medical cannabis flower or used in medical cannabinoid  
105.22 products in an area of up to 60,000 square feet of plant canopy subject to the limits on  
105.23 adult-use cannabis cultivation in paragraph (c). A medical cannabis combination business  
105.24 may cultivate cannabis and manufacture cannabis in more than one location, except the  
105.25 aggregate total of plant canopy in all locations must count toward the business' canopy limit.

105.26 (b) A medical cannabis combination business may cultivate cannabis to be sold as  
105.27 adult-use cannabis flower or used in adult-use cannabis products in an area authorized by  
105.28 the office as described in paragraph (c).

105.29 (c) The office shall authorize a medical cannabis combination business to cultivate  
105.30 cannabis for sale in the adult-use market in an area of plant canopy that is equal to one-half  
105.31 of the area the business used to cultivate cannabis sold in the medical market in the preceding  
105.32 year. The office shall establish an annual verification and authorization procedure. The  
105.33 office may increase the area of plant canopy in which a medical cannabis combination

106.1 business is authorized to cultivate cannabis for sale in the adult-use market between  
106.2 authorization periods if the business demonstrates a significant increase in the sale of medical  
106.3 cannabis and medical cannabis products.

106.4 Subd. 3. **Manufacturing; size limitations.** The office may establish limits on cannabis  
106.5 manufacturing that are consistent with the area of plant canopy a business is authorized to  
106.6 cultivate.

106.7 Subd. 4. **Retail locations.** A medical cannabis combination business may operate up to  
106.8 one retail location in each congressional district. A medical cannabis combination business  
106.9 must offer medical cannabis flower, medical cannabinoid products, or both at every retail  
106.10 location.

106.11 Subd. 5. **Failure to participate; suspension or revocation of license.** The office may  
106.12 suspend or revoke a medical cannabis combination business license if the office determines  
106.13 that the business is no longer actively participating in the medical cannabis market. The  
106.14 office may, by rule, establish minimum requirements related to cannabis cultivation,  
106.15 manufacturing of medical cannabinoid products, retail sales of medical cannabis flower and  
106.16 medical cannabinoid products, and other relevant criteria to demonstrate active participation  
106.17 in the medical cannabis market.

106.18 Subd. 6. **Operations.** A medical cannabis combination business must comply with the  
106.19 relevant requirements of sections 342.25, 342.26, 342.27, and 342.51, subdivisions 2 to 5.

106.20 Subd. 7. **Transportation between facilities.** A medical cannabis combination business  
106.21 may transport immature cannabis plants and seedlings, cannabis flower, cannabis products,  
106.22 artificially derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp  
106.23 edibles, and hemp-derived consumer products between facilities operated by the medical  
106.24 cannabis combination business if the medical cannabis combination business:

106.25 (1) provides the office with the information described in section 342.35, subdivision 2;  
106.26 and

106.27 (2) complies with the requirements of section 342.36.

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

106.29 Sec. 101. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 1, is amended  
106.30 to read:

106.31 Subdivision 1. **Administration.** The ~~Division of Medical Cannabis~~ office must administer  
106.32 the medical cannabis patient registry program.

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

107.2 Sec. 102. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 2, is amended  
107.3 to read:

107.4 Subd. 2. **Application procedure for patients.** (a) A patient seeking to enroll in the  
107.5 registry program must submit to the ~~Division of Medical Cannabis~~ office an application  
107.6 established by the ~~Division of Medical Cannabis~~ office and a copy of the certification  
107.7 specified in paragraph (b) or, if the patient is a veteran ~~who receives care from the United~~  
107.8 ~~States Department of Veterans Affairs~~, the information ~~required~~ requested by the office  
107.9 pursuant to subdivision 3. The patient must provide at least the following information in  
107.10 the application:

107.11 (1) the patient's name, mailing address, and date of birth;

107.12 (2) the name, mailing address, and telephone number of the patient's health care  
107.13 practitioner;

107.14 (3) the name, mailing address, and date of birth of the patient's registered designated  
107.15 caregiver, if any, or the patient's parent, legal guardian, or spouse if the parent, legal guardian,  
107.16 or spouse will be acting as the patient's caregiver;

107.17 (4) a disclosure signed by the patient that includes:

107.18 (i) a statement that, notwithstanding any law to the contrary, the office ~~of Cannabis~~  
107.19 ~~Management, the Division of Medical Cannabis~~, or an employee of the office ~~of Cannabis~~  
107.20 ~~Management or Division of Medical Cannabis~~ may not be held civilly or criminally liable  
107.21 for any injury, loss of property, personal injury, or death caused by an act or omission while  
107.22 acting within the employee's scope of office or employment under this section; and

107.23 (ii) the patient's acknowledgment that enrollment in the registry program is conditional  
107.24 on the patient's agreement to meet all other requirements of this section; and

107.25 (5) all other information required by the ~~Division of Medical Cannabis~~ office.

107.26 (b) As part of the application under this subdivision, a patient must submit a copy of a  
107.27 certification from the patient's health care practitioner that is dated within 90 days prior to  
107.28 the submission of the application and that certifies that the patient has been diagnosed with  
107.29 a qualifying medical condition.

107.30 (c) A patient's health care practitioner may submit a statement to the ~~Division of Medical~~  
107.31 ~~Cannabis~~ office declaring that the patient is no longer diagnosed with a qualifying medical  
107.32 condition. Within 30 days after receipt of a statement from a patient's health care practitioner,

108.1 the ~~Division of Medical Cannabis~~ office must provide written notice to a patient stating that  
108.2 the patient's enrollment in the registry program will be revoked in 30 days unless the patient  
108.3 submits a certification from a health care practitioner that the patient is currently diagnosed  
108.4 with a qualifying medical condition or, if the patient is a veteran, the patient submits  
108.5 confirmation that the patient is currently diagnosed with a qualifying medical condition in  
108.6 a form and manner consistent with the information required for an application made pursuant  
108.7 to subdivision 3. If the ~~Division of Medical Cannabis~~ office revokes a patient's enrollment  
108.8 in the registry program pursuant to this paragraph, the division must provide notice to the  
108.9 patient and to the patient's health care practitioner.

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

108.11 Sec. 103. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 3, is amended  
108.12 to read:

108.13 Subd. 3. **Application procedure for veterans.** (a) The ~~Division of Medical Cannabis~~  
108.14 office shall establish an alternative certification procedure for veterans ~~who receive care~~  
108.15 ~~from the United States Department of Veterans Affairs to confirm that the veteran has been~~  
108.16 ~~diagnosed with a qualifying medical condition~~ enroll in the patient registry program.

108.17 (b) ~~A~~ The office may request that a patient who is also a veteran and is seeking to enroll  
108.18 in the registry program must submit to the Division of Medical Cannabis office a copy of  
108.19 the patient's veteran identification card and an application established by the Division of  
108.20 Medical Cannabis that includes the information identified in subdivision 2, paragraph (a),  
108.21 and the additional information required by the Division of Medical Cannabis to certify that  
108.22 the patient has been diagnosed with a qualifying medical condition attestation that the  
108.23 veteran has been diagnosed with a qualifying medical condition listed in section 342.01,  
108.24 subdivision 63, clauses (1) to (19).

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

108.26 Sec. 104. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 4, is amended  
108.27 to read:

108.28 Subd. 4. **Enrollment; denial of enrollment; revocation.** (a) Within 30 days after the  
108.29 receipt of an application and certification or other documentation of a diagnosis with a  
108.30 qualifying medical condition, the ~~Division of Medical Cannabis~~ office must approve or  
108.31 deny a patient's enrollment in the registry program. If the ~~Division of Medical Cannabis~~  
108.32 office approves a patient's enrollment in the registry program, the office must provide notice  
108.33 to the patient and to the patient's health care practitioner.

109.1 (b) The office may deny a patient's enrollment in the registry program ~~must only be~~  
109.2 ~~denied only~~ if the patient:

109.3 (1) does not submit a certification from a health care practitioner or, if the patient is a  
109.4 veteran, the documentation ~~required~~ requested by the office under subdivision 3 ~~that the~~  
109.5 ~~patient has been diagnosed with a qualifying medical condition;~~

109.6 (2) has not signed the disclosure required in subdivision 2;

109.7 (3) does not provide the information required by the ~~Division of Medical Cannabis~~  
109.8 office;

109.9 (4) provided false information on the application; or

109.10 (5) at the time of application, is also enrolled in a federally approved clinical trial for  
109.11 the treatment of a qualifying medical condition with medical cannabis.

109.12 (c) If the ~~Division of Medical Cannabis~~ office denies a patient's enrollment in the registry  
109.13 program, the ~~Division of Medical Cannabis~~ office must provide written notice to a patient  
109.14 of all reasons for denying enrollment. Denial of enrollment in the registry program is  
109.15 considered a final decision of the office and is subject to judicial review under chapter 14.

109.16 (d) The office may revoke a patient's enrollment in the registry program ~~may be revoked~~  
109.17 only:

109.18 (1) pursuant to subdivision 2, paragraph (c);

109.19 (2) upon the death of the patient;

109.20 (3) if the patient's certifying health care practitioner has filed a declaration under  
109.21 subdivision 2, paragraph (c), that the patient's qualifying diagnosis no longer exists and the  
109.22 patient does not submit another certification within 30 days;

109.23 (4) if the patient does not comply with subdivision 6; or

109.24 (5) if the patient intentionally sells or diverts medical cannabis flower or medical  
109.25 cannabinoid products in violation of this chapter.

109.26 (e) If the office has revoked a patient's enrollment in the registry program ~~has been~~  
109.27 ~~revoked~~ due to a violation of subdivision 6, the patient may apply for enrollment 12 months  
109.28 after the date on which the patient's enrollment was revoked. The office must process such  
109.29 an application in accordance with this subdivision.

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

110.1 Sec. 105. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 5, is amended  
110.2 to read:

110.3 Subd. 5. **Registry verification.** When a patient is enrolled in the registry program, the  
110.4 ~~Division of Medical Cannabis office~~ must assign the patient a patient registry number and  
110.5 must issue the patient and the patient's registered designated caregiver, parent, legal guardian,  
110.6 or spouse, if applicable, a registry verification. The ~~Division of Medical Cannabis office~~  
110.7 must also make the registry verification available to ~~medical cannabis retailers~~ businesses  
110.8 with a medical cannabis retail endorsement. The registry verification must include:

110.9 (1) the patient's name and date of birth;

110.10 (2) the patient registry number assigned to the patient; and

110.11 (3) the name and date of birth of the patient's registered designated caregiver, if any, or  
110.12 the name of the patient's parent, legal guardian, or spouse if the parent, legal guardian, or  
110.13 spouse will act as a caregiver.

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

110.15 Sec. 106. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 9, is amended  
110.16 to read:

110.17 Subd. 9. **Registered designated caregiver.** (a) The ~~Division of Medical Cannabis office~~  
110.18 must register a designated caregiver for a patient if the patient requires assistance in  
110.19 administering medical cannabis flower or medical cannabinoid products ~~or in~~; obtaining  
110.20 medical cannabis flower, medical cannabinoid products, or medical cannabis paraphernalia  
110.21 from a cannabis business with a medical cannabis retailer retail endorsement; or cultivating  
110.22 cannabis plants as permitted by section 342.09, subdivision 2.

110.23 (b) In order to serve as a designated caregiver, a person must:

110.24 (1) be at least 18 years of age;

110.25 (2) agree to only possess the patient's medical cannabis flower and medical cannabinoid  
110.26 products for purposes of assisting the patient; and

110.27 (3) agree that if the application is approved, the person will not serve as a registered  
110.28 designated caregiver for more than six registered patients at one time. Patients who reside  
110.29 in the same residence count as one patient.

110.30 ~~(c) The office shall conduct a criminal background check on the designated caregiver~~  
110.31 ~~prior to registration to ensure that the person does not have a conviction for a disqualifying~~  
110.32 ~~felony offense. Any cost of the background check shall be paid by the person seeking~~

111.1 ~~registration as a designated caregiver. A designated caregiver must have the criminal~~  
111.2 ~~background check renewed every two years.~~

111.3 ~~(d)~~ (c) Nothing in this section shall be construed to prevent a registered designated  
111.4 caregiver from being enrolled in the registry program as a patient and possessing and  
111.5 administering medical cannabis flower or medical cannabinoid products as a patient.

111.6 (d) Notwithstanding any law to the contrary, a registered designated caregiver approved  
111.7 to assist a patient enrolled in the registry program with obtaining medical cannabis flower  
111.8 may cultivate cannabis plants on behalf of one patient. A registered designated caregiver  
111.9 may grow up to eight cannabis plants for the patient household that the registered designated  
111.10 caregiver is approved to assist with obtaining medical cannabis flower. If a patient enrolled  
111.11 in the registry program directs the patient's registered designated caregiver to cultivate  
111.12 cannabis plants on behalf of the patient, the patient must assign the patient's right to cultivate  
111.13 cannabis plants to the registered designated caregiver and the patient is prohibited from  
111.14 cultivating cannabis plants for personal use. Nothing in this paragraph limits the right of a  
111.15 registered designated caregiver cultivating cannabis plants on behalf of a patient enrolled  
111.16 in the registry program to also cultivate cannabis plants for personal use pursuant to section  
111.17 342.09, subdivision 2.

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

111.19 Sec. 107. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 11, is amended  
111.20 to read:

111.21 Subd. 11. **Notice of change of name or address.** Patients and registered designated  
111.22 caregivers must notify the ~~Division of Medical Cannabis~~ office of any address or name  
111.23 change within 30 days of the change having occurred. A patient or registered designated  
111.24 caregiver is subject to a \$100 fine for failure to notify the office of the change.

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

111.26 Sec. 108. Minnesota Statutes 2023 Supplement, section 342.53, is amended to read:

111.27 **342.53 DUTIES OF OFFICE OF CANNABIS MANAGEMENT; APPROVAL OF**  
111.28 **CANNABINOID PRODUCTS FOR REGISTRY PROGRAM.**

111.29 The office may add an allowable form of medical cannabinoid product, ~~and may add or~~  
111.30 ~~modify a qualifying medical condition upon its own initiative,~~ upon a petition from a member  
111.31 of the public or from the Cannabis Advisory Council or as directed by law. The office must  
111.32 evaluate all petitions and must make the addition ~~or modification~~ if the office determines

112.1 that the addition ~~or modification~~ is warranted by the best available evidence and research.  
 112.2 If the office wishes to add an allowable form ~~or add or modify a qualifying medical condition,~~  
 112.3 the office must notify the chairs and ranking minority members of the legislative committees  
 112.4 and divisions with jurisdiction over health finance and policy by January 15 of the year in  
 112.5 which the change becomes effective. In this notification, the office must specify the proposed  
 112.6 addition ~~or modification~~, the reasons for the addition ~~or modification~~, any written comments  
 112.7 received by the office from the public about the addition ~~or modification~~, and any guidance  
 112.8 received from the Cannabis Advisory Council. An addition or modification by the office  
 112.9 under this subdivision becomes effective on August 1 of that year unless the legislature by  
 112.10 law provides otherwise.

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

112.12 Sec. 109. Minnesota Statutes 2023 Supplement, section 342.54, is amended to read:

112.13 **342.54 DUTIES OF ~~DIVISION OF MEDICAL CANNABIS~~ OFFICE OF**  
 112.14 **CANNABIS MANAGEMENT; REGISTRY PROGRAM.**

112.15 Subdivision 1. **Duties related to health care practitioners.** The ~~Division of Medical~~  
 112.16 ~~Cannabis~~ office must:

112.17 (1) provide notice of the registry program to health care practitioners in the state;

112.18 (2) allow health care practitioners to participate in the registry program if they request  
 112.19 to participate and meet the program's requirements;

112.20 (3) provide explanatory information and assistance to health care practitioners to  
 112.21 understand the nature of the therapeutic use of medical cannabis flower and medical  
 112.22 cannabinoid products within program requirements;

112.23 (4) make available to participating health care practitioners a certification form in which  
 112.24 a health care practitioner certifies that a patient has a qualifying medical condition; and

112.25 (5) supervise the participation of health care practitioners in the registry reporting system  
 112.26 in which health care practitioners report patient treatment and health records information  
 112.27 to the office in a manner that ensures stringent security and record keeping requirements  
 112.28 and that prevents the unauthorized release of private data on individuals as defined in section  
 112.29 13.02.

112.30 Subd. 2. **Duties related to the registry program.** The ~~Division of Medical Cannabis~~  
 112.31 office must:

112.32 (1) administer the registry program according to section 342.52;



113.1 (2) provide information to patients enrolled in the registry program on the existence of  
113.2 federally approved clinical trials for the treatment of the patient's qualifying medical condition  
113.3 with medical cannabis flower or medical cannabinoid products as an alternative to enrollment  
113.4 in the registry program;

113.5 (3) maintain safety criteria with which patients must comply as a condition of participation  
113.6 in the registry program to prevent patients from undertaking any task under the influence  
113.7 of medical cannabis flower or medical cannabinoid products that would constitute negligence  
113.8 or professional malpractice;

113.9 (4) review and publicly report on existing medical and scientific literature regarding the  
113.10 range of recommended dosages for each qualifying medical condition, the range of chemical  
113.11 compositions of medical cannabis flower and medical cannabinoid products that will likely  
113.12 be medically beneficial for each qualifying medical condition, and any risks of noncannabis  
113.13 drug interactions. This information must be updated by December 1 ~~of each year~~ every three  
113.14 years. The office may consult with an independent laboratory under contract with the office  
113.15 or other experts in reporting and updating this information; and

113.16 (5) annually consult with cannabis businesses about medical cannabis that the businesses  
113.17 cultivate, manufacture, and offer for sale and post on the ~~Division of Medical Cannabis~~  
113.18 office website a list of the medical cannabis flower and medical cannabinoid products offered  
113.19 for sale by each cannabis business with a medical cannabis retailer endorsement.

113.20 Subd. 3. **Research.** (a) The ~~Division of Medical Cannabis~~ office must conduct or contract  
113.21 with a third party to conduct research and studies using data from health records submitted  
113.22 to the registry program under section 342.55, subdivision 2, and data submitted to the registry  
113.23 program under section 342.52, subdivisions 2 and 3. If the ~~division~~ office contracts with a  
113.24 third party for research and studies, the third party must provide the ~~division~~ office with  
113.25 access to all research and study results. The ~~division~~ office must submit reports on  
113.26 intermediate or final research results to the legislature and major scientific journals. All  
113.27 data used by the ~~division~~ office or a third party under this subdivision must be used or  
113.28 reported in an aggregated nonidentifiable form as part of a scientific peer-reviewed  
113.29 publication of research or in the creation of summary data, as defined in section 13.02,  
113.30 subdivision 19.

113.31 (b) The ~~Division of Medical Cannabis~~ office may submit medical research based on the  
113.32 data collected under sections 342.55, subdivision 2, and data collected through the statewide  
113.33 monitoring system to any federal agency with regulatory or enforcement authority over  
113.34 medical cannabis flower and medical cannabinoid products to demonstrate the effectiveness

114.1 of medical cannabis flower or medical cannabinoid products for treating or alleviating the  
114.2 symptoms of a qualifying medical condition.

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

114.4 Sec. 110. Minnesota Statutes 2023 Supplement, section 342.55, subdivision 1, is amended  
114.5 to read:

114.6 Subdivision 1. **Health care practitioner duties before patient enrollment.** Before a  
114.7 patient's enrollment in the registry program, a health care practitioner must:

114.8 (1) determine, in the health care practitioner's medical judgment, whether a patient has  
114.9 a qualifying medical condition and, if so determined, provide the patient with a certification  
114.10 of that diagnosis;

114.11 (2) advise patients, registered designated caregivers, and parents, legal guardians, and  
114.12 spouses acting as caregivers of any nonprofit patient support groups or organizations;

114.13 (3) provide to patients explanatory information from the ~~Division of Medical Cannabis~~  
114.14 office, including information about the experimental nature of the therapeutic use of medical  
114.15 cannabis flower and medical cannabinoid products; the possible risks, benefits, and side  
114.16 effects of the proposed treatment; and the application and other materials from the office;

114.17 (4) provide to patients a Tennessee warning as required under section 13.04, subdivision  
114.18 2; and

114.19 (5) agree to continue treatment of the patient's qualifying medical condition and to report  
114.20 findings to the ~~Division of Medical Cannabis~~ office.

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

114.22 Sec. 111. Minnesota Statutes 2023 Supplement, section 342.55, subdivision 2, is amended  
114.23 to read:

114.24 Subd. 2. **Duties upon patient's enrollment in registry program.** Upon receiving  
114.25 notification from the ~~Division of Medical Cannabis~~ office of the patient's enrollment in the  
114.26 registry program, a health care practitioner must:

114.27 (1) participate in the patient registry reporting system under the guidance and supervision  
114.28 of the ~~Division of Medical Cannabis~~ office;

114.29 (2) report to the ~~Division of Medical Cannabis~~ office patient health records throughout  
114.30 the patient's ongoing treatment in a manner determined by the office and in accordance with  
114.31 subdivision 4;

115.1 (3) ~~determine on a yearly basis, every three years,~~ if the patient continues to have a  
115.2 qualifying medical condition and, if so, issue the patient a new certification of that diagnosis.  
115.3 The patient assessment conducted under this clause may be conducted via telehealth, as  
115.4 defined in section 62A.673, subdivision 2; and

115.5 (4) otherwise comply with requirements established by the office of Cannabis  
115.6 Management and the ~~Division of Medical Cannabis.~~

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

115.8 Sec. 112. Minnesota Statutes 2023 Supplement, section 342.56, subdivision 1, is amended  
115.9 to read:

115.10 Subdivision 1. **Limitations on consumption; locations of consumption.** (a) Nothing  
115.11 in sections ~~342.47~~ 342.51 to 342.60 permits any person to engage in, and does not prevent  
115.12 the imposition of any civil, criminal, or other penalties for:

115.13 (1) undertaking a task under the influence of medical cannabis flower or medical  
115.14 cannabinoid products that would constitute negligence or professional malpractice;

115.15 (2) possessing or consuming medical cannabis flower or medical cannabinoid products:

115.16 (i) on a school bus or van;

115.17 (ii) in a correctional facility;

115.18 (iii) in a state-operated treatment program, including the Minnesota sex offender program;

115.19 or

115.20 (iv) on the grounds of a child care facility or family or group family day care program;

115.21 (3) vaporizing or smoking medical cannabis:

115.22 (i) on any form of public transportation;

115.23 (ii) where the vapor would be inhaled by a nonpatient minor or where the smoke would  
115.24 be inhaled by a minor; or

115.25 (iii) in any public place, including any indoor or outdoor area used by or open to the  
115.26 general public or a place of employment, as defined in section 144.413, subdivision 1b; and

115.27 (4) operating, navigating, or being in actual physical control of a motor vehicle, aircraft,  
115.28 train, or motorboat or working on transportation property, equipment, or facilities while  
115.29 under the influence of medical cannabis flower or a medical cannabinoid product.

116.1 (b) Except for the use of medical cannabis flower or medical cannabinoid products, the  
116.2 vaporizing or smoking of cannabis flower, cannabis products, artificially derived  
116.3 cannabinoids, or hemp-derived consumer products is prohibited in a multifamily housing  
116.4 building, including balconies and patios appurtenant thereto. A violation of this paragraph  
116.5 is punishable through a civil administrative fine in an amount of \$250.

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

116.7 Sec. 113. Minnesota Statutes 2023 Supplement, section 342.56, subdivision 2, is amended  
116.8 to read:

116.9 Subd. 2. **Health care facilities.** (a) Health care facilities licensed under chapter 144A;  
116.10 hospice providers licensed under chapter 144A; boarding care homes or supervised living  
116.11 facilities licensed under section 144.50; assisted living facilities under chapter 144G; facilities  
116.12 owned, controlled, managed, or under common control with hospitals licensed under chapter  
116.13 144; and other health care facilities licensed by the commissioner of health or the  
116.14 commissioner of human services may adopt reasonable restrictions on the use of medical  
116.15 cannabis flower or medical cannabinoid products by a patient enrolled in the registry program  
116.16 who resides at or is actively receiving treatment or care at the facility. The restrictions may  
116.17 include a provision that the facility must not store or maintain a patient's supply of medical  
116.18 cannabis flower or medical cannabinoid products on behalf of the patient; that a patient  
116.19 store the patient's supply of medical cannabis flower or medicinal cannabinoid products in  
116.20 a locked container accessible only to the patient, the patient's designated caregiver, or the  
116.21 patient's parent, legal guardian, or spouse; that the facility is not responsible for providing  
116.22 medical cannabis for patients; and that medical cannabis flower or medical cannabinoid  
116.23 products are used only in a location specified by the facility or provider. Nothing in this  
116.24 subdivision requires facilities and providers listed in this subdivision to adopt such  
116.25 restrictions.

116.26 (b) No facility or provider listed in this subdivision may unreasonably limit a patient's  
116.27 access to or use of medical cannabis flower or medical cannabinoid products to the extent  
116.28 that such use is authorized under sections ~~342.47~~ 342.51 to 342.59. No facility or provider  
116.29 listed in this subdivision may prohibit a patient access to or use of medical cannabis flower  
116.30 or medical cannabinoid products due solely to the fact that cannabis is a ~~Schedule I drug~~  
116.31 controlled substance pursuant to the federal Uniform Controlled Substances Act. If a federal  
116.32 regulatory agency, the United States Department of Justice, or the federal Centers for  
116.33 Medicare and Medicaid Services takes one of the following actions, a facility or provider  
116.34 may suspend compliance with this paragraph until the regulatory agency, the United States

117.1 Department of Justice, or the federal Centers for Medicare and Medicaid Services notifies  
117.2 the facility or provider that it may resume permitting the use of medical cannabis flower or  
117.3 medical cannabinoid products within the facility or in the provider's service setting:

117.4 (1) a federal regulatory agency or the United States Department of Justice initiates  
117.5 enforcement action against a facility or provider related to the facility's compliance with  
117.6 the medical cannabis program; or

117.7 (2) a federal regulatory agency, the United States Department of Justice, or the federal  
117.8 Centers for Medicare and Medicaid Services issues a rule or otherwise provides notification  
117.9 to the facility or provider that expressly prohibits the use of medical cannabis in health care  
117.10 facilities or otherwise prohibits compliance with the medical cannabis program.

117.11 (c) An employee or agent of a facility or provider listed in this subdivision or a person  
117.12 licensed under chapter 144E is not violating this chapter or chapter 152 for the possession  
117.13 of medical cannabis flower or medical cannabinoid products while carrying out employment  
117.14 duties, including providing or supervising care to a patient enrolled in the registry program,  
117.15 or distribution of medical cannabis flower or medical cannabinoid products to a patient  
117.16 enrolled in the registry program who resides at or is actively receiving treatment or care at  
117.17 the facility or from the provider with which the employee or agent is affiliated.

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

117.19 Sec. 114. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 1, is amended  
117.20 to read:

117.21 Subdivision 1. **Presumption.** There is a presumption that a patient or other person  
117.22 enrolled in the registry program is engaged in the authorized use or possession of medical  
117.23 cannabis flower and medical cannabinoid products. This presumption may be rebutted by  
117.24 evidence that the ~~patient's use of medical cannabis flower or medical cannabinoid products~~  
117.25 use or possession of medical cannabis flower or medical cannabinoid products by a patient  
117.26 or other person enrolled in the registry program was not for the purpose of assisting with,  
117.27 treating, or alleviating the patient's qualifying medical condition or symptoms associated  
117.28 with the patient's qualifying medical condition.

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

118.1 Sec. 115. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 2, is amended  
118.2 to read:

118.3 Subd. 2. **Criminal and civil protections.** (a) Subject to section 342.56, the following  
118.4 are not violations of this chapter or chapter 152:

118.5 (1) use or possession of medical cannabis flower, medical cannabinoid products, or  
118.6 medical cannabis paraphernalia by a patient enrolled in the registry program or by a visiting  
118.7 patient to whom medical cannabis flower or medical cannabinoid products are distributed  
118.8 under section 342.51, subdivision 5;

118.9 (2) possession of medical cannabis flower, medical cannabinoid products, or medical  
118.10 cannabis paraphernalia by a registered designated caregiver or a parent, legal guardian, or  
118.11 spouse of a patient enrolled in the registry program; or

118.12 (3) possession of medical cannabis flower, medical cannabinoid products, or medical  
118.13 cannabis paraphernalia by any person while carrying out duties required under sections  
118.14 ~~342.47~~ 342.51 to 342.60.

118.15 (b) The Office of Cannabis Management, members of the Cannabis Advisory Council,  
118.16 Office of Cannabis Management employees, agents or contractors of the Office of Cannabis  
118.17 Management, and health care practitioners participating in the registry program are not  
118.18 subject to any civil penalties or disciplinary action by the Board of Medical Practice, the  
118.19 Board of Nursing, or any business, occupational, or professional licensing board or entity  
118.20 solely for participating in the registry program either in a professional capacity or as a  
118.21 patient. A pharmacist licensed under chapter 151 is not subject to any civil penalties or  
118.22 disciplinary action by the Board of Pharmacy when acting in accordance with sections  
118.23 ~~342.47~~ 342.51 to 342.60 either in a professional capacity or as a patient. Nothing in this  
118.24 section prohibits a professional licensing board from taking action in response to a violation  
118.25 of law.

118.26 (c) Notwithstanding any law to the contrary, a Cannabis Advisory Council member, the  
118.27 governor, or an employee of a state agency must not be held civilly or criminally liable for  
118.28 any injury, loss of property, personal injury, or death caused by any act or omission while  
118.29 acting within the scope of office or employment under sections ~~342.47~~ 342.51 to 342.60.

118.30 (d) Federal, state, and local law enforcement authorities are prohibited from accessing  
118.31 the registry except when acting pursuant to a valid search warrant. Notwithstanding section  
118.32 13.09, a violation of this paragraph is a gross misdemeanor.

119.1 (e) Notwithstanding any law to the contrary, the office and employees of the office must  
119.2 not release data or information about an individual contained in any report or document or  
119.3 in the registry and must not release data or information obtained about a patient enrolled in  
119.4 the registry program, except as provided in sections ~~342.47~~ 342.51 to 342.60.

119.5 Notwithstanding section 13.09, a violation of this paragraph is a gross misdemeanor.

119.6 (f) No information contained in a report or document, contained in the registry, or  
119.7 obtained from a patient under sections ~~342.47~~ 342.51 to 342.60 may be admitted as evidence  
119.8 in a criminal proceeding, unless:

119.9 (1) the information is independently obtained; or

119.10 (2) admission of the information is sought in a criminal proceeding involving a criminal  
119.11 violation of sections ~~342.47~~ 342.51 to 342.60.

119.12 (g) Possession of a registry verification or an application for enrollment in the registry  
119.13 program:

119.14 (1) does not constitute probable cause or reasonable suspicion;

119.15 (2) must not be used to support a search of the person or property of the person with a  
119.16 registry verification or application to enroll in the registry program; and

119.17 (3) must not subject the person or the property of the person to inspection by any  
119.18 government agency.

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

119.20 Sec. 116. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 3, is amended  
119.21 to read:

119.22 Subd. 3. **School enrollment; rental property.** (a) No school may refuse to enroll or  
119.23 ~~otherwise penalize a patient or person enrolled in the registry program~~ as a pupil ~~or otherwise~~  
119.24 ~~penalize a patient~~ solely because the patient or person is enrolled in the registry program,  
119.25 unless failing to do so would violate federal law or regulations or cause the school to lose  
119.26 a monetary or licensing-related benefit under federal law or regulations.

119.27 (b) No landlord may refuse to lease to a patient or person enrolled in the registry program  
119.28 ~~or otherwise penalize a patient or person enrolled in the registry program~~ solely because  
119.29 the patient or person is enrolled in the registry program, unless failing to do so would violate  
119.30 federal law or regulations or cause the landlord to lose a monetary or licensing-related  
119.31 benefit under federal law or regulations.

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

120.1 Sec. 117. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 4, is amended  
120.2 to read:

120.3 Subd. 4. **Medical care.** For purposes of medical care, including organ transplants, a  
120.4 patient's use of medical cannabis flower or medical cannabinoid products according to  
120.5 sections ~~342.47~~ 342.51 to 342.60 is considered the equivalent of the authorized use of a  
120.6 medication used at the discretion of a health care practitioner and does not disqualify a  
120.7 patient from needed medical care.

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

120.9 Sec. 118. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 5, is amended  
120.10 to read:

120.11 Subd. 5. **Employment.** (a) Unless a failure to do so would violate federal or state law  
120.12 or regulations or cause an employer to lose a monetary or licensing-related benefit under  
120.13 federal law or regulations, an employer may not discriminate against a person in hiring,  
120.14 termination, or any term or condition of employment, or otherwise penalize a person, if the  
120.15 discrimination is based on:

120.16 (1) the person's status as a patient or person enrolled in the registry program; or

120.17 (2) a patient's positive drug test for cannabis components or metabolites, unless the  
120.18 patient used, possessed, sold, transported, or was impaired by medical cannabis flower or  
120.19 a medical cannabinoid product on work premises, during working hours, or while operating  
120.20 an employer's machinery, vehicle, or equipment.

120.21 (b) An employee who is a patient and whose employer requires the employee to undergo  
120.22 drug testing according to section 181.953 may present the employee's registry verification  
120.23 as part of the employee's explanation under section 181.953, subdivision 6.

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

120.25 Sec. 119. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 6, is amended  
120.26 to read:

120.27 Subd. 6. **Custody; visitation; parenting time.** A person must not be denied custody of  
120.28 a minor child or visitation rights or parenting time with a minor child based solely on the  
120.29 person's status as a patient or person enrolled in the registry program. There must be no  
120.30 presumption of neglect or child endangerment for conduct allowed under sections ~~342.47~~  
120.31 342.51 to 342.60, unless the person's behavior creates an unreasonable danger to the safety  
120.32 of the minor as established by clear and convincing evidence.



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

121.2 Sec. 120. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 7, is amended  
121.3 to read:

121.4 Subd. 7. **Action for damages.** In addition to any other remedy provided by law, a patient  
121.5 or person enrolled in the registry program may bring an action for damages against any  
121.6 person who violates subdivision 3, 4, or 5. A person who violates subdivision 3, 4, or 5 is  
121.7 liable to a patient or person enrolled in the registry program injured by the violation for the  
121.8 greater of the person's actual damages or a civil penalty of \$100 and reasonable attorney  
121.9 fees.

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

121.11 Sec. 121. Minnesota Statutes 2023 Supplement, section 342.60, is amended to read:

121.12 **342.60 APPLIED RESEARCH.**

121.13 The ~~Division of Medical Cannabis~~ office may conduct, or award grants to health care  
121.14 providers or research organizations to conduct, applied research on the safety and efficacy  
121.15 of using medical cannabis flower or medical cannabinoid products to treat a specific health  
121.16 condition. A health care provider or research organization receiving a grant under this section  
121.17 must provide the office with access to all data collected in applied research funded under  
121.18 this section. The office may use data from applied research conducted or funded under this  
121.19 section as evidence to approve additional qualifying medical conditions or additional  
121.20 allowable forms of medical cannabis.

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

121.22 Sec. 122. Minnesota Statutes 2023 Supplement, section 342.61, subdivision 1, is amended  
121.23 to read:

121.24 Subdivision 1. **Testing required.** (a) Cannabis businesses and hemp businesses shall  
121.25 not sell or offer for sale cannabis flower, cannabis products, artificially derived cannabinoids,  
121.26 lower-potency hemp edibles, or hemp-derived consumer products to another cannabis  
121.27 business or hemp business, or to a customer or patient, or otherwise transfer cannabis flower,  
121.28 cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or  
121.29 hemp-derived consumer products to another cannabis business or hemp business, unless:

122.1 (1) a representative sample of the batch of cannabis flower, cannabis products, artificially  
122.2 derived cannabinoids, lower-potency hemp edibles, or hemp-derived consumer products  
122.3 has been tested according to this section and rules adopted under this chapter;

122.4 (2) the testing was completed by a cannabis testing facility licensed under this chapter  
122.5 or meeting the requirements of paragraph (b); and

122.6 (3) the tested sample of cannabis flower, cannabis products, artificially derived  
122.7 cannabinoids, lower-potency hemp edibles, or hemp-derived consumer products was found  
122.8 to meet testing standards established by the office.

122.9 (b) Testing of lower-potency hemp edibles and hemp-derived consumer products that  
122.10 do not contain intoxicating cannabinoids may be performed by any laboratory that has been  
122.11 accredited pursuant to standard ISO/IEC 17025 of the International Organization for  
122.12 Standardization with specific accreditation for cannabis testing until January 1, 2026.

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

122.14 Sec. 123. Minnesota Statutes 2023 Supplement, section 342.61, subdivision 4, is amended  
122.15 to read:

122.16 Subd. 4. **Testing of samples; disclosures.** (a) On a schedule determined by the office,  
122.17 every cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis  
122.18 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency  
122.19 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor,~~ or  
122.20 medical cannabis combination business shall make each batch of cannabis flower, cannabis  
122.21 products, artificially derived cannabinoids, lower-potency hemp edibles, or hemp-derived  
122.22 consumer products grown, manufactured, or imported by the cannabis business or hemp  
122.23 business available to a cannabis testing facility.

122.24 (b) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis  
122.25 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency  
122.26 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor,~~ or  
122.27 medical cannabis combination business must disclose all known information regarding  
122.28 pesticides, fertilizers, solvents, or other foreign materials, including but not limited to  
122.29 catalysts used in creating artificially derived cannabinoids, applied or added to the batch of  
122.30 cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp  
122.31 edibles, or hemp-derived consumer products subject to testing. Disclosure must be made  
122.32 to the cannabis testing facility and must include information about all applications by any  
122.33 person, whether intentional or accidental.

123.1 (c) The cannabis testing facility shall select one or more representative samples from  
123.2 each batch, test the samples for the presence of contaminants, and test the samples for  
123.3 potency and homogeneity and to allow the cannabis flower, cannabis product, artificially  
123.4 derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product to be  
123.5 accurately labeled with its cannabinoid profile. Testing for contaminants must include testing  
123.6 for residual solvents, foreign material, microbiological contaminants, heavy metals, pesticide  
123.7 residue, mycotoxins, and any items identified pursuant to paragraph (b), and may include  
123.8 testing for other contaminants. A cannabis testing facility must destroy or return to the  
123.9 cannabis business or hemp business any part of the sample that remains after testing.

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

123.11 Sec. 124. Minnesota Statutes 2023 Supplement, section 342.61, subdivision 5, is amended  
123.12 to read:

123.13 Subd. 5. **Test results.** (a) If a sample meets the applicable testing standards, a cannabis  
123.14 testing facility shall issue a certification to a cannabis microbusiness, cannabis  
123.15 mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an  
123.16 endorsement to import products, lower-potency hemp edible manufacturer, ~~medical cannabis~~  
123.17 ~~cultivator, medical cannabis processor,~~ or medical cannabis combination business and the  
123.18 cannabis business or hemp business may then sell or transfer the batch of cannabis flower,  
123.19 cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or  
123.20 hemp-derived consumer products from which the sample was taken to another cannabis  
123.21 business or hemp business, or offer the cannabis flower, cannabis products, lower-potency  
123.22 hemp edibles, or hemp-derived consumer products for sale to customers or patients. If a  
123.23 sample does not meet the applicable testing standards or if the testing facility is unable to  
123.24 test for a substance identified pursuant to subdivision 4, paragraph (b), the batch from which  
123.25 the sample was taken shall be subject to procedures established by the office for such batches,  
123.26 including destruction, remediation, or retesting.

123.27 (b) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis  
123.28 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency  
123.29 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor,~~ or  
123.30 medical cannabis combination business must maintain the test results for cannabis flower,  
123.31 cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or  
123.32 hemp-derived consumer products grown, manufactured, or imported by that cannabis  
123.33 business or hemp business for at least five years after the date of testing.

124.1 (c) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis  
124.2 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency  
124.3 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor, or~~  
124.4 medical cannabis combination business shall make test results maintained by that cannabis  
124.5 business or hemp business available for review by any member of the public, upon request.  
124.6 Test results made available to the public must be in plain language.

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

124.8 Sec. 125. Minnesota Statutes 2023 Supplement, section 342.62, is amended by adding a  
124.9 subdivision to read:

124.10 Subd. 1a. **Appeal to individuals under 21 years of age.** For the purposes of this section  
124.11 and section 342.64, "appeal to individuals under 21 years of age" means any of the following:

124.12 (1) the use of images depicting toys or robots;

124.13 (2) the use of any images depicting fruits or vegetables, except when used to accurately  
124.14 describe ingredients or flavors contained in a product;

124.15 (3) the use of any images bearing a likeness to characters or phrases that are popularly  
124.16 used to advertise to children; or

124.17 (4) the use of brand names or close imitations of brand names of candies, cereals, sweets,  
124.18 chips, or other food products typically marketed to children.

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

124.20 Sec. 126. Minnesota Statutes 2023 Supplement, section 342.62, subdivision 3, is amended  
124.21 to read:

124.22 Subd. 3. **Packaging prohibitions.** (a) Cannabis flower, cannabis products, lower-potency  
124.23 hemp edibles, or hemp-derived consumer products sold to customers or patients must not  
124.24 be packaged in a manner that:

124.25 (1) bears a reasonable resemblance to any commercially available product that does not  
124.26 contain cannabinoids, whether the manufacturer of the product holds a registered trademark  
124.27 or has registered the trade dress; or

124.28 (2) is designed to appeal to ~~persons~~ individuals under 21 years of age.

124.29 (b) Packaging for cannabis flower, cannabis products, lower-potency hemp edibles, and  
124.30 hemp-derived consumer products must not contain or be coated with any perfluoroalkyl  
124.31 substance.

125.1 (c) Edible cannabis products and lower-potency hemp edibles must not be packaged in  
125.2 a material that is not approved by the United States Food and Drug Administration for use  
125.3 in packaging food.

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

125.5 Sec. 127. Minnesota Statutes 2023 Supplement, section 342.62, is amended by adding a  
125.6 subdivision to read:

125.7 Subd. 4. **Prohibition of sale of certain empty packaging.** No person shall sell, offer  
125.8 for sale, or facilitate the sale of empty packaging that, if used, would be a violation of any  
125.9 provision of this section. Enforcement of this subdivision is subject to section 8.31.

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

125.11 Sec. 128. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 2, is amended  
125.12 to read:

125.13 Subd. 2. **Content of label; cannabis.** All cannabis flower and hemp-derived consumer  
125.14 products that consist of hemp plant parts sold to customers or patients must have affixed  
125.15 on the packaging or container of the cannabis flower or hemp-derived consumer product a  
125.16 label that contains at least the following information:

125.17 (1) the name and license number of the cannabis microbusiness, cannabis mezzobusiness,  
125.18 cannabis cultivator, medical cannabis ~~cultivator~~ combination business, or industrial hemp  
125.19 grower where the cannabis flower or hemp plant part was cultivated;

125.20 (2) the net weight or volume of cannabis flower or hemp plant parts in the package or  
125.21 container;

125.22 (3) the batch number;

125.23 (4) the cannabinoid profile;

125.24 (5) a universal symbol established by the office indicating that the package or container  
125.25 contains cannabis flower, a cannabis product, a lower-potency hemp edible, or a  
125.26 hemp-derived consumer product;

125.27 (6) verification that the cannabis flower or hemp plant part was tested according to  
125.28 section 342.61 and that the cannabis flower or hemp plant part complies with the applicable  
125.29 standards;

126.1 (7) ~~the maximum dose, quantity, or consumption that may be considered medically safe~~  
126.2 ~~within a 24-hour period~~ information on the usage of the cannabis flower or hemp-derived  
126.3 consumer product;

126.4 (8) the following statement: "Keep this product out of reach of children."; and

126.5 (9) any other statements or information required by the office.

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

126.7 Sec. 129. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 3, is amended  
126.8 to read:

126.9 **Subd. 3. Content of label; cannabinoid products.** (a) All cannabis products,  
126.10 lower-potency hemp edibles, hemp-derived consumer products other than products subject  
126.11 to the requirements under subdivision 2, medical cannabinoid products, and hemp-derived  
126.12 topical products sold to customers or patients must have affixed to the packaging or container  
126.13 of the cannabis product a label that contains at least the following information:

126.14 (1) the name and license number of the cannabis microbusiness, cannabis mezzobusiness,  
126.15 cannabis cultivator, medical cannabis ~~cultivator~~ combination business, or industrial hemp  
126.16 grower that cultivated the cannabis flower or hemp plant parts used in the cannabis product,  
126.17 lower-potency hemp edible, hemp-derived consumer product, or medical cannabinoid  
126.18 product;

126.19 (2) the name and license number of the cannabis microbusiness, cannabis mezzobusiness,  
126.20 cannabis manufacturer, lower-potency hemp edible manufacturer, medical cannabis ~~processor~~  
126.21 combination business, or industrial hemp grower that manufactured the cannabis concentrate,  
126.22 hemp concentrate, or artificially derived cannabinoid and, if different, the name and license  
126.23 number of the cannabis microbusiness, cannabis mezzobusiness, cannabis manufacturer,  
126.24 lower-potency hemp edible manufacturer, or medical cannabis ~~processor~~ combination  
126.25 business that manufactured the product;

126.26 (3) the net weight or volume of the cannabis product, lower-potency hemp edible, or  
126.27 hemp-derived consumer product in the package or container;

126.28 (4) the type of cannabis product, lower-potency hemp edible, or hemp-derived consumer  
126.29 product;

126.30 (5) the batch number;

126.31 (6) the serving size;

126.32 (7) the cannabinoid profile per serving and in total;

- 127.1 (8) a list of ingredients;
- 127.2 (9) a universal symbol established by the office indicating that the package or container  
127.3 contains cannabis flower, a cannabis product, a lower-potency hemp edible, or a  
127.4 hemp-derived consumer product;
- 127.5 (10) a warning symbol developed by the office in consultation with the commissioner  
127.6 of health and the Minnesota Poison Control System that:
- 127.7 (i) is at least three-quarters of an inch tall and six-tenths of an inch wide;
- 127.8 (ii) is in a highly visible color;
- 127.9 (iii) includes a visual element that is commonly understood to mean a person should  
127.10 stop;
- 127.11 (iv) indicates that the product is not for children; and
- 127.12 (v) includes the phone number of the Minnesota Poison Control System;
- 127.13 (11) verification that the cannabis product, lower-potency hemp edible, hemp-derived  
127.14 consumer product, or medical cannabinoid product was tested according to section 342.61  
127.15 and that the cannabis product, lower-potency hemp edible, hemp-derived consumer product,  
127.16 or medical cannabinoid product complies with the applicable standards;
- 127.17 (12) ~~the maximum dose, quantity, or consumption that may be considered medically~~  
127.18 ~~safe within a 24-hour period~~ information on the usage of the product;
- 127.19 (13) the following statement: "Keep this product out of reach of children."; and
- 127.20 (14) any other statements or information required by the office.
- 127.21 (b) The office may by rule establish alternative labeling requirements for lower-potency  
127.22 hemp edibles that are imported into the state ~~provided that~~ if those requirements provide  
127.23 consumers with information that is substantially similar to the information described in  
127.24 paragraph (a).
- 127.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 127.26 Sec. 130. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 6, is amended  
127.27 to read:
- 127.28 Subd. 6. **Additional information.** (a) A cannabis microbusiness, cannabis mezzobusiness,  
127.29 cannabis retailer, ~~medical cannabis retailer~~, or medical cannabis combination business must  
127.30 provide customers and patients with the following information:

128.1 (1) factual information about impairment effects and the expected timing of impairment  
128.2 effects, side effects, adverse effects, and health risks of cannabis flower, cannabis products,  
128.3 lower-potency hemp edibles, and hemp-derived consumer products;

128.4 (2) a statement that customers and patients must not operate a motor vehicle or heavy  
128.5 machinery while under the influence of cannabis flower, cannabis products, lower-potency  
128.6 hemp edibles, and hemp-derived consumer products;

128.7 (3) resources customers and patients may consult to answer questions about cannabis  
128.8 flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer  
128.9 products, and any side effects and adverse effects;

128.10 (4) contact information for the poison control center and a safety hotline or website for  
128.11 customers to report and obtain advice about side effects and adverse effects of cannabis  
128.12 flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer  
128.13 products;

128.14 (5) substance use disorder treatment options; and

128.15 (6) any other information specified by the office.

128.16 (b) A cannabis microbusiness, cannabis mezzobusiness, cannabis retailer, or medical  
128.17 cannabis ~~retailer~~ combination business may include the information described in paragraph  
128.18 (a) on the label affixed to the packaging or container of cannabis flower, cannabis products,  
128.19 lower-potency hemp edibles, and hemp-derived consumer products by:

128.20 (1) posting the information in the premises of the cannabis microbusiness, cannabis  
128.21 mezzobusiness, cannabis retailer, ~~medical cannabis retailer~~, or medical cannabis combination  
128.22 business; or

128.23 (2) providing the information on a separate document or pamphlet provided to customers  
128.24 or patients when the customer purchases cannabis flower, a cannabis product, a lower-potency  
128.25 hemp edible, or a hemp-derived consumer product.

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

128.27 Sec. 131. Minnesota Statutes 2023 Supplement, section 342.64, subdivision 1, is amended  
128.28 to read:

128.29 Subdivision 1. **Limitations applicable to all advertisements.** Cannabis businesses,  
128.30 hemp businesses, and other persons shall not publish or cause to be published an  
128.31 advertisement for a cannabis business, a hemp business, cannabis flower, a cannabis product,  
128.32 a lower-potency hemp edible, or a hemp-derived consumer product in a manner that:



- 129.1 (1) contains false or misleading statements;
- 129.2 (2) contains unverified claims about the health or therapeutic benefits or effects of  
129.3 consuming cannabis flower, a cannabis product, a lower-potency hemp edible, or a  
129.4 hemp-derived consumer product;
- 129.5 (3) promotes the overconsumption of cannabis flower, a cannabis product, a  
129.6 lower-potency hemp edible, or a hemp-derived consumer product;
- 129.7 (4) depicts a person under 21 years of age consuming cannabis flower, a cannabis product,  
129.8 a lower-potency hemp edible, or a hemp-derived consumer product; or
- 129.9 (5) includes an image designed or likely to appeal to individuals under 21 years of age,  
129.10 including cartoons, toys, animals, or children, or any other likeness to images, characters,  
129.11 or phrases that is designed to be appealing to individuals under 21 years of age or encourage  
129.12 consumption by individuals under 21 years of age; ~~and~~
- 129.13 (6) contains an image of alcohol or a person or persons consuming alcohol; and
- 129.14 (7) does not contain a warning as specified by the office regarding impairment and health  
129.15 risks.

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

129.17 Sec. 132. Minnesota Statutes 2023 Supplement, section 342.70, subdivision 3, is amended  
129.18 to read:

129.19 Subd. 3. **Grants to organizations.** (a) The Division of Social Equity must award grants  
129.20 to eligible organizations through a competitive grant process.

129.21 (b) To receive grant money, an eligible organization must submit a written application  
129.22 to the office, using a form developed by the office, explaining the community investment  
129.23 the organization wants to make in an eligible community.

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

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

129.26 (2) a description of the positive impact that the proposed investment is expected to  
129.27 generate for that community;

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

129.29 (4) any evidence of the organization's past success in making similar community  
129.30 investments;

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

130.2 (6) the sources and amounts of any nonstate funds or in-kind contributions that will  
130.3 supplement grant money; ~~and~~

130.4 (7) a description of the organization's engagement with youth-centered, community-based  
130.5 organizations working with youth who are 14 to 24 years of age that have been most impacted  
130.6 by cannabis-related usage, criminalization, or incarceration; and

130.7 (8) any additional information requested by the office.

130.8 (d) In awarding grants under this subdivision, the office shall give ~~weight~~ priority to the  
130.9 following:

130.10 (1) applications from organizations that demonstrate a history of successful community  
130.11 investments, particularly in geographic areas that are now eligible communities. ~~The office~~  
130.12 ~~shall also give weight to;~~

130.13 (2) applications that support youth civic engagement, leadership, and youth-led health  
130.14 education opportunities; and

130.15 (3) applications where there is demonstrated community support for the proposed  
130.16 investment.

130.17 (e) The office shall fund investments in eligible communities throughout the state.

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

130.19 Sec. 133. Minnesota Statutes 2023 Supplement, section 342.73, subdivision 4, is amended  
130.20 to read:

130.21 Subd. 4. **Loan financing grants.** (a) The CanGrow revolving loan account is established  
130.22 in the special revenue fund. Money in the account, including interest, is appropriated to the  
130.23 ~~commissioner~~ office to make loan financing grants under the CanGrow program.

130.24 (b) The office must award grants to nonprofit corporations through a competitive grant  
130.25 process.

130.26 (c) To receive grant money, a nonprofit corporation must submit a written application  
130.27 to the office using a form developed by the office.

130.28 (d) In awarding grants under this subdivision, the office shall give weight to whether  
130.29 the nonprofit corporation:

130.30 (1) has a board of directors that includes individuals experienced in agricultural business  
130.31 development;

- 131.1 (2) has the technical skills to analyze projects;
- 131.2 (3) is familiar with other available public and private funding sources and economic  
131.3 development programs;
- 131.4 (4) can initiate and implement economic development projects;
- 131.5 (5) can establish and administer a revolving loan account; and
- 131.6 (6) has established relationships with communities where long-term residents are eligible  
131.7 to be social equity applicants.

131.8 The office shall make grants that will help farmers enter the legal cannabis industry  
131.9 throughout the state.

131.10 (e) A nonprofit corporation that receives grants under the program must:

131.11 (1) establish an office-certified revolving loan account for the purpose of making eligible  
131.12 loans; and

131.13 (2) enter into an agreement with the office that the office shall fund loans that the  
131.14 nonprofit corporation makes to farmers entering the legal cannabis industry. The office shall  
131.15 review existing agreements with nonprofit corporations every five years and may renew or  
131.16 terminate an agreement based on that review. In making this review, the office shall consider,  
131.17 among other criteria, the criteria in paragraph (d).

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

131.19 Sec. 134. Minnesota Statutes 2023 Supplement, section 342.80, is amended to read:

131.20 **342.80 LAWFUL ACTIVITIES.**

131.21 (a) Notwithstanding any law to the contrary, the cultivation, manufacturing, possessing,  
131.22 and selling of cannabis flower, cannabis products, artificially derived cannabinoids,  
131.23 lower-potency hemp edibles, and hemp-derived consumer products by a licensed cannabis  
131.24 business or hemp business in conformity with the rights granted by a cannabis business  
131.25 license or hemp business license is lawful and may not be the grounds for the seizure or  
131.26 forfeiture of property, arrest or prosecution, or search or inspections except as provided by  
131.27 this chapter.

131.28 (b) A person acting as an agent of a cannabis microbusiness, cannabis mezzobusiness,  
131.29 cannabis retailer, medical cannabis combination business, or lower-potency hemp edible  
131.30 retailer who sells or otherwise transfers cannabis flower, cannabis products, lower-potency  
131.31 hemp edibles, or hemp-derived consumer products to a person under 21 years of age is not

132.1 subject to arrest, prosecution, or forfeiture of property if the person complied with section  
132.2 342.27, subdivision 4, and any rules promulgated pursuant to this chapter.

132.3 Sec. 135. Laws 2023, chapter 63, article 1, section 2, the effective date, is amended to  
132.4 read:

132.5 **EFFECTIVE DATE.** This section is effective July 1, 2023, except for subdivision 3,  
132.6 which is effective ~~March 1, 2025~~ July 1, 2024.

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

132.8 Sec. 136. Laws 2023, chapter 63, article 1, section 51, the effective date, is amended to  
132.9 read:

132.10 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ the day following final  
132.11 enactment.

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

132.13 Sec. 137. Laws 2023, chapter 63, article 1, section 52, the effective date, is amended to  
132.14 read:

132.15 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ the day following final  
132.16 enactment.

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

132.18 Sec. 138. Laws 2023, chapter 63, article 1, section 53, the effective date, is amended to  
132.19 read:

132.20 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

132.22 Sec. 139. Laws 2023, chapter 63, article 1, section 54, the effective date, is amended to  
132.23 read:

132.24 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

133.1 Sec. 140. Laws 2023, chapter 63, article 1, section 55, the effective date, is amended to  
133.2 read:

133.3 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

133.5 Sec. 141. Laws 2023, chapter 63, article 1, section 56, the effective date, is amended to  
133.6 read:

133.7 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

133.9 Sec. 142. Laws 2023, chapter 63, article 1, section 57, the effective date, is amended to  
133.10 read:

133.11 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

133.13 Sec. 143. Laws 2023, chapter 63, article 1, section 58, the effective date, is amended to  
133.14 read:

133.15 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

133.17 Sec. 144. Laws 2023, chapter 63, article 1, section 59, the effective date, is amended to  
133.18 read:

133.19 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

133.21 Sec. 145. Laws 2023, chapter 63, article 1, section 61, the effective date, is amended to  
133.22 read:

133.23 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

133.25 Sec. 146. Laws 2023, chapter 63, article 6, section 10, the effective date, is amended to  
133.26 read:

133.27 **EFFECTIVE DATE.** This section is effective ~~March~~ July 1, 2025 2024.

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

134.2 Sec. 147. Laws 2023, chapter 63, article 6, section 73, the effective date, is amended to  
134.3 read:

134.4 **EFFECTIVE DATE.** Paragraph (a) is effective ~~March~~ December 1, 2025. Paragraph  
134.5 (b) is effective August 1, 2023. Paragraph (c) is effective July 1, 2023.

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

134.7 Sec. 148. **LICENSE PREAPPROVAL.**

134.8 **Subdivision 1. Establishment.** (a) Prior to the adoption of initial rules pursuant to  
134.9 Minnesota Statutes, section 342.02, subdivision 5, the Office of Cannabis Management may  
134.10 establish a license preapproval process for applicants who meet the requirements in Minnesota  
134.11 Statutes, section 342.17.

134.12 (b) The office may issue up to the following number of license preapprovals for the  
134.13 following types of licenses:

134.14 (1) cannabis microbusiness licenses, 100;

134.15 (2) cannabis mezzobusiness licenses, 25;

134.16 (3) cannabis cultivator licenses, 13;

134.17 (4) cannabis manufacturer licenses, six;

134.18 (5) cannabis retailer licenses, 38;

134.19 (6) cannabis wholesaler licenses, 20;

134.20 (7) cannabis transporter licenses, 20;

134.21 (8) cannabis testing facility licenses, 50; and

134.22 (9) cannabis delivery service licenses, ten.

134.23 (c) A license preapproval remains valid for 18 months from the date that the office adopts  
134.24 initial rules pursuant to Minnesota Statutes, section 342.02, subdivision 5, unless the office  
134.25 revokes the license preapproval or grants an extension. The office may grant a onetime  
134.26 extension of up to six months if an applicant has made good faith efforts to convert a license  
134.27 preapproval into a license. The office must not issue a license to an applicant whose license  
134.28 preapproval has expired.

135.1 Subd. 2. **Eligibility; social equity applicants.** Only a social equity applicant who meets  
135.2 the requirements in Minnesota Statutes, section 342.17, is eligible for license preapproval.

135.3 Subd. 3. **Preapproval period.** (a) The office must announce the commencement of a  
135.4 license preapproval application period at least 14 days before the date that the office begins  
135.5 to accept applications. The announcement must include:

135.6 (1) the types of licenses that will be available for preapproval during the license  
135.7 preapproval period;

135.8 (2) the number of each type of license available during the license preapproval period;

135.9 (3) the date on which the office will begin accepting applications for license preapproval;

135.10 and

135.11 (4) the date on which the office will no longer accept applications.

135.12 (b) The office must begin accepting applications no later than July 24, 2024. The  
135.13 application period must end on August 12, 2024.

135.14 Subd. 4. **Application requirements.** (a) An applicant for license preapproval must:

135.15 (1) complete an application that contains the information described in Minnesota Statutes,  
135.16 section 342.14, subdivision 1, on a form and in a manner approved by the office; and

135.17 (2) pay the applicable application fee required under Minnesota Statutes, section 342.11,  
135.18 paragraph (b), for the license being sought.

135.19 (b) The office shall not require an applicant for a license preapproval to identify or have  
135.20 acquired any property on which the cannabis business will operate.

135.21 (c) If the office receives an application that fails to provide the office with the required  
135.22 information or pay the applicable application fee, the office shall issue a deficiency notice  
135.23 to the applicant that states the amount of time that the applicant has to submit the required  
135.24 information or pay the application fee to the office.

135.25 (d) Failure by an applicant to submit all required information to the office or pay the  
135.26 application fee to the office shall result in the application being rejected.

135.27 Subd. 5. **Application review; qualified applicants.** (a) The office must accept  
135.28 applications for license preapproval during the application period. As part of the application  
135.29 process, the office must verify the applicant's status as a social equity applicant.

135.30 (b) The office may deny an application if:

135.31 (1) the application is incomplete;

- 136.1 (2) the application contains a materially false statement about the applicant or omits  
136.2 information required under Minnesota Statutes, section 342.14, subdivision 1;
- 136.3 (3) the applicant does not meet the qualifications under Minnesota Statutes, section  
136.4 342.16;
- 136.5 (4) the applicant is prohibited from holding the license under Minnesota Statutes, section  
136.6 342.18, subdivision 2;
- 136.7 (5) the application does not meet the minimum requirements under Minnesota Statutes,  
136.8 section 342.18, subdivision 3;
- 136.9 (6) the applicant fails to pay the applicable application fee to the office;
- 136.10 (7) the applicant failed to submit the application to the office by the application deadline;
- 136.11 (8) the applicant submitted more than one application for a license type; or
- 136.12 (9) the office determines that the applicant would be prohibited from holding a license  
136.13 for any other reason.
- 136.14 (c) If the office denies an application, the office must notify the applicant of the denial  
136.15 and the basis for the denial.
- 136.16 (d) The office may request additional information from an applicant if the office  
136.17 determines that the information is necessary to review or process the application. If the  
136.18 applicant does not provide the additional requested information within 14 calendar days,  
136.19 the office may deny the application.
- 136.20 (e) An applicant whose application is not denied under this subdivision is a qualified  
136.21 applicant.
- 136.22 **Subd. 6. Lottery.** (a) If there are fewer license preapprovals available for a license type  
136.23 than the number of qualified applicants for that license type, the office must conduct a lottery  
136.24 to select applicants for license preapproval. The lottery must include all qualified applicants  
136.25 seeking license preapproval for the license type and must be impartial, random, and in a  
136.26 format determined by the office.
- 136.27 (b) The office may remove an applicant from the lottery if the office determines that the  
136.28 applicant has violated this chapter or rules adopted pursuant to this chapter that would justify  
136.29 the revocation or nonrenewal of a license. If the office removes an applicant from a lottery,  
136.30 the office must notify the applicant of the removal and the basis for the removal.
- 136.31 (c) Following the completion of any lottery conducted under this subdivision, the office  
136.32 must notify each applicant that the applicant was either selected or not selected in the lottery.



137.1 Subd. 7. **Background check; preapproval.** (a) Before granting a license preapproval,  
137.2 the office may conduct a background check of a qualified applicant consistent with Minnesota  
137.3 Statutes, section 342.15.

137.4 (b) The office must issue license preapproval to a qualified applicant if the applicant is  
137.5 not disqualified under Minnesota Statutes, section 342.15, and:

137.6 (1) there are a sufficient number of licenses of the type the applicant is seeking for all  
137.7 qualified applicants to receive a license preapproval; or

137.8 (2) the qualified applicant is selected in the lottery conducted under subdivision 6.

137.9 (c) The office must notify an applicant of the results of any background check and  
137.10 whether the office has granted a license preapproval. If the office does not grant a license  
137.11 preapproval, the notice must state the specific reasons for the office's decision.

137.12 Subd. 8. **License preapproval; purpose; restrictions.** (a) A license preapproval issued  
137.13 by the office is evidence that:

137.14 (1) the applicant has submitted all necessary information to the office;

137.15 (2) the office has determined that the applicant is qualified to hold a license of the type  
137.16 for which the license preapproval is issued; and

137.17 (3) the office will issue the person a license after the office adopts initial rules pursuant  
137.18 to Minnesota Statutes, section 342.02, subdivision 5, unless the office revokes the license  
137.19 preapproval pursuant to subdivision 9.

137.20 (b) Upon request by a person with a license preapproval, the office must provide  
137.21 confirmation of the license preapproval to third parties to assist the person in taking the  
137.22 steps necessary to prepare for business operations, including:

137.23 (1) establishing legal control of the site of the cannabis business through a lease, purchase,  
137.24 or other means;

137.25 (2) gaining zoning or planning approval from a local unit of government for the site of  
137.26 the cannabis business; and

137.27 (3) raising capital for the person's business operations.

137.28 (c) A person with a license preapproval is not authorized to open a cannabis business  
137.29 or engage in any activity that requires a license issued under this chapter.

137.30 (d) A person with a license preapproval must not:

138.1 (1) purchase, possess, cultivate, manufacture, distribute, dispense, or sell cannabis plants,  
138.2 cannabis flower, cannabis products, medical cannabis flower, or medical cannabinoid  
138.3 products;

138.4 (2) manufacture, distribute, or sell edible cannabinoid products or lower-potency hemp  
138.5 edibles unless the person has explicit permission from the office to engage in those activities  
138.6 and has a valid license authorizing those actions or is registered pursuant to Minnesota  
138.7 Statutes, section 151.72;

138.8 (3) make any transfer of an ownership interest that causes a change in the individual or  
138.9 entity that holds the controlling ownership interest of the cannabis business;

138.10 (4) make any change or transfer of ownership or control that would require a new business  
138.11 registration with the secretary of state; or

138.12 (5) make any transfer of ownership interest that causes the person with a license  
138.13 preapproval to no longer qualify as a social equity applicant under Minnesota Statutes,  
138.14 section 342.17.

138.15 (e) The prohibitions under paragraphs (c) and (d) do not prohibit a person with a license  
138.16 preapproval from engaging in early cultivation if authorized by the office.

138.17 Subd. 9. **Revocation of preapproval.** The office may revoke a license preapproval if  
138.18 the person holding the license preapproval, including any true party of interest as defined  
138.19 in Minnesota Statutes, section 342.185, subdivision 1, paragraph (g):

138.20 (1) fraudulently or deceptively obtained a license preapproval;

138.21 (2) fails to reveal any material fact pertaining to the qualification for a license preapproval;

138.22 (3) violates any provision of this chapter; or

138.23 (4) is not registered or in good standing with the Office of the Secretary of State.

138.24 Subd. 10. **Conversion of preapproval.** (a) After the office adopts initial rules pursuant  
138.25 to Minnesota Statutes, section 342.02, subdivision 5, the office must issue a license to any  
138.26 person who has received a license preapproval if:

138.27 (1) the person provides the address and legal property description of the location where  
138.28 the business will operate;

138.29 (2) the person provides the name of the local unit of government where the business will  
138.30 be located;

139.1 (3) if applicable, the person provides an updated description of the location where the  
139.2 business will operate, an updated security plan, and any other additional information required  
139.3 by the office;

139.4 (4) the office contacts the appropriate local unit of government as provided in Minnesota  
139.5 Statutes, section 342.13, paragraph (f), to confirm that the proposed cannabis business  
139.6 complies with local zoning ordinances and, if applicable, whether the proposed business  
139.7 complies with the state fire code and building code;

139.8 (5) the office completes an inspection of the site where the cannabis business will be  
139.9 located and approves the site; and

139.10 (6) the person pays any applicable license fee.

139.11 (b) The office must not grant a license to a person who has received a license preapproval  
139.12 if:

139.13 (1) the ownership of the cannabis business has changed since the office granted a license  
139.14 preapproval and the person has not filed an updated ownership disclosure as required by  
139.15 the office;

139.16 (2) the office confirms that the cannabis business for which the office granted a license  
139.17 preapproval does not meet local zoning and land use laws;

139.18 (3) the person fails to submit any required information;

139.19 (4) the person submits a materially false statement about the applicant or fails to provide  
139.20 any required information;

139.21 (5) the person fails to pay the applicable license fee; or

139.22 (6) the office determines that the person is disqualified from holding the license or would  
139.23 operate in violation of the provisions of this chapter.

139.24 (d) Within 90 days of receiving the information required under paragraph (a), clauses  
139.25 (1) to (3), the office shall grant final authorization and issue the appropriate license or send  
139.26 the applicant a notice of rejection setting forth specific reasons that the office did not grant  
139.27 a license.

139.28 **Subd. 11. Applicants; right to a reconsideration.** (a) If the office denies an application  
139.29 for a license preapproval or removes an applicant from a lottery, the applicant may request  
139.30 a records review of the submitted application materials within seven calendar days of  
139.31 receiving notification that the office denied the application or removed the applicant.

140.1 (b) Upon an applicant's request, the office must allow the applicant to examine the  
140.2 applicant's records received by the office.

140.3 (c) A person whose license preapproval is later revoked by the office may request  
140.4 reconsideration by the director.

140.5 (d) An applicant whose application is denied or not selected in a lottery may not appeal  
140.6 or request a hearing.

140.7 Subd. 12. **Retention of applications.** The office must retain an application that was not  
140.8 selected in a lottery for one year. An application retained under this subdivision is subject  
140.9 to the requirements under Minnesota Statutes, section 342.14, subdivision 9.

140.10 Subd. 13. **Data.** Data collected, created, or maintained by the office pursuant to this  
140.11 section are application data submitted by an applicant for a cannabis business license and  
140.12 are subject to Minnesota Statutes, section 342.20.

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

140.14 Sec. 149. **THIRD-PARTY BACKGROUND CHECKS FOR LICENSE**  
140.15 **APPLICATIONS.**

140.16 (a) Notwithstanding Minnesota Statutes, section 342.15, until approved by the Federal  
140.17 Bureau of Investigation, the director may accept a third-party local and national criminal  
140.18 background check submitted by an applicant for a license or renewal in lieu of a  
140.19 fingerprint-based national criminal history records check. Any third-party background check  
140.20 must:

140.21 (1) be conducted by a third-party consumer reporting agency or background screening  
140.22 company that is in compliance with the federal Fair Credit Reporting Act and accredited  
140.23 by the Professional Background Screening Association;

140.24 (2) include a multistate and multijurisdiction criminal record locator or other similar  
140.25 commercial nationwide database with validation; and

140.26 (3) include other background screening as the director may require.

140.27 (b) The applicant must request a background check not more than 60 days before  
140.28 submitting the application.

140.29 (c) Notwithstanding Minnesota Statutes, section 342.15, until approved by the Federal  
140.30 Bureau of Investigation, a license holder may use a third-party local and national criminal  
140.31 background check submitted by a cannabis worker in lieu of a fingerprint-based national  
140.32 criminal history records check. Any third-party background check must:

141.1 (1) be conducted by a third-party consumer reporting agency or background screening  
141.2 company that is in compliance with the federal Fair Credit Reporting Act and accredited  
141.3 by the Professional Background Screening Association;

141.4 (2) include a multistate and multijurisdiction criminal record locator or other similar  
141.5 commercial nationwide database with validation; and

141.6 (3) include other background screening as the director may require.

141.7 (d) The cannabis worker must request a background check not more than 60 days before  
141.8 submitting the application.

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

141.10 Sec. 150. **EMPLOYEE TRANSFER.**

141.11 (a) The powers, duties, rights, obligations, and other authority imposed by law on the  
141.12 Department of Health with respect to the sale of certain cannabinoid products under  
141.13 Minnesota Statutes, section 151.72, are transferred to the Office of Cannabis Management  
141.14 under Minnesota Statutes, section 15.039.

141.15 (b) The following protections shall apply to employees who are transferred from the  
141.16 Department of Health to the Office of Cannabis Management:

141.17 (1) the employment status and job classification of a transferred employee shall not be  
141.18 altered as a result of the transfer;

141.19 (2) transferred employees who were represented by an exclusive representative prior to  
141.20 the transfer shall continue to be represented by the same exclusive representative after the  
141.21 transfer;

141.22 (3) the applicable collective bargaining agreements with exclusive representatives shall  
141.23 continue in full force and effect for such transferred employees after the transfer;

141.24 (4) the state must meet and negotiate with the exclusive representatives of the transferred  
141.25 employees about any proposed changes affecting or relating to the transferred employees'  
141.26 terms and conditions of employment to the extent such changes are not addressed in the  
141.27 applicable collective bargaining agreement; and

141.28 (5) for an employee in a temporary unclassified position transferred to the Office of  
141.29 Cannabis Management, the total length of time that the employee has served in the  
141.30 appointment shall include all time served in the appointment at the transferring agency and  
141.31 the time served in the appointment at the Office of Cannabis Management. An employee  
141.32 in a temporary unclassified position who was hired by a transferring agency through an

142.1 open competitive selection process in accordance with a policy enacted by Minnesota  
142.2 Management and Budget shall be considered to have been hired through such process after  
142.3 the transfer.

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

142.5 Sec. 151. **EARLY CULTIVATION.**

142.6 (a) A social equity applicant with a license preapproval for a cannabis microbusiness  
142.7 license, cannabis mezzobusiness license, or cannabis cultivator license, may grow cannabis  
142.8 plants from seeds or immature plants if the social equity applicant:

142.9 (1) has provided documentation in a form and manner prescribed by the Office of  
142.10 Cannabis Management from the applicable local unit of government that states the social  
142.11 equity applicant is in compliance with local zoning ordinances and state fire and building  
142.12 codes; and

142.13 (2) complies with Minnesota Rules, parts 4770.0100 to 4770.4030.

142.14 (b) According to Minnesota Statutes, section 342.19, the Office of Cannabis Management  
142.15 may enforce Minnesota Rules, parts 4770.0100 to 4770.4030 against a social equity applicant  
142.16 who cultivates cannabis under paragraph (a).

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

142.18 Sec. 152. **TRANSFER OF ACTIVE AND INACTIVE COMPLAINTS.**

142.19 The Department of Health shall transfer all data, including not public data as defined in  
142.20 Minnesota Statutes, section 13.02, subdivision 8a, on active complaints and inactive  
142.21 complaints involving alleged violations of Minnesota Statutes 2023 Supplement, section  
142.22 151.72, as well as registration data collected under Minnesota Statutes 2023 Supplement,  
142.23 section 151.72, subdivision 5b, to the Office of Cannabis Management. The Department of  
142.24 Health and the Office of Cannabis Management shall ensure that the transfer takes place in  
142.25 a manner and on a schedule that prioritizes public health.

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

142.27 Sec. 153. **TRANSFER OF MEDICAL PROGRAM.**

142.28 (a) Notwithstanding the data's classification under Minnesota Statutes, chapter 13, the  
142.29 Office of Cannabis Management may access data maintained by the commissioner of health  
142.30 related to the responsibilities transferred under Minnesota Statutes, section 342.02,  
142.31 subdivision 3. Data sharing authorized by this subdivision includes not public data as defined

143.1 in Minnesota Statutes, section 13.02, subdivision 8a, on active complaints and inactive  
143.2 complaints involving any alleged violation of Minnesota Statutes, sections 152.22 to 152.37,  
143.3 by a medical cannabis manufacturer. Data sharing under this paragraph further includes  
143.4 data in patient files maintained by the commissioner and the health care practitioner and  
143.5 data submitted to or by a medical cannabis manufacturer classified as private data on  
143.6 individuals, as defined in Minnesota Statutes, section 13.02, subdivision 12, or nonpublic  
143.7 data, as defined in Minnesota Statutes, section 13.02, subdivision 9. Any data shared under  
143.8 this section retain the data's classification from the agency holding the data.

143.9 (b) All rules adopted by the commissioner of health pursuant to Minnesota Statutes,  
143.10 sections 152.22 to 152.37, including but not limited to Minnesota Rules, chapter 4770,  
143.11 remain effective and shall be enforced until amended or repealed consistent with Minnesota  
143.12 Statutes, section 15.039, subdivision 3.

143.13 (c) The director of the Office of Cannabis Management may use the good cause exempt  
143.14 rulemaking process under Minnesota Statutes, section 14.388, subdivision 1, clauses (3)  
143.15 and (4), to copy and adopt any portions of Minnesota Rules, parts 4770.0100 to 4770.4030,  
143.16 that are necessary to effectuate the transfer of authority granted under Minnesota Statutes,  
143.17 section 342.02, subdivision 3. The commissioner may make technical changes and any  
143.18 changes necessary to conform with the transfer of authority. Any change to the rules that  
143.19 is not authorized under this paragraph must be adopted according to Minnesota Statutes,  
143.20 sections 14.001 to 14.366.

143.21 (d) Unless otherwise specified in this section or Minnesota Statutes, section 342.02,  
143.22 subdivision 3, transfer of the powers, duties, rights, obligations, and other authority imposed  
143.23 by law on the Department of Health with respect to the medical cannabis program under  
143.24 Minnesota Statutes 2022, sections 152.22 to 152.37, to the Office of Cannabis Management  
143.25 is subject to Minnesota Statutes, section 15.039.

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

143.27 **Sec. 154. REPEALER.**

143.28 (a) Minnesota Statutes 2023 Supplement, sections 342.01, subdivisions 28, 53, and 55;  
143.29 342.18, subdivision 1; 342.27, subdivision 13; and 342.29, subdivision 9, are repealed.

143.30 (b) Minnesota Statutes 2023 Supplement, sections 342.47; 342.48; 342.49; 342.50; and  
143.31 342.52, subdivision 8, are repealed.

143.32 (c) Laws 2023, chapter 63, article 7, sections 4; and 6, are repealed.

143.33 (d) Minnesota Statutes 2022, sections 152.22, subdivision 3; and 152.36, are repealed.

144.1 **EFFECTIVE DATE.** Paragraphs (a) and (b) are effective the day following final  
144.2 enactment. Paragraphs (c) and (d) are effective July 1, 2024.

### 144.3 **ARTICLE 3**

#### 144.4 **CANNABIS AND HEALTH-RELATED RESPONSIBILITIES**

144.5 Section 1. Minnesota Statutes 2023 Supplement, section 144.197, is amended to read:

#### 144.6 **144.197 CANNABIS AND SUBSTANCE MISUSE PREVENTION AND** 144.7 **EDUCATION PROGRAMS.**

144.8 Subdivision 1. **Youth prevention and education program.** The commissioner of health,  
144.9 in consultation with the commissioners of human services and education and in collaboration  
144.10 with local health departments and Tribal health departments, shall conduct a long-term,  
144.11 coordinated ~~education~~ program to raise public awareness about ~~and address the top three~~  
144.12 substance misuse prevention, treatment options, and recovery options. The program must  
144.13 address adverse health effects, ~~as determined by the commissioner~~, associated with the use  
144.14 of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived  
144.15 consumer products by persons under age 25. In conducting this education program, the  
144.16 commissioner shall engage and consult with youth around the state on program content and  
144.17 on methods to effectively disseminate program information to youth around the state.

144.18 Subd. 2. **Prevention and education program for pregnant and breastfeeding**  
144.19 **individuals; and individuals who may become pregnant.** The commissioner of health,  
144.20 in consultation with the commissioners of human services and education, shall conduct a  
144.21 long-term, coordinated prevention program to educate focused on (1) preventing substance  
144.22 use by pregnant individuals, breastfeeding individuals, and individuals who may become  
144.23 pregnant, and (2) raising public awareness of the risks of substance use while pregnant or  
144.24 breastfeeding. The program must include education on the adverse health effects of prenatal  
144.25 exposure to cannabis flower, cannabis products, lower-potency hemp edibles, or  
144.26 hemp-derived consumer products and on the adverse health effects experienced by infants  
144.27 and children who are exposed to cannabis flower, cannabis products, lower-potency hemp  
144.28 edibles, or hemp-derived consumer products in breast milk, from secondhand smoke, or by  
144.29 ingesting cannabinoid products. This prevention and education program must also educate  
144.30 individuals on what constitutes a substance use disorder, signs of a substance use disorder,  
144.31 and treatment options for persons with a substance use disorder. The prevention and education  
144.32 program must also provide resources, including training resources, technical assistance, or  
144.33 educational materials, to local public health home visiting programs, Tribal home visiting  
144.34 programs, and child welfare workers.



145.1 ~~Subd. 3. **Home visiting programs.** The commissioner of health shall provide training,~~  
145.2 ~~technical assistance, and education materials to local public health home visiting programs~~  
145.3 ~~and Tribal home visiting programs and child welfare workers regarding the safe and unsafe~~  
145.4 ~~use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived~~  
145.5 ~~consumer products in homes with infants and young children. Training, technical assistance,~~  
145.6 ~~and education materials shall address substance use, the signs of a substance use disorder,~~  
145.7 ~~treatment options for persons with a substance use disorder, the dangers of driving under~~  
145.8 ~~the influence of cannabis flower, cannabis products, lower-potency hemp edibles, or~~  
145.9 ~~hemp-derived consumer products, how to safely consume cannabis flower, cannabis products,~~  
145.10 ~~lower-potency hemp edibles, or hemp-derived consumer products in homes with infants~~  
145.11 ~~and young children, and how to prevent infants and young children from being exposed to~~  
145.12 ~~cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer~~  
145.13 ~~products by ingesting cannabinoid products or through secondhand smoke.~~

145.14 **Subd. 4. Local and Tribal health departments.** The commissioner of health shall  
145.15 distribute grants to local health departments and Tribal health departments for ~~these~~ the  
145.16 departments to create ~~and disseminate educational materials on cannabis flower, cannabis~~  
145.17 ~~products, lower-potency hemp edibles, and hemp-derived consumer products and to provide~~  
145.18 ~~safe use and prevention training, education, technical assistance, and community engagement~~  
145.19 ~~regarding cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived~~  
145.20 ~~consumer products.~~ prevention, education, and recovery programs focusing on substance  
145.21 misuse prevention and treatment options. The programs must include specific  
145.22 cannabis-related initiatives.

145.23 Sec. 2. Minnesota Statutes 2023 Supplement, section 342.15, is amended by adding a  
145.24 subdivision to read:

145.25 Subd. 1a. **Transmission of fees.** A cannabis business background check account is  
145.26 established as a separate account in the special revenue fund. All fees received by the office  
145.27 under subdivision 1 must be deposited in the account and are appropriated to the office to  
145.28 pay for the criminal records checks conducted by the Bureau of Criminal Apprehension and  
145.29 Federal Bureau of Investigation.

146.1 Sec. 3. Minnesota Statutes 2023 Supplement, section 342.72, is amended to read:

146.2 **342.72 SUBSTANCE USE TREATMENT, RECOVERY, AND PREVENTION**  
146.3 **GRANTS.**

146.4 Subdivision 1. ~~Account Grant program established; appropriation.~~ A substance use  
146.5 treatment, recovery, and prevention grant ~~account program is created in the special revenue~~  
146.6 ~~fund established and must be administered by the commissioner of health. Money in the~~  
146.7 ~~account, including interest earned, is appropriated to the office for the purposes specified~~  
146.8 ~~in this section. Of the amount transferred from the general fund to the account, the office~~  
146.9 ~~may use up to five percent for administrative expenses.~~

146.10 ~~Subd. 2. **Acceptance of gifts and grants.** Notwithstanding sections 16A.013 to 16A.016,~~  
146.11 ~~the office may accept money contributed by individuals and may apply for grants from~~  
146.12 ~~charitable foundations to be used for the purposes identified in this section. The money~~  
146.13 ~~accepted under this section must be deposited in the substance use treatment, recovery, and~~  
146.14 ~~prevention grant account created under subdivision 1.~~

146.15 Subd. 3. **Disposition of money; grants.** (a) ~~Money in the~~ Substance use treatment,  
146.16 recovery, and prevention ~~grant account~~ grants must be distributed as follows:

146.17 (1) at least 75 percent of the money is for grants for substance use disorder and mental  
146.18 health recovery and prevention programs. Funds must be used for recovery and prevention  
146.19 activities, including substance use prevention for youth, and supplies that assist individuals  
146.20 and families to initiate, stabilize, and maintain long-term recovery from substance use  
146.21 disorders and co-occurring mental health conditions. Recovery and prevention activities  
146.22 may include prevention education, school-linked behavioral health, school-based peer  
146.23 programs, peer supports, self-care and wellness, culturally specific healing, community  
146.24 public awareness, mutual aid networks, telephone recovery checkups, mental health  
146.25 warmlines, harm reduction, recovery community organization development, first episode  
146.26 psychosis programs, and recovery housing; and

146.27 (2) up to 25 percent of the money is for substance use disorder treatment programs as  
146.28 defined in chapter 245G and may be used to implement, strengthen, or expand supportive  
146.29 services and activities that are not covered by medical assistance under chapter 256B,  
146.30 MinnesotaCare under chapter 256L, or the behavioral health fund under chapter 254B.  
146.31 Services and activities may include adoption or expansion of evidence-based practices;  
146.32 competency-based training; continuing education; culturally specific and culturally responsive  
146.33 services; sober recreational activities; developing referral relationships; family preservation  
146.34 and healing; and start-up or capacity funding for programs that specialize in adolescent,

147.1 culturally specific, culturally responsive, disability-specific, co-occurring disorder, or family  
 147.2 treatment services.

147.3 (b) The ~~office~~ commissioner of health shall consult with the Governor's Advisory Council  
 147.4 on Opioids, Substance Use, and Addiction; the commissioner of human services; and ~~the~~  
 147.5 ~~commissioner of health~~ the Office of Cannabis Management to develop an appropriate  
 147.6 application process, establish grant requirements, determine what organizations are eligible  
 147.7 to receive grants, and establish reporting requirements for grant recipients.

147.8 Subd. 4. **Reports to the legislature.** By January 15, ~~2024~~, and each January 15 thereafter  
 147.9 year, the ~~office~~ commissioner of health must submit a report to the chairs and ranking  
 147.10 minority members of the committees of the house of representatives and the senate having  
 147.11 jurisdiction over health and human services policy and finance that details ~~grants awarded~~  
 147.12 ~~from~~ the substance use treatment, recovery, and prevention ~~grant account~~ grants awarded,  
 147.13 including the total amount awarded, total number of recipients, and geographic distribution  
 147.14 of those recipients. Notwithstanding section 144.05, subdivision 7, the reporting requirement  
 147.15 under this subdivision does not expire.

147.16 **ARTICLE 4**

147.17 **COMMERCE POLICY**

147.18 Section 1. Minnesota Statutes 2022, section 45.0135, subdivision 7, is amended to read:

147.19 Subd. 7. **Assessment.** Each insurer authorized to sell insurance in the state of Minnesota,  
 147.20 including surplus lines carriers, and having Minnesota earned premium the previous calendar  
 147.21 year shall remit an assessment to the commissioner for deposit in the insurance fraud  
 147.22 prevention account on or before June 1 of each year. The amount of the assessment shall  
 147.23 be based on the insurer's total assets and on the insurer's total written Minnesota premium,  
 147.24 for the preceding fiscal year, as reported pursuant to section 60A.13. ~~The assessment is~~  
 147.25 ~~calculated to be an amount up to the following~~ Beginning with the payment due on or before  
 147.26 June 1, 2024, the assessment amount is:

147.27	Total Assets	Assessment
147.28		200
147.29	Less than \$100,000,000	\$ <u>400</u>
147.30		750
147.31	\$100,000,000 to \$1,000,000,000	\$ <u>1,500</u>
147.32		<del>2,000</del>
147.33	Over \$1,000,000,000	\$ <u>4,000</u>
147.34	Minnesota Written Premium	Assessment

148.1		<del>200</del>
148.2	Less than \$10,000,000	\$ <u>400</u>
148.3		<del>750</del>
148.4	\$10,000,000 to \$100,000,000	\$ <u>1,500</u>
148.5		<del>2,000</del>
148.6	Over \$100,000,000	\$ <u>4,000</u>

148.7 For purposes of this subdivision, the following entities are not considered to be insurers  
 148.8 authorized to sell insurance in the state of Minnesota: risk retention groups; or township  
 148.9 mutuals organized under chapter 67A.

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

148.11 Sec. 2. **[58B.051] REGISTRATION FOR LENDERS.**

148.12 (a) Beginning January 1, 2025, a lender must register with the commissioner as a lender  
 148.13 before providing services in Minnesota. A lender must not offer or make a student loan to  
 148.14 a resident of Minnesota without first registering with the commissioner as provided in this  
 148.15 section.

148.16 (b) A registration application must include:

148.17 (1) the lender's name;

148.18 (2) the lender's address;

148.19 (3) the names of all officers, directors, owners, or other persons in control of an applicant,  
 148.20 as defined in section 58B.02, subdivision 6; and

148.21 (4) any other information the commissioner requires by rule.

148.22 (c) Registration issued or renewed expires December 31 of each year. A lender must  
 148.23 renew the lender's registration on an annual basis.

148.24 (d) The commissioner may adopt and enforce:

148.25 (1) registration procedures for lenders, which may include using the Nationwide  
 148.26 Multistate Licensing System and Registry;

148.27 (2) nonrefundable registration fees for lenders, which may include fees for using the  
 148.28 Nationwide Multistate Licensing System and Registry, to be paid directly by the lender;

148.29 (3) procedures and nonrefundable fees to renew a lender's registration, which may include  
 148.30 fees for the renewed use of Nationwide Multistate Licensing System and Registry, to be  
 148.31 paid directly by the lender; and

149.1 (4) alternate registration procedures and nonrefundable fees for postsecondary education  
149.2 institutions that offer student loans.

149.3 **Sec. 3. [62J.96] ACCESS TO 340B DRUGS.**

149.4 Subdivision 1. **Manufacturers.** A manufacturer must not directly or indirectly restrict,  
149.5 prohibit, or otherwise interfere with the delivery of a covered outpatient drug to a pharmacy  
149.6 that is under contract with a 340B covered entity to receive and dispense covered outpatient  
149.7 drugs on behalf of the covered entity, unless the delivery of the drug to the pharmacy is  
149.8 prohibited under the 340B Drug Pricing Program.

149.9 Subd. 2. **Definitions.** (a) For purposes of this section, the following definitions apply.

149.10 (b) "340B covered entity" has the meaning provided in section 340B(a)(4) of the Public  
149.11 Health Service Act.

149.12 (c) "Covered outpatient drug" has the meaning provided in section 1927(k) of the Social  
149.13 Security Act.

149.14 (d) "Manufacturer" has the meaning provided in section 151.01, subdivision 14a.

149.15 Subd. 3. **Expiration.** This section expires July 1, 2027.

149.16 **Sec. 4. Minnesota Statutes 2022, section 62Q.73, subdivision 3, is amended to read:**

149.17 **Subd. 3. **Right to external review.**** (a) Any enrollee or anyone acting on behalf of an  
149.18 enrollee who has received an adverse determination may submit a written request for an  
149.19 external review of the adverse determination, if applicable under section 62Q.68, subdivision  
149.20 1, or 62M.06, to the commissioner of health if the request involves a health plan company  
149.21 regulated by that commissioner or to the commissioner of commerce if the request involves  
149.22 a health plan company regulated by that commissioner. Notification of the enrollee's right  
149.23 to external review must accompany the denial issued by the insurer. ~~The written request~~  
149.24 ~~must be accompanied by a filing fee of \$25. The fee may be waived by the commissioner~~  
149.25 ~~of health or commerce in cases of financial hardship and must be refunded if the adverse~~  
149.26 ~~determination is completely reversed. No enrollee may be subject to filing fees totaling~~  
149.27 ~~more than \$75 during a plan year for group coverage or policy year for individual coverage.~~

149.28 (b) Nothing in this section requires the commissioner of health or commerce to  
149.29 independently investigate an adverse determination referred for independent external review.

150.1 (c) If an enrollee requests an external review, the health plan company must participate  
150.2 in the external review. The cost of the external review ~~in excess of the filing fee described~~  
150.3 ~~in paragraph (a) shall~~ must be borne by the health plan company.

150.4 (d) The enrollee must request external review within six months from the date of the  
150.5 adverse determination.

150.6 Sec. 5. Minnesota Statutes 2023 Supplement, section 325E.21, subdivision 1b, is amended  
150.7 to read:

150.8 Subd. 1b. **Purchase or acquisition record required.** (a) Every scrap metal dealer,  
150.9 including an agent, employee, or representative of the dealer, shall create a permanent record  
150.10 written in English, using an electronic record program at the time of each purchase or  
150.11 acquisition of scrap metal or a motor vehicle. The record must include:

150.12 (1) a complete and accurate account or description, including the weight if customarily  
150.13 purchased by weight, of the scrap metal or motor vehicle purchased or acquired;

150.14 (2) the date, time, and place of the receipt of the scrap metal or motor vehicle purchased  
150.15 or acquired and a unique transaction identifier;

150.16 (3) a photocopy or electronic scan of the seller's proof of identification including the  
150.17 identification number;

150.18 (4) the amount paid and the number of the check or electronic transfer used to purchase  
150.19 or acquire the scrap metal or motor vehicle;

150.20 (5) the license plate number and description of the vehicle used by the person when  
150.21 delivering the scrap metal or motor vehicle, including the vehicle make and model, and any  
150.22 identifying marks on the vehicle, such as a business name, decals, or markings, if applicable;

150.23 (6) a statement signed by the seller, under penalty of perjury as provided in section  
150.24 609.48, attesting that the scrap metal or motor vehicle is not stolen and is free of any liens  
150.25 or encumbrances and the seller has the right to sell it;

150.26 (7) a copy of the receipt, which must include at least the following information: the name  
150.27 and address of the dealer, the date and time the scrap metal or motor vehicle was received  
150.28 by the dealer, an accurate description of the scrap metal or motor vehicle, and the amount  
150.29 paid for the scrap metal or motor vehicle;

150.30 (8) in order to purchase or acquire a detached catalytic converter, the vehicle identification  
150.31 number of the car it was removed from or, as an alternative, any numbers, bar codes, stickers,  
150.32 or other unique markings, whether resulting from the pilot project created under subdivision

151.1 2b or some other source. The alternative number must be under a numbering system that  
151.2 can be immediately linked to the vehicle identification number by law enforcement; ~~and~~

151.3 (9) the identity or identifier of the employee completing the transaction; and

151.4 (10) if the seller is attempting to sell copper metal, a photocopy or electronic scan of the  
151.5 seller's:

151.6 (i) current license to sell scrap metal copper issued by the commissioner under subdivision  
151.7 2c; or

151.8 (ii) the documentation used to support the seller being deemed to hold a license to sell  
151.9 scrap metal copper under subdivision 2c, paragraph (f), clauses (1) to (3).

151.10 (b) The record, as well as the scrap metal or motor vehicle purchased or acquired, shall  
151.11 at all reasonable times be open to the inspection of any properly identified law enforcement  
151.12 officer.

151.13 (c) Except for the purchase or acquisition of detached catalytic converters or motor  
151.14 vehicles, no record is required for property purchased or acquired from merchants,  
151.15 manufacturers, salvage pools, insurance companies, rental car companies, financial  
151.16 institutions, charities, dealers licensed under section 168.27, or wholesale dealers, having  
151.17 an established place of business, or of any goods purchased or acquired at open sale from  
151.18 any bankrupt stock, but a receipt as required under paragraph (a), clause (7), shall be obtained  
151.19 and kept by the person, which must be shown upon demand to any properly identified law  
151.20 enforcement officer.

151.21 (d) The dealer must provide a copy of the receipt required under paragraph (a), clause  
151.22 (7), to the seller in every transaction.

151.23 (e) The commissioner of public safety and law enforcement agencies in the jurisdiction  
151.24 where a dealer is located may conduct inspections and audits as necessary to ensure  
151.25 compliance, refer violations to the city or county attorney for criminal prosecution, and  
151.26 notify the registrar of motor vehicles.

151.27 (f) Except as otherwise provided in this section, a scrap metal dealer or the dealer's agent,  
151.28 employee, or representative may not disclose personal information concerning a customer  
151.29 without the customer's consent unless the disclosure is required by law or made in response  
151.30 to a request from a law enforcement agency. A scrap metal dealer must implement reasonable  
151.31 safeguards to protect the security of the personal information and prevent unauthorized  
151.32 access to or disclosure of the information. For purposes of this paragraph, "personal

152.1 information" is any individually identifiable information gathered in connection with a  
152.2 record under paragraph (a).

152.3 Sec. 6. Minnesota Statutes 2022, section 325E.21, is amended by adding a subdivision to  
152.4 read:

152.5 Subd. 2c. License required for scrap metal copper sale. (a) Beginning January 1,  
152.6 2025, a person is prohibited from engaging in the sale of scrap metal copper unless the  
152.7 person has a valid license issued by the commissioner under this subdivision.

152.8 (b) On the first Friday of the months of April and October of each calendar year, from  
152.9 8:00 a.m. to 5:00 p.m., a scrap metal dealer may purchase up to \$25 of scrap metal copper  
152.10 from individuals who do not have an approved license to sell scrap metal copper under this  
152.11 subdivision. All other requirements of subdivision 1b apply and must be documented by  
152.12 the scrap metal dealer on the dates specified in this paragraph.

152.13 (c) A seller of scrap metal copper may apply to the commissioner on a form prescribed  
152.14 by the commissioner. The application form must include, at a minimum:

152.15 (1) the name, permanent address, telephone number, and date of birth of the applicant;  
152.16 and

152.17 (2) an acknowledgment that the applicant obtained the copper by lawful means in the  
152.18 regular course of the applicant's business, trade, or authorized construction work.

152.19 (d) Each application must be accompanied by a nonrefundable fee of \$250.

152.20 (e) Within 30 days of the date an application is received, the commissioner may require  
152.21 additional information or submissions from an applicant and may obtain any document or  
152.22 information that is reasonably necessary to verify the information contained in the application.  
152.23 Within 90 days after the date a completed application is received, the commissioner must  
152.24 review the application and issue a license if the applicant is deemed qualified under this  
152.25 section. The commissioner may issue a license subject to restrictions or limitations. If the  
152.26 commissioner determines the applicant is not qualified, the commissioner must notify the  
152.27 applicant and must specify the reason for the denial.

152.28 (f) A person is deemed to hold a license to sell scrap metal copper if the person holds  
152.29 one of the following:

152.30 (1) a license to perform work pursuant to chapter 326B or section 103I.501;

152.31 (2) a document, certificate, or card of competency issued by a municipality to perform  
152.32 work in a given trade or craft in the building trades. The document, certificate, or card must



153.1 state that the individual is authorized to sell scrap metal copper. This clause is effective  
153.2 January 1, 2025; or

153.3 (3) a Section 608 Technician Certification issued by the United States Environmental  
153.4 Protection Agency.

153.5 (g) A license issued under this subdivision is valid for one year. To renew a license, an  
153.6 applicant must submit a completed renewal application on a form prescribed by the  
153.7 commissioner and a renewal fee of \$250. The commissioner may request that a renewal  
153.8 applicant submit additional information to clarify any new information presented in the  
153.9 renewal application. A renewal application submitted after the renewal deadline must be  
153.10 accompanied by a nonrefundable late fee of \$500.

153.11 (h) The commissioner may deny a license renewal under this subdivision if:

153.12 (1) the commissioner determines that the applicant is in violation of or noncompliant  
153.13 with federal or state law; or

153.14 (2) the applicant fails to timely submit a renewal application and the information required  
153.15 under this subdivision.

153.16 (i) In lieu of denying a renewal application under paragraph (g), the commissioner may  
153.17 permit the applicant to submit to the commissioner a corrective action plan to cure or correct  
153.18 deficiencies.

153.19 (j) The commissioner may suspend, revoke, or place on probation a license issued under  
153.20 this subdivision if:

153.21 (1) the applicant engages in fraudulent activity that violates state or federal law;

153.22 (2) the commissioner receives consumer complaints that justify an action under this  
153.23 subdivision to protect the safety and interests of consumers;

153.24 (3) the applicant fails to pay an application license or renewal fee; or

153.25 (4) the applicant fails to comply with a requirement established in this subdivision.

153.26 (k) This subdivision does not apply to transfers by or to an auctioneer who is in  
153.27 compliance with chapter 330 and acting in the person's official role as an auctioneer to  
153.28 facilitate or conduct an auction of scrap metal.

153.29 (l) The commissioner must enforce this subdivision under chapter 45.

154.1 Sec. 7. Minnesota Statutes 2022, section 326.10, subdivision 8, is amended to read:

154.2 Subd. 8. **Expiration and renewal.** (a) All licenses and certificates, other than in-training  
154.3 certificates, issued by the board expire at midnight on June 30 of each even-numbered  
154.4 calendar year if not renewed. A holder of a license or certificate issued by the board may  
154.5 renew it by completing and filing with the board an application for renewal consisting of a  
154.6 fully completed form provided by the board and the fee specified in section 326.105. Both  
154.7 the fee and the application must be submitted at the same time and by June 30 of each  
154.8 even-numbered calendar year. The form must be signed by the applicant, contain all of the  
154.9 information requested, and clearly show that the licensee or certificate holder has completed  
154.10 the minimum number of required professional development hours or has been granted an  
154.11 exemption under section 326.107, subdivision 4. An application for renewal that does not  
154.12 comply with the requirements of this subdivision is an incomplete application and must not  
154.13 be accepted by the board.

154.14 (b) No later than 30 days before the date a license or certificate expires, the board must  
154.15 send the license or certificate holder a notice by email that indicates the license or certificate  
154.16 is about to expire. The notice must include information on the process and requirements to  
154.17 renew the license or certificate. The application form for a new or renewed license or  
154.18 certificate issued by the board must request that the applicant provide an email address for  
154.19 the purpose of providing the notice under this paragraph. If the board does not possess a  
154.20 record of a license or certificate holder's email address, the board must send the notice to  
154.21 the holder by United States mail.

154.22 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to licenses  
154.23 and renewals scheduled to expire on or after that date.

154.24 Sec. 8. Minnesota Statutes 2022, section 336.1-110, is amended to read:

154.25 **336.1-110 UNIFORM COMMERCIAL CODE ACCOUNT.**

154.26 The Uniform Commercial Code account is established as an account in the state treasury.  
154.27 Fees that are not expressly set by statute but are charged by the secretary of state to offset  
154.28 the costs of providing a service under this chapter must be deposited in the state treasury  
154.29 and credited to the Uniform Commercial Code account.

154.30 Fees that are not expressly set by statute but are charged by the secretary of state to  
154.31 offset the costs of providing information contained in the computerized records maintained  
154.32 by the secretary of state must be deposited in the state treasury and credited to the Uniform  
154.33 Commercial Code account.

155.1 Money in the Uniform Commercial Code account is continuously appropriated to the  
155.2 secretary of state to implement and maintain the central filing system under this chapter, to  
155.3 provide, improve, and expand other online or remote lien and business entity filing, retrieval,  
155.4 and payment method services provided by the secretary of state, and to provide electronic  
155.5 access and to support, maintain, and expand all other computerized records and systems  
155.6 maintained by the secretary of state.

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

155.8 Sec. 9. **SCRAP METAL WORKING GROUP.**

155.9 The commissioner of public safety may convene a working group of representatives  
155.10 designated by the Minnesota Sheriffs Association, the Minnesota Chiefs of Police  
155.11 Association, and the trade association representing scrap metal recyclers. Meetings may  
155.12 occur monthly to discuss metal theft and share nonproprietary and nonprivileged information  
155.13 related to prevention, investigation, and prosecution of metal theft crimes.

155.14 Sec. 10. **REPEALER.**

155.15 Laws 1979, chapter 189, sections 1; 2, as amended by Laws 1984, chapter 548, section  
155.16 8; and 3, are repealed.

## 155.17 **ARTICLE 5**

### 155.18 **CONSUMER DATA POLICY**

155.19 Section 1. **[13.6505] ATTORNEY GENERAL DATA CODED ELSEWHERE.**

155.20 Subdivision 1. **Scope.** The section referred to in this section is codified outside this  
155.21 chapter. Those sections classify attorney general data as other than public, place restrictions  
155.22 on access to government data, or involve data sharing.

155.23 Subd. 2. **Data privacy and protection assessments.** A data privacy and protection  
155.24 assessment collected or maintained by the attorney general is classified under section  
155.25 3250.08.

155.26 Sec. 2. **[3250.01] CITATION.**

155.27 This chapter may be cited as the "Minnesota Consumer Data Privacy Act."

155.28 Sec. 3. **[3250.02] DEFINITIONS.**

155.29 (a) For purposes of this chapter, the following terms have the meanings given.

156.1 (b) "Affiliate" means a legal entity that controls, is controlled by, or is under common  
156.2 control with another legal entity. For purposes of this paragraph, "control" or "controlled"  
156.3 means: ownership of or the power to vote more than 50 percent of the outstanding shares  
156.4 of any class of voting security of a company; control in any manner over the election of a  
156.5 majority of the directors or of individuals exercising similar functions; or the power to  
156.6 exercise a controlling influence over the management of a company.

156.7 (c) "Authenticate" means to use reasonable means to determine that a request to exercise  
156.8 any of the rights under section 325O.05, subdivision 1, paragraphs (b) to (h), is being made  
156.9 by or rightfully on behalf of the consumer who is entitled to exercise the rights with respect  
156.10 to the personal data at issue.

156.11 (d) "Biometric data" means data generated by automatic measurements of an individual's  
156.12 biological characteristics, including a fingerprint, a voiceprint, eye retinas, irises, or other  
156.13 unique biological patterns or characteristics that are used to identify a specific individual.  
156.14 Biometric data does not include:

156.15 (1) a digital or physical photograph;

156.16 (2) an audio or video recording; or

156.17 (3) any data generated from a digital or physical photograph, or an audio or video  
156.18 recording, unless the data is generated to identify a specific individual.

156.19 (e) "Child" has the meaning given in United States Code, title 15, section 6501.

156.20 (f) "Consent" means any freely given, specific, informed, and unambiguous indication  
156.21 of the consumer's wishes by which the consumer signifies agreement to the processing of  
156.22 personal data relating to the consumer. Acceptance of a general or broad terms of use or  
156.23 similar document that contains descriptions of personal data processing along with other,  
156.24 unrelated information does not constitute consent. Hovering over, muting, pausing, or closing  
156.25 a given piece of content does not constitute consent. A consent is not valid when the  
156.26 consumer's indication has been obtained by a dark pattern. A consumer may revoke consent  
156.27 previously given, consistent with this chapter.

156.28 (g) "Consumer" means a natural person who is a Minnesota resident acting only in an  
156.29 individual or household context. Consumer does not include a natural person acting in a  
156.30 commercial or employment context.

156.31 (h) "Controller" means the natural or legal person who, alone or jointly with others,  
156.32 determines the purposes and means of the processing of personal data.

157.1 (i) "Decisions that produce legal or similarly significant effects concerning the consumer"  
157.2 means decisions made by the controller that result in the provision or denial by the controller  
157.3 of financial or lending services, housing, insurance, education enrollment or opportunity,  
157.4 criminal justice, employment opportunities, health care services, or access to essential goods  
157.5 or services.

157.6 (j) "Dark pattern" means a user interface designed or manipulated with the substantial  
157.7 effect of subverting or impairing user autonomy, decision making, or choice.

157.8 (k) "Deidentified data" means data that cannot reasonably be used to infer information  
157.9 about or otherwise be linked to an identified or identifiable natural person or a device linked  
157.10 to an identified or identifiable natural person, provided that the controller that possesses the  
157.11 data:

157.12 (1) takes reasonable measures to ensure that the data cannot be associated with a natural  
157.13 person;

157.14 (2) publicly commits to process the data only in a deidentified fashion and not attempt  
157.15 to reidentify the data; and

157.16 (3) contractually obligates any recipients of the information to comply with all provisions  
157.17 of this paragraph.

157.18 (l) "Delete" means to remove or destroy information so that it is not maintained in human-  
157.19 or machine-readable form and cannot be retrieved or utilized in the ordinary course of  
157.20 business.

157.21 (m) "Genetic information" has the meaning given in section 13.386, subdivision 1.

157.22 (n) "Identified or identifiable natural person" means a person who can be readily  
157.23 identified, directly or indirectly.

157.24 (o) "Known child" means a person under circumstances where a controller has actual  
157.25 knowledge of, or willfully disregards, that the person is under 13 years of age.

157.26 (p) "Personal data" means any information that is linked or reasonably linkable to an  
157.27 identified or identifiable natural person. Personal data does not include deidentified data or  
157.28 publicly available information. For purposes of this paragraph, "publicly available  
157.29 information" means information that (1) is lawfully made available from federal, state, or  
157.30 local government records or widely distributed media, or (2) a controller has a reasonable  
157.31 basis to believe has lawfully been made available to the general public.

158.1 (q) "Process" or "processing" means any operation or set of operations that are performed  
158.2 on personal data or on sets of personal data, whether or not by automated means, including  
158.3 but not limited to the collection, use, storage, disclosure, analysis, deletion, or modification  
158.4 of personal data.

158.5 (r) "Processor" means a natural or legal person who processes personal data on behalf  
158.6 of a controller.

158.7 (s) "Profiling" means any form of automated processing of personal data to evaluate,  
158.8 analyze, or predict personal aspects related to an identified or identifiable natural person's  
158.9 economic situation, health, personal preferences, interests, reliability, behavior, location,  
158.10 or movements.

158.11 (t) "Pseudonymous data" means personal data that cannot be attributed to a specific  
158.12 natural person without the use of additional information, provided that the additional  
158.13 information is kept separately and is subject to appropriate technical and organizational  
158.14 measures to ensure that the personal data are not attributed to an identified or identifiable  
158.15 natural person.

158.16 (u) "Sale," "sell," or "sold" means the exchange of personal data for monetary or other  
158.17 valuable consideration by the controller to a third party. Sale does not include the following:

158.18 (1) the disclosure of personal data to a processor who processes the personal data on  
158.19 behalf of the controller;

158.20 (2) the disclosure of personal data to a third party for purposes of providing a product  
158.21 or service requested by the consumer;

158.22 (3) the disclosure or transfer of personal data to an affiliate of the controller;

158.23 (4) the disclosure of information that the consumer intentionally made available to the  
158.24 general public via a channel of mass media and did not restrict to a specific audience;

158.25 (5) the disclosure or transfer of personal data to a third party as an asset that is part of a  
158.26 completed or proposed merger, acquisition, bankruptcy, or other transaction in which the  
158.27 third party assumes control of all or part of the controller's assets; or

158.28 (6) the exchange of personal data between the producer of a good or service and  
158.29 authorized agents of the producer who sell and service the goods and services, to enable  
158.30 the cooperative provisioning of goods and services by both the producer and the producer's  
158.31 agents.

158.32 (v) Sensitive data is a form of personal data. "Sensitive data" means:

159.1 (1) personal data revealing racial or ethnic origin, religious beliefs, mental or physical  
159.2 health condition or diagnosis, sexual orientation, or citizenship or immigration status;

159.3 (2) the processing of biometric data or genetic information for the purpose of uniquely  
159.4 identifying an individual;

159.5 (3) the personal data of a known child; or

159.6 (4) specific geolocation data.

159.7 (w) "Specific geolocation data" means information derived from technology, including  
159.8 but not limited to global positioning system level latitude and longitude coordinates or other  
159.9 mechanisms, that directly identifies the geographic coordinates of a consumer or a device  
159.10 linked to a consumer with an accuracy of more than three decimal degrees of latitude and  
159.11 longitude or the equivalent in an alternative geographic coordinate system, or a street address  
159.12 derived from the coordinates. Specific geolocation data does not include the content of  
159.13 communications, the contents of databases containing street address information which are  
159.14 accessible to the public as authorized by law, or any data generated by or connected to  
159.15 advanced utility metering infrastructure systems or other equipment for use by a public  
159.16 utility.

159.17 (x) "Targeted advertising" means displaying advertisements to a consumer where the  
159.18 advertisement is selected based on personal data obtained or inferred from the consumer's  
159.19 activities over time and across nonaffiliated websites or online applications to predict the  
159.20 consumer's preferences or interests. Targeted advertising does not include:

159.21 (1) advertising based on activities within a controller's own websites or online  
159.22 applications;

159.23 (2) advertising based on the context of a consumer's current search query or visit to a  
159.24 website or online application;

159.25 (3) advertising to a consumer in response to the consumer's request for information or  
159.26 feedback; or

159.27 (4) processing personal data solely for measuring or reporting advertising performance,  
159.28 reach, or frequency.

159.29 (y) "Third party" means a natural or legal person, public authority, agency, or body other  
159.30 than the consumer, controller, processor, or an affiliate of the processor or the controller.

159.31 (z) "Trade secret" has the meaning given in section 325C.01, subdivision 5.

160.1 Sec. 4. [3250.03] SCOPE; EXCLUSIONS.

160.2 Subdivision 1. Scope. (a) This chapter applies to legal entities that conduct business in  
160.3 Minnesota or produce products or services that are targeted to residents of Minnesota, and  
160.4 that satisfy one or more of the following thresholds:

160.5 (1) during a calendar year, controls or processes personal data of 100,000 consumers or  
160.6 more, excluding personal data controlled or processed solely for the purpose of completing  
160.7 a payment transaction; or

160.8 (2) derives over 25 percent of gross revenue from the sale of personal data and processes  
160.9 or controls personal data of 25,000 consumers or more.

160.10 (b) A controller or processor acting as a technology provider under section 13.32 shall  
160.11 comply with this chapter and section 13.32, except that when the provisions of section 13.32  
160.12 conflict with this chapter, section 13.32 prevails.

160.13 Subd. 2. Exclusions. (a) This chapter does not apply to the following entities, activities,  
160.14 or types of information:

160.15 (1) a government entity, as defined by section 13.02, subdivision 7a;

160.16 (2) a federally recognized Indian tribe;

160.17 (3) information that meets the definition of:

160.18 (i) protected health information, as defined by and for purposes of the Health Insurance  
160.19 Portability and Accountability Act of 1996, Public Law 104-191, and related regulations;

160.20 (ii) health records, as defined in section 144.291, subdivision 2;

160.21 (iii) patient identifying information for purposes of Code of Federal Regulations, title  
160.22 42, part 2, established pursuant to United States Code, title 42, section 290dd-2;

160.23 (iv) identifiable private information for purposes of the federal policy for the protection  
160.24 of human subjects, Code of Federal Regulations, title 45, part 46; identifiable private  
160.25 information that is otherwise information collected as part of human subjects research  
160.26 pursuant to the good clinical practice guidelines issued by the International Council for  
160.27 Harmonisation; the protection of human subjects under Code of Federal Regulations, title  
160.28 21, parts 50 and 56; or personal data used or shared in research conducted in accordance  
160.29 with one or more of the requirements set forth in this paragraph;

160.30 (v) information and documents created for purposes of the federal Health Care Quality  
160.31 Improvement Act of 1986, Public Law 99-660, and related regulations; or



- 161.1 (vi) patient safety work product for purposes of Code of Federal Regulations, title 42,  
161.2 part 3, established pursuant to United States Code, title 42, sections 299b-21 to 299b-26;
- 161.3 (4) information that is derived from any of the health care-related information listed in  
161.4 clause (3), but that has been deidentified in accordance with the requirements for  
161.5 deidentification set forth in Code of Federal Regulations, title 45, part 164;
- 161.6 (5) information originating from, and intermingled to be indistinguishable with, any of  
161.7 the health care-related information listed in clause (3) that is maintained by:
- 161.8 (i) a covered entity or business associate, as defined by the Health Insurance Portability  
161.9 and Accountability Act of 1996, Public Law 104-191, and related regulations;
- 161.10 (ii) a health care provider, as defined in section 144.291, subdivision 2; or
- 161.11 (iii) a program or a qualified service organization, as defined by Code of Federal  
161.12 Regulations, title 42, part 2, established pursuant to United States Code, title 42, section  
161.13 290dd-2;
- 161.14 (6) information that is:
- 161.15 (i) maintained by an entity that meets the definition of health care provider under Code  
161.16 of Federal Regulations, title 45, section 160.103, to the extent that the entity maintains the  
161.17 information in the manner required of covered entities with respect to protected health  
161.18 information for purposes of the Health Insurance Portability and Accountability Act of  
161.19 1996, Public Law 104-191, and related regulations;
- 161.20 (ii) included in a limited data set, as described under Code of Federal Regulations, title  
161.21 45, part 164.514(e), to the extent that the information is used, disclosed, and maintained in  
161.22 the manner specified by that part;
- 161.23 (iii) maintained by, or maintained to comply with the rules or orders of, a self-regulatory  
161.24 organization as defined by United States Code, title 15, section 78c(a)(26);
- 161.25 (iv) originated from, or intermingled with, information described in clause (9) and that  
161.26 a licensed residential mortgage originator, as defined under section 58.02, subdivision 19,  
161.27 or residential mortgage servicer, as defined under section 58.02, subdivision 20, collects,  
161.28 processes, uses, or maintains in the same manner as required under the laws and regulations  
161.29 specified in clause (9); or
- 161.30 (v) originated from, or intermingled with, information described in clause (9) and that  
161.31 a nonbank financial institution, as defined by section 46A.01, subdivision 12, collects,

162.1 processes, uses, or maintains in the same manner as required under the laws and regulations  
162.2 specified in clause (9);

162.3 (7) information used only for public health activities and purposes, as described under  
162.4 Code of Federal Regulations, title 45, part 164.512;

162.5 (8) an activity involving the collection, maintenance, disclosure, sale, communication,  
162.6 or use of any personal data bearing on a consumer's credit worthiness, credit standing, credit  
162.7 capacity, character, general reputation, personal characteristics, or mode of living by a  
162.8 consumer reporting agency, as defined in United States Code, title 15, section 1681a(f), by  
162.9 a furnisher of information, as set forth in United States Code, title 15, section 1681s-2, who  
162.10 provides information for use in a consumer report, as defined in United States Code, title  
162.11 15, section 1681a(d), and by a user of a consumer report, as set forth in United States Code,  
162.12 title 15, section 1681b, except that information is only excluded under this paragraph to the  
162.13 extent that the activity involving the collection, maintenance, disclosure, sale, communication,  
162.14 or use of the information by the agency, furnisher, or user is subject to regulation under the  
162.15 federal Fair Credit Reporting Act, United States Code, title 15, sections 1681 to 1681x, and  
162.16 the information is not collected, maintained, used, communicated, disclosed, or sold except  
162.17 as authorized by the Fair Credit Reporting Act;

162.18 (9) personal data collected, processed, sold, or disclosed pursuant to the federal  
162.19 Gramm-Leach-Bliley Act, Public Law 106-102, and implementing regulations, if the  
162.20 collection, processing, sale, or disclosure is in compliance with that law;

162.21 (10) personal data collected, processed, sold, or disclosed pursuant to the federal Driver's  
162.22 Privacy Protection Act of 1994, United States Code, title 18, sections 2721 to 2725, if the  
162.23 collection, processing, sale, or disclosure is in compliance with that law;

162.24 (11) personal data regulated by the federal Family Educational Rights and Privacy Act,  
162.25 United States Code, title 20, section 1232g, and implementing regulations;

162.26 (12) personal data collected, processed, sold, or disclosed pursuant to the federal Farm  
162.27 Credit Act of 1971, as amended, United States Code, title 12, sections 2001 to 2279cc, and  
162.28 implementing regulations, Code of Federal Regulations, title 12, part 600, if the collection,  
162.29 processing, sale, or disclosure is in compliance with that law;

162.30 (13) data collected or maintained:

162.31 (i) in the course of an individual acting as a job applicant to or an employee, owner,  
162.32 director, officer, medical staff member, or contractor of a business if the data is collected  
162.33 and used solely within the context of the role;

163.1 (ii) as the emergency contact information of an individual under item (i) if used solely  
163.2 for emergency contact purposes; or

163.3 (iii) that is necessary for the business to retain to administer benefits for another individual  
163.4 relating to the individual under item (i) if used solely for the purposes of administering those  
163.5 benefits;

163.6 (14) personal data collected, processed, sold, or disclosed pursuant to the Minnesota  
163.7 Insurance Fair Information Reporting Act in sections 72A.49 to 72A.505;

163.8 (15) data collected, processed, sold, or disclosed as part of a payment-only credit, check,  
163.9 or cash transaction where no data about consumers, as defined in section 325O.02, are  
163.10 retained;

163.11 (16) a state or federally chartered bank or credit union, or an affiliate or subsidiary that  
163.12 is principally engaged in financial activities, as described in United States Code, title 12,  
163.13 section 1843(k);

163.14 (17) information that originates from, or is intermingled so as to be indistinguishable  
163.15 from, information described in clause (8) and that a person licensed under chapter 56 collects,  
163.16 processes, uses, or maintains in the same manner as is required under the laws and regulations  
163.17 specified in clause (8);

163.18 (18) an insurance company, as defined in section 60A.02, subdivision 4, an insurance  
163.19 producer, as defined in section 60K.31, subdivision 6, a third-party administrator of  
163.20 self-insurance, or an affiliate or subsidiary of any entity identified in this clause that is  
163.21 principally engaged in financial activities, as described in United States Code, title 12,  
163.22 section 1843(k), except that this clause does not apply to a person that, alone or in  
163.23 combination with another person, establishes and maintains a self-insurance program that  
163.24 does not otherwise engage in the business of entering into policies of insurance;

163.25 (19) a small business, as defined by the United States Small Business Administration  
163.26 under Code of Federal Regulations, title 13, part 121, except that a small business identified  
163.27 in this clause is subject to section 325O.075;

163.28 (20) a nonprofit organization that is established to detect and prevent fraudulent acts in  
163.29 connection with insurance; and

163.30 (21) an air carrier subject to the federal Airline Deregulation Act, Public Law 95-504,  
163.31 only to the extent that an air carrier collects personal data related to prices, routes, or services  
163.32 and only to the extent that the provisions of the Airline Deregulation Act preempt the  
163.33 requirements of this chapter.

164.1 (b) Controllers that are in compliance with the Children's Online Privacy Protection Act,  
164.2 United States Code, title 15, sections 6501 to 6506, and implementing regulations, shall be  
164.3 deemed compliant with any obligation to obtain parental consent under this chapter.

164.4 **Sec. 5. [325O.04] RESPONSIBILITY ACCORDING TO ROLE.**

164.5 (a) Controllers and processors are responsible for meeting the respective obligations  
164.6 established under this chapter.

164.7 (b) Processors are responsible under this chapter for adhering to the instructions of the  
164.8 controller and assisting the controller to meet the controller's obligations under this chapter.  
164.9 Assistance under this paragraph shall include the following:

164.10 (1) taking into account the nature of the processing, the processor shall assist the controller  
164.11 by appropriate technical and organizational measures, insofar as this is possible, for the  
164.12 fulfillment of the controller's obligation to respond to consumer requests to exercise their  
164.13 rights pursuant to section 325O.05; and

164.14 (2) taking into account the nature of processing and the information available to the  
164.15 processor, the processor shall assist the controller in meeting the controller's obligations in  
164.16 relation to the security of processing the personal data and in relation to the notification of  
164.17 a breach of the security of the system pursuant to section 325E.61, and shall provide  
164.18 information to the controller necessary to enable the controller to conduct and document  
164.19 any data privacy and protection assessments required by section 325O.08.

164.20 (c) A contract between a controller and a processor shall govern the processor's data  
164.21 processing procedures with respect to processing performed on behalf of the controller. The  
164.22 contract shall be binding and clearly set forth instructions for processing data, the nature  
164.23 and purpose of processing, the type of data subject to processing, the duration of processing,  
164.24 and the rights and obligations of both parties. The contract shall also require that the  
164.25 processor:

164.26 (1) ensure that each person processing the personal data is subject to a duty of  
164.27 confidentiality with respect to the data; and

164.28 (2) engage a subcontractor only (i) after providing the controller with an opportunity to  
164.29 object, and (ii) pursuant to a written contract in accordance with paragraph (e) that requires  
164.30 the subcontractor to meet the obligations of the processor with respect to the personal data.

164.31 (d) Taking into account the context of processing, the controller and the processor shall  
164.32 implement appropriate technical and organizational measures to ensure a level of security

165.1 appropriate to the risk and establish a clear allocation of the responsibilities between the  
165.2 controller and the processor to implement the technical and organizational measures.

165.3 (e) Processing by a processor shall be governed by a contract between the controller and  
165.4 the processor that is binding on both parties and that sets out the processing instructions to  
165.5 which the processor is bound, including the nature and purpose of the processing, the type  
165.6 of personal data subject to the processing, the duration of the processing, and the obligations  
165.7 and rights of both parties. The contract shall include the requirements imposed by this  
165.8 paragraph, paragraphs (c) and (d), as well as the following requirements:

165.9 (1) at the choice of the controller, the processor shall delete or return all personal data  
165.10 to the controller as requested at the end of the provision of services, unless retention of the  
165.11 personal data is required by law;

165.12 (2) upon a reasonable request from the controller, the processor shall make available to  
165.13 the controller all information necessary to demonstrate compliance with the obligations in  
165.14 this chapter; and

165.15 (3) the processor shall allow for, and contribute to, reasonable assessments and inspections  
165.16 by the controller or the controller's designated assessor. Alternatively, the processor may  
165.17 arrange for a qualified and independent assessor to conduct, at least annually and at the  
165.18 processor's expense, an assessment of the processor's policies and technical and organizational  
165.19 measures in support of the obligations under this chapter. The assessor must use an  
165.20 appropriate and accepted control standard or framework and assessment procedure for  
165.21 assessments as applicable, and shall provide a report of an assessment to the controller upon  
165.22 request.

165.23 (f) In no event shall any contract relieve a controller or a processor from the liabilities  
165.24 imposed on a controller or processor by virtue of the controller's or processor's roles in the  
165.25 processing relationship under this chapter.

165.26 (g) Determining whether a person is acting as a controller or processor with respect to  
165.27 a specific processing of data is a fact-based determination that depends upon the context in  
165.28 which personal data are to be processed. A person that is not limited in the person's processing  
165.29 of personal data pursuant to a controller's instructions, or that fails to adhere to a controller's  
165.30 instructions, is a controller and not a processor with respect to a specific processing of data.  
165.31 A processor that continues to adhere to a controller's instructions with respect to a specific  
165.32 processing of personal data remains a processor. If a processor begins, alone or jointly with  
165.33 others, determining the purposes and means of the processing of personal data, the processor  
165.34 is a controller with respect to the processing.

166.1 Sec. 6. [3250.05] CONSUMER PERSONAL DATA RIGHTS.

166.2 Subdivision 1. Consumer rights provided. (a) Except as provided in this chapter, a  
166.3 controller must comply with a request to exercise the consumer rights provided in this  
166.4 subdivision.

166.5 (b) A consumer has the right to confirm whether or not a controller is processing personal  
166.6 data concerning the consumer and access the categories of personal data the controller is  
166.7 processing.

166.8 (c) A consumer has the right to correct inaccurate personal data concerning the consumer,  
166.9 taking into account the nature of the personal data and the purposes of the processing of the  
166.10 personal data.

166.11 (d) A consumer has the right to delete personal data concerning the consumer.

166.12 (e) A consumer has the right to obtain personal data concerning the consumer, which  
166.13 the consumer previously provided to the controller, in a portable and, to the extent technically  
166.14 feasible, readily usable format that allows the consumer to transmit the data to another  
166.15 controller without hindrance, where the processing is carried out by automated means.

166.16 (f) A consumer has the right to opt out of the processing of personal data concerning  
166.17 the consumer for purposes of targeted advertising, the sale of personal data, or profiling in  
166.18 furtherance of automated decisions that produce legal effects concerning a consumer or  
166.19 similarly significant effects concerning a consumer.

166.20 (g) If a consumer's personal data is profiled in furtherance of decisions that produce  
166.21 legal effects concerning a consumer or similarly significant effects concerning a consumer,  
166.22 the consumer has the right to question the result of the profiling, to be informed of the reason  
166.23 that the profiling resulted in the decision, and, if feasible, to be informed of what actions  
166.24 the consumer might have taken to secure a different decision and the actions that the  
166.25 consumer might take to secure a different decision in the future. The consumer has the right  
166.26 to review the consumer's personal data used in the profiling. If the decision is determined  
166.27 to have been based upon inaccurate personal data, taking into account the nature of the  
166.28 personal data and the purposes of the processing of the personal data, the consumer has the  
166.29 right to have the data corrected and the profiling decision reevaluated based upon the  
166.30 corrected data.

166.31 (h) A consumer has a right to obtain a list of the specific third parties to which the  
166.32 controller has disclosed the consumer's personal data. If the controller does not maintain

167.1 the information in a format specific to the consumer, a list of specific third parties to whom  
167.2 the controller has disclosed any consumers' personal data may be provided instead.

167.3 Subd. 2. **Exercising consumer rights.** (a) A consumer may exercise the rights set forth  
167.4 in this section by submitting a request, at any time, to a controller specifying which rights  
167.5 the consumer wishes to exercise.

167.6 (b) In the case of processing personal data concerning a known child, the parent or legal  
167.7 guardian of the known child may exercise the rights of this chapter on the child's behalf.

167.8 (c) In the case of processing personal data concerning a consumer legally subject to  
167.9 guardianship or conservatorship under sections 524.5-101 to 524.5-502, the guardian or the  
167.10 conservator of the consumer may exercise the rights of this chapter on the consumer's behalf.

167.11 (d) A consumer may designate another person as the consumer's authorized agent to  
167.12 exercise the consumer's right to opt out of the processing of the consumer's personal data  
167.13 for purposes of targeted advertising and sale under subdivision 1, paragraph (f), on the  
167.14 consumer's behalf. A consumer may designate an authorized agent by way of, among other  
167.15 things, a technology, including but not limited to an Internet link or a browser setting,  
167.16 browser extension, or global device setting, indicating the consumer's intent to opt out of  
167.17 the processing. A controller shall comply with an opt-out request received from an authorized  
167.18 agent if the controller is able to verify, with commercially reasonable effort, the identity of  
167.19 the consumer and the authorized agent's authority to act on the consumer's behalf.

167.20 Subd. 3. **Universal opt-out mechanisms.** (a) A controller must allow a consumer to opt  
167.21 out of any processing of the consumer's personal data for the purposes of targeted advertising,  
167.22 or any sale of the consumer's personal data through an opt-out preference signal sent, with  
167.23 the consumer's consent, by a platform, technology, or mechanism to the controller indicating  
167.24 the consumer's intent to opt out of the processing or sale. The platform, technology, or  
167.25 mechanism must:

167.26 (1) not unfairly disadvantage another controller;

167.27 (2) not make use of a default setting, but require the consumer to make an affirmative,  
167.28 freely given, and unambiguous choice to opt out of the processing of the consumer's personal  
167.29 data;

167.30 (3) be consumer-friendly and easy to use by the average consumer;

167.31 (4) be as consistent as possible with any other similar platform, technology, or mechanism  
167.32 required by any federal or state law or regulation; and

168.1 (5) enable the controller to accurately determine whether the consumer is a Minnesota  
168.2 resident and whether the consumer has made a legitimate request to opt out of any sale of  
168.3 the consumer's personal data or targeted advertising. For purposes of this paragraph, the  
168.4 use of an Internet protocol address to estimate the consumer's location is sufficient to  
168.5 determine the consumer's residence.

168.6 (b) If a consumer's opt-out request is exercised through the platform, technology, or  
168.7 mechanism required under paragraph (a), and the request conflicts with the consumer's  
168.8 existing controller-specific privacy setting or voluntary participation in a controller's bona  
168.9 fide loyalty, rewards, premium features, discounts, or club card program, the controller  
168.10 must comply with the consumer's opt-out preference signal but may also notify the consumer  
168.11 of the conflict and provide the consumer a choice to confirm the controller-specific privacy  
168.12 setting or participation in the controller's program.

168.13 (c) The platform, technology, or mechanism required under paragraph (a) is subject to  
168.14 the requirements of subdivision 4.

168.15 (d) A controller that recognizes opt-out preference signals that have been approved by  
168.16 other state laws or regulations is in compliance with this subdivision.

168.17 Subd. 4. **Controller response to consumer requests.** (a) Except as provided in this  
168.18 chapter, a controller must comply with a request to exercise the rights pursuant to subdivision  
168.19 1.

168.20 (b) A controller must provide one or more secure and reliable means for consumers to  
168.21 submit a request to exercise the consumer's rights under this section. The means made  
168.22 available must take into account the ways in which consumers interact with the controller  
168.23 and the need for secure and reliable communication of the requests.

168.24 (c) A controller may not require a consumer to create a new account in order to exercise  
168.25 a right, but a controller may require a consumer to use an existing account to exercise the  
168.26 consumer's rights under this section.

168.27 (d) A controller must comply with a request to exercise the right in subdivision 1,  
168.28 paragraph (f), as soon as feasibly possible, but no later than 45 days of receipt of the request.

168.29 (e) A controller must inform a consumer of any action taken on a request under  
168.30 subdivision 1 without undue delay and in any event within 45 days of receipt of the request.  
168.31 That period may be extended once by 45 additional days where reasonably necessary, taking  
168.32 into account the complexity and number of the requests. The controller must inform the



169.1 consumer of any extension within 45 days of receipt of the request, together with the reasons  
169.2 for the delay.

169.3 (f) If a controller does not take action on a consumer's request, the controller must inform  
169.4 the consumer without undue delay and at the latest within 45 days of receipt of the request  
169.5 of the reasons for not taking action and instructions for how to appeal the decision with the  
169.6 controller as described in subdivision 5.

169.7 (g) Information provided under this section must be provided by the controller free of  
169.8 charge up to twice annually to the consumer. Where requests from a consumer are manifestly  
169.9 unfounded or excessive, in particular because of the repetitive character of the requests, the  
169.10 controller may either charge a reasonable fee to cover the administrative costs of complying  
169.11 with the request, or refuse to act on the request. The controller bears the burden of  
169.12 demonstrating the manifestly unfounded or excessive character of the request.

169.13 (h) A controller is not required to comply with a request to exercise any of the rights  
169.14 under subdivision 1, paragraphs (b) to (e) and (h), if the controller is unable to authenticate  
169.15 the request using commercially reasonable efforts. In such cases, the controller may request  
169.16 the provision of additional information reasonably necessary to authenticate the request. A  
169.17 controller is not required to authenticate an opt-out request, but a controller may deny an  
169.18 opt-out request if the controller has a good faith, reasonable, and documented belief that  
169.19 the request is fraudulent. If a controller denies an opt-out request because the controller  
169.20 believes a request is fraudulent, the controller must notify the person who made the request  
169.21 that the request was denied due to the controller's belief that the request was fraudulent and  
169.22 state the controller's basis for that belief.

169.23 (i) In response to a consumer request under subdivision 1, a controller must not disclose  
169.24 the following information about a consumer, but must instead inform the consumer with  
169.25 sufficient particularity that the controller has collected that type of information:

169.26 (1) Social Security number;

169.27 (2) driver's license number or other government-issued identification number;

169.28 (3) financial account number;

169.29 (4) health insurance account number or medical identification number;

169.30 (5) account password, security questions, or answers; or

169.31 (6) biometric data.

170.1 (j) In response to a consumer request under subdivision 1, a controller is not required  
170.2 to reveal any trade secret.

170.3 (k) A controller that has obtained personal data about a consumer from a source other  
170.4 than the consumer may comply with a consumer's request to delete the consumer's personal  
170.5 data pursuant to subdivision 1, paragraph (d), by either:

170.6 (1) retaining a record of the deletion request, retaining the minimum data necessary for  
170.7 the purpose of ensuring the consumer's personal data remains deleted from the business's  
170.8 records, and not using the retained data for any other purpose pursuant to the provisions of  
170.9 this chapter; or

170.10 (2) opting the consumer out of the processing of personal data for any purpose except  
170.11 for the purposes exempted pursuant to the provisions of this chapter.

170.12 Subd. 5. **Appeal process required.** (a) A controller must establish an internal process  
170.13 whereby a consumer may appeal a refusal to take action on a request to exercise any of the  
170.14 rights under subdivision 1 within a reasonable period of time after the consumer's receipt  
170.15 of the notice sent by the controller under subdivision 4, paragraph (f).

170.16 (b) The appeal process must be conspicuously available. The process must include the  
170.17 ease of use provisions in subdivision 3 applicable to submitting requests.

170.18 (c) Within 45 days of receipt of an appeal, a controller must inform the consumer of any  
170.19 action taken or not taken in response to the appeal, along with a written explanation of the  
170.20 reasons in support thereof. That period may be extended by 60 additional days where  
170.21 reasonably necessary, taking into account the complexity and number of the requests serving  
170.22 as the basis for the appeal. The controller must inform the consumer of any extension within  
170.23 45 days of receipt of the appeal, together with the reasons for the delay.

170.24 (d) When informing a consumer of any action taken or not taken in response to an appeal  
170.25 pursuant to paragraph (c), the controller must provide a written explanation of the reasons  
170.26 for the controller's decision and clearly and prominently provide the consumer with  
170.27 information about how to file a complaint with the Office of the Attorney General. The  
170.28 controller must maintain records of all appeals and the controller's responses for at least 24  
170.29 months and shall, upon written request by the attorney general as part of an investigation,  
170.30 compile and provide a copy of the records to the attorney general.

171.1 Sec. 7. [325O.06] PROCESSING DEIDENTIFIED DATA OR PSEUDONYMOUS  
171.2 DATA.

171.3 (a) This chapter does not require a controller or processor to do any of the following  
171.4 solely for purposes of complying with this chapter:

171.5 (1) reidentify deidentified data;

171.6 (2) maintain data in identifiable form, or collect, obtain, retain, or access any data or  
171.7 technology, in order to be capable of associating an authenticated consumer request with  
171.8 personal data; or

171.9 (3) comply with an authenticated consumer request to access, correct, delete, or port  
171.10 personal data pursuant to section 325O.05, subdivision 1, if all of the following are true:

171.11 (i) the controller is not reasonably capable of associating the request with the personal  
171.12 data, or it would be unreasonably burdensome for the controller to associate the request  
171.13 with the personal data;

171.14 (ii) the controller does not use the personal data to recognize or respond to the specific  
171.15 consumer who is the subject of the personal data, or associate the personal data with other  
171.16 personal data about the same specific consumer; and

171.17 (iii) the controller does not sell the personal data to any third party or otherwise  
171.18 voluntarily disclose the personal data to any third party other than a processor, except as  
171.19 otherwise permitted in this section.

171.20 (b) The rights contained in section 325O.05, subdivision 1, paragraphs (b) to (e) and  
171.21 (h), do not apply to pseudonymous data in cases where the controller is able to demonstrate  
171.22 any information necessary to identify the consumer is kept separately and is subject to  
171.23 effective technical and organizational controls that prevent the controller from accessing  
171.24 the information.

171.25 (c) A controller that uses pseudonymous data or deidentified data must exercise reasonable  
171.26 oversight to monitor compliance with any contractual commitments to which the  
171.27 pseudonymous data or deidentified data are subject, and must take appropriate steps to  
171.28 address any breaches of contractual commitments.

171.29 (d) A processor or third party must not attempt to identify the subjects of deidentified  
171.30 or pseudonymous data without the express authority of the controller that caused the data  
171.31 to be deidentified or pseudonymized.

172.1 (e) A controller, processor, or third party must not attempt to identify the subjects of  
172.2 data that has been collected with only pseudonymous identifiers.

172.3 **Sec. 8. [325O.07] RESPONSIBILITIES OF CONTROLLERS.**

172.4 Subdivision 1. **Transparency obligations.** (a) Controllers must provide consumers with  
172.5 a reasonably accessible, clear, and meaningful privacy notice that includes:

172.6 (1) the categories of personal data processed by the controller;

172.7 (2) the purposes for which the categories of personal data are processed;

172.8 (3) an explanation of the rights contained in section 325O.05 and how and where  
172.9 consumers may exercise those rights, including how a consumer may appeal a controller's  
172.10 action with regard to the consumer's request;

172.11 (4) the categories of personal data that the controller sells to or shares with third parties,  
172.12 if any;

172.13 (5) the categories of third parties, if any, with whom the controller sells or shares personal  
172.14 data;

172.15 (6) the controller's contact information, including an active email address or other online  
172.16 mechanism that the consumer may use to contact the controller;

172.17 (7) a description of the controller's retention policies for personal data; and

172.18 (8) the date the privacy notice was last updated.

172.19 (b) If a controller sells personal data to third parties, processes personal data for targeted  
172.20 advertising, or engages in profiling in furtherance of decisions that produce legal effects  
172.21 concerning a consumer or similarly significant effects concerning a consumer, the controller  
172.22 must disclose the processing in the privacy notice and provide access to a clear and  
172.23 conspicuous method outside the privacy notice for a consumer to opt out of the sale,  
172.24 processing, or profiling in furtherance of decisions that produce legal effects concerning a  
172.25 consumer or similarly significant effects concerning a consumer. This method may include  
172.26 but is not limited to an Internet hyperlink clearly labeled "Your Opt-Out Rights" or "Your  
172.27 Privacy Rights" that directly effectuates the opt-out request or takes consumers to a web  
172.28 page where the consumer can make the opt-out request.

172.29 (c) The privacy notice must be made available to the public in each language in which  
172.30 the controller provides a product or service that is subject to the privacy notice or carries  
172.31 out activities related to the product or service.

173.1 (d) The controller must provide the privacy notice in a manner that is reasonably  
173.2 accessible to and usable by individuals with disabilities.

173.3 (e) Whenever a controller makes a material change to the controller's privacy notice or  
173.4 practices, the controller must notify consumers affected by the material change with respect  
173.5 to any prospectively collected personal data and provide a reasonable opportunity for  
173.6 consumers to withdraw consent to any further materially different collection, processing,  
173.7 or transfer of previously collected personal data under the changed policy. The controller  
173.8 shall take all reasonable electronic measures to provide notification regarding material  
173.9 changes to affected consumers, taking into account available technology and the nature of  
173.10 the relationship.

173.11 (f) A controller is not required to provide a separate Minnesota-specific privacy notice  
173.12 or section of a privacy notice if the controller's general privacy notice contains all the  
173.13 information required by this section.

173.14 (g) The privacy notice must be posted online through a conspicuous hyperlink using the  
173.15 word "privacy" on the controller's website home page or on a mobile application's app store  
173.16 page or download page. A controller that maintains an application on a mobile or other  
173.17 device shall also include a hyperlink to the privacy notice in the application's settings menu  
173.18 or in a similarly conspicuous and accessible location. A controller that does not operate a  
173.19 website shall make the privacy notice conspicuously available to consumers through a  
173.20 medium regularly used by the controller to interact with consumers, including but not limited  
173.21 to mail.

173.22 Subd. 2. Use of data. (a) A controller must limit the collection of personal data to what  
173.23 is adequate, relevant, and reasonably necessary in relation to the purposes for which the  
173.24 data are processed, which must be disclosed to the consumer.

173.25 (b) Except as provided in this chapter, a controller may not process personal data for  
173.26 purposes that are not reasonably necessary to, or compatible with, the purposes for which  
173.27 the personal data are processed, as disclosed to the consumer, unless the controller obtains  
173.28 the consumer's consent.

173.29 (c) A controller shall establish, implement, and maintain reasonable administrative,  
173.30 technical, and physical data security practices to protect the confidentiality, integrity, and  
173.31 accessibility of personal data, including the maintenance of an inventory of the data that  
173.32 must be managed to exercise these responsibilities. The data security practices shall be  
173.33 appropriate to the volume and nature of the personal data at issue.

174.1 (d) Except as otherwise provided in this act, a controller may not process sensitive data  
174.2 concerning a consumer without obtaining the consumer's consent, or, in the case of the  
174.3 processing of personal data concerning a known child, without obtaining consent from the  
174.4 child's parent or lawful guardian, in accordance with the requirement of the Children's  
174.5 Online Privacy Protection Act, United States Code, title 15, sections 6501 to 6506, and its  
174.6 implementing regulations, rules, and exemptions.

174.7 (e) A controller shall provide an effective mechanism for a consumer, or, in the case of  
174.8 the processing of personal data concerning a known child, the child's parent or lawful  
174.9 guardian, to revoke previously given consent under this subdivision. The mechanism provided  
174.10 shall be at least as easy as the mechanism by which the consent was previously given. Upon  
174.11 revocation of consent, a controller shall cease to process the applicable data as soon as  
174.12 practicable, but not later than 15 days after the receipt of the request.

174.13 (f) A controller may not process the personal data of a consumer for purposes of targeted  
174.14 advertising, or sell the consumer's personal data, without the consumer's consent, under  
174.15 circumstances where the controller knows that the consumer is between the ages of 13 and  
174.16 16.

174.17 (g) A controller may not retain personal data that is no longer relevant and reasonably  
174.18 necessary in relation to the purposes for which the data were collected and processed, unless  
174.19 retention of the data is otherwise required by law or permitted under section 325O.09.

174.20 Subd. 3. **Nondiscrimination.** (a) A controller shall not process personal data on the  
174.21 basis of a consumer's or a class of consumers' actual or perceived race, color, ethnicity,  
174.22 religion, national origin, sex, gender, gender identity, sexual orientation, familial status,  
174.23 lawful source of income, or disability in a manner that unlawfully discriminates against the  
174.24 consumer or class of consumers with respect to the offering or provision of: housing,  
174.25 employment, credit, or education; or the goods, services, facilities, privileges, advantages,  
174.26 or accommodations of any place of public accommodation.

174.27 (b) A controller may not discriminate against a consumer for exercising any of the rights  
174.28 contained in this chapter, including denying goods or services to the consumer, charging  
174.29 different prices or rates for goods or services, and providing a different level of quality of  
174.30 goods and services to the consumer. This subdivision does not: (1) require a controller to  
174.31 provide a good or service that requires the consumer's personal data that the controller does  
174.32 not collect or maintain; or (2) prohibit a controller from offering a different price, rate, level,  
174.33 quality, or selection of goods or services to a consumer, including offering goods or services

175.1 for no fee, if the offering is in connection with a consumer's voluntary participation in a  
175.2 bona fide loyalty, rewards, premium features, discounts, or club card program.

175.3 Subd. 4. **Waiver of rights unenforceable.** Any provision of a contract or agreement of  
175.4 any kind that purports to waive or limit in any way a consumer's rights under this chapter  
175.5 is contrary to public policy and is void and unenforceable.

175.6 **Sec. 9. [325O.075] REQUIREMENTS FOR SMALL BUSINESSES.**

175.7 (a) A small business, as defined by the United States Small Business Administration  
175.8 under Code of Federal Regulations, title 13, part 121, that conducts business in Minnesota  
175.9 or produces products or services that are targeted to residents of Minnesota, must not sell  
175.10 a consumer's sensitive data without the consumer's prior consent.

175.11 (b) Penalties and attorney general enforcement procedures under section 325O.10 apply  
175.12 to a small business that violates this section.

175.13 **Sec. 10. [325O.08] DATA PRIVACY POLICIES; DATA PRIVACY AND**  
175.14 **PROTECTION ASSESSMENTS.**

175.15 (a) A controller must document and maintain a description of the policies and procedures  
175.16 the controller has adopted to comply with this chapter. The description must include, where  
175.17 applicable:

175.18 (1) the name and contact information for the controller's chief privacy officer or other  
175.19 individual with primary responsibility for directing the policies and procedures implemented  
175.20 to comply with the provisions of this chapter; and

175.21 (2) a description of the controller's data privacy policies and procedures which reflect  
175.22 the requirements in section 325O.07, and any policies and procedures designed to:

175.23 (i) reflect the requirements of this chapter in the design of the controller's systems;

175.24 (ii) identify and provide personal data to a consumer as required by this chapter;

175.25 (iii) establish, implement, and maintain reasonable administrative, technical, and physical  
175.26 data security practices to protect the confidentiality, integrity, and accessibility of personal  
175.27 data, including the maintenance of an inventory of the data that must be managed to exercise  
175.28 the responsibilities under this item;

175.29 (iv) limit the collection of personal data to what is adequate, relevant, and reasonably  
175.30 necessary in relation to the purposes for which the data are processed;

176.1 (v) prevent the retention of personal data that is no longer relevant and reasonably  
176.2 necessary in relation to the purposes for which the data were collected and processed, unless  
176.3 retention of the data is otherwise required by law or permitted under section 325O.09; and

176.4 (vi) identify and remediate violations of this chapter.

176.5 (b) A controller must conduct and document a data privacy and protection assessment  
176.6 for each of the following processing activities involving personal data:

176.7 (1) the processing of personal data for purposes of targeted advertising;

176.8 (2) the sale of personal data;

176.9 (3) the processing of sensitive data;

176.10 (4) any processing activities involving personal data that present a heightened risk of  
176.11 harm to consumers; and

176.12 (5) the processing of personal data for purposes of profiling, where the profiling presents  
176.13 a reasonably foreseeable risk of:

176.14 (i) unfair or deceptive treatment of, or disparate impact on, consumers;

176.15 (ii) financial, physical, or reputational injury to consumers;

176.16 (iii) a physical or other intrusion upon the solitude or seclusion, or the private affairs or  
176.17 concerns, of consumers, where the intrusion would be offensive to a reasonable person; or

176.18 (iv) other substantial injury to consumers.

176.19 (c) A data privacy and protection assessment must take into account the type of personal  
176.20 data to be processed by the controller, including the extent to which the personal data are  
176.21 sensitive data, and the context in which the personal data are to be processed.

176.22 (d) A data privacy and protection assessment must identify and weigh the benefits that  
176.23 may flow directly and indirectly from the processing to the controller, consumer, other  
176.24 stakeholders, and the public against the potential risks to the rights of the consumer associated  
176.25 with the processing, as mitigated by safeguards that can be employed by the controller to  
176.26 reduce the potential risks. The use of deidentified data and the reasonable expectations of  
176.27 consumers, as well as the context of the processing and the relationship between the controller  
176.28 and the consumer whose personal data will be processed, must be factored into this  
176.29 assessment by the controller.

176.30 (e) A data privacy and protection assessment must include the description of policies  
176.31 and procedures required by paragraph (a).



177.1 (f) As part of a civil investigative demand, the attorney general may request, in writing,  
177.2 that a controller disclose any data privacy and protection assessment that is relevant to an  
177.3 investigation conducted by the attorney general. The controller must make a data privacy  
177.4 and protection assessment available to the attorney general upon a request made under this  
177.5 paragraph. The attorney general may evaluate the data privacy and protection assessments  
177.6 for compliance with this chapter. Data privacy and protection assessments are classified as  
177.7 nonpublic data, as defined by section 13.02, subdivision 9. The disclosure of a data privacy  
177.8 and protection assessment pursuant to a request from the attorney general under this  
177.9 paragraph does not constitute a waiver of the attorney-client privilege or work product  
177.10 protection with respect to the assessment and any information contained in the assessment.

177.11 (g) Data privacy and protection assessments or risk assessments conducted by a controller  
177.12 for the purpose of compliance with other laws or regulations may qualify under this section  
177.13 if the assessments have a similar scope and effect.

177.14 (h) A single data protection assessment may address multiple sets of comparable  
177.15 processing operations that include similar activities.

177.16 **Sec. 11. [3250.09] LIMITATIONS AND APPLICABILITY.**

177.17 (a) The obligations imposed on controllers or processors under this chapter do not restrict  
177.18 a controller's or a processor's ability to:

177.19 (1) comply with federal, state, or local laws, rules, or regulations, including but not  
177.20 limited to data retention requirements in state or federal law notwithstanding a consumer's  
177.21 request to delete personal data;

177.22 (2) comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or  
177.23 summons by federal, state, local, or other governmental authorities;

177.24 (3) cooperate with law enforcement agencies concerning conduct or activity that the  
177.25 controller or processor reasonably and in good faith believes may violate federal, state, or  
177.26 local laws, rules, or regulations;

177.27 (4) investigate, establish, exercise, prepare for, or defend legal claims;

177.28 (5) provide a product or service specifically requested by a consumer; perform a contract  
177.29 to which the consumer is a party, including fulfilling the terms of a written warranty; or  
177.30 take steps at the request of the consumer prior to entering into a contract;

178.1 (6) take immediate steps to protect an interest that is essential for the life or physical  
178.2 safety of the consumer or of another natural person, and where the processing cannot be  
178.3 manifestly based on another legal basis;

178.4 (7) prevent, detect, protect against, or respond to security incidents, identity theft, fraud,  
178.5 harassment, malicious or deceptive activities, or any illegal activity; preserve the integrity  
178.6 or security of systems; or investigate, report, or prosecute those responsible for any such  
178.7 action;

178.8 (8) assist another controller, processor, or third party with any of the obligations under  
178.9 this paragraph;

178.10 (9) engage in public or peer-reviewed scientific, historical, or statistical research in the  
178.11 public interest that adheres to all other applicable ethics and privacy laws and is approved,  
178.12 monitored, and governed by an institutional review board, human subjects research ethics  
178.13 review board, or a similar independent oversight entity that has determined:

178.14 (i) the research is likely to provide substantial benefits that do not exclusively accrue to  
178.15 the controller;

178.16 (ii) the expected benefits of the research outweigh the privacy risks; and

178.17 (iii) the controller has implemented reasonable safeguards to mitigate privacy risks  
178.18 associated with research, including any risks associated with reidentification; or

178.19 (10) process personal data for the benefit of the public in the areas of public health,  
178.20 community health, or population health, but only to the extent that the processing is:

178.21 (i) subject to suitable and specific measures to safeguard the rights of the consumer  
178.22 whose personal data is being processed; and

178.23 (ii) under the responsibility of a professional individual who is subject to confidentiality  
178.24 obligations under federal, state, or local law.

178.25 (b) The obligations imposed on controllers or processors under this chapter do not restrict  
178.26 a controller's or processor's ability to collect, use, or retain data to:

178.27 (1) effectuate a product recall or identify and repair technical errors that impair existing  
178.28 or intended functionality;

178.29 (2) perform internal operations that are reasonably aligned with the expectations of the  
178.30 consumer based on the consumer's existing relationship with the controller, or are otherwise  
178.31 compatible with processing in furtherance of the provision of a product or service specifically

179.1 requested by a consumer or the performance of a contract to which the consumer is a party;  
179.2 or

179.3 (3) conduct internal research to develop, improve, or repair products, services, or  
179.4 technology.

179.5 (c) The obligations imposed on controllers or processors under this chapter do not apply  
179.6 where compliance by the controller or processor with this chapter would violate an  
179.7 evidentiary privilege under Minnesota law and do not prevent a controller or processor from  
179.8 providing personal data concerning a consumer to a person covered by an evidentiary  
179.9 privilege under Minnesota law as part of a privileged communication.

179.10 (d) A controller or processor that discloses personal data to a third-party controller or  
179.11 processor in compliance with the requirements of this chapter is not in violation of this  
179.12 chapter if the recipient processes the personal data in violation of this chapter, provided that  
179.13 at the time of disclosing the personal data, the disclosing controller or processor did not  
179.14 have actual knowledge that the recipient intended to commit a violation. A third-party  
179.15 controller or processor receiving personal data from a controller or processor in compliance  
179.16 with the requirements of this chapter is not in violation of this chapter for the obligations  
179.17 of the controller or processor from which the third-party controller or processor receives  
179.18 the personal data.

179.19 (e) Obligations imposed on controllers and processors under this chapter shall not:

179.20 (1) adversely affect the rights or freedoms of any persons, including exercising the right  
179.21 of free speech pursuant to the First Amendment of the United States Constitution; or

179.22 (2) apply to the processing of personal data by a natural person in the course of a purely  
179.23 personal or household activity.

179.24 (f) Personal data that are processed by a controller pursuant to this section may be  
179.25 processed solely to the extent that the processing is:

179.26 (1) necessary, reasonable, and proportionate to the purposes listed in this section;

179.27 (2) adequate, relevant, and limited to what is necessary in relation to the specific purpose  
179.28 or purposes listed in this section; and

179.29 (3) insofar as possible, taking into account the nature and purpose of processing the  
179.30 personal data, subjected to reasonable administrative, technical, and physical measures to  
179.31 protect the confidentiality, integrity, and accessibility of the personal data, and to reduce  
179.32 reasonably foreseeable risks of harm to consumers.

180.1 (g) If a controller processes personal data pursuant to an exemption in this section, the  
180.2 controller bears the burden of demonstrating that the processing qualifies for the exemption  
180.3 and complies with the requirements in paragraph (f).

180.4 (h) Processing personal data solely for the purposes expressly identified in paragraph  
180.5 (a), clauses (1) to (7), does not, by itself, make an entity a controller with respect to the  
180.6 processing.

180.7 **Sec. 12. [3250.10] ATTORNEY GENERAL ENFORCEMENT.**

180.8 (a) In the event that a controller or processor violates this chapter, the attorney general,  
180.9 prior to filing an enforcement action under paragraph (b), must provide the controller or  
180.10 processor with a warning letter identifying the specific provisions of this chapter the attorney  
180.11 general alleges have been or are being violated. If, after 30 days of issuance of the warning  
180.12 letter, the attorney general believes the controller or processor has failed to cure any alleged  
180.13 violation, the attorney general may bring an enforcement action under paragraph (b). This  
180.14 paragraph expires January 31, 2026.

180.15 (b) The attorney general may bring a civil action against a controller or processor to  
180.16 enforce a provision of this chapter in accordance with section 8.31. If the state prevails in  
180.17 an action to enforce this chapter, the state may, in addition to penalties provided by paragraph  
180.18 (c) or other remedies provided by law, be allowed an amount determined by the court to be  
180.19 the reasonable value of all or part of the state's litigation expenses incurred.

180.20 (c) Any controller or processor that violates this chapter is subject to an injunction and  
180.21 liable for a civil penalty of not more than \$7,500 for each violation.

180.22 (d) Nothing in this chapter establishes a private right of action, including under section  
180.23 8.31, subdivision 3a, for a violation of this chapter or any other law.

180.24 **Sec. 13. [3250.11] PREEMPTION OF LOCAL LAW; SEVERABILITY.**

180.25 (a) This chapter supersedes and preempts laws, ordinances, regulations, or the equivalent  
180.26 adopted by any local government regarding the processing of personal data by controllers  
180.27 or processors.

180.28 (b) If any provision of this chapter or the chapter's application to any person or  
180.29 circumstance is held invalid, the remainder of the chapter or the application of the provision  
180.30 to other persons or circumstances is not affected.

181.1 Sec. 14. **EFFECTIVE DATE.**

181.2 This article is effective July 31, 2025, except that postsecondary institutions regulated  
181.3 by the Office of Higher Education are not required to comply with this article until July 31,  
181.4 2029.

**152.22 DEFINITIONS.**

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.

**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 cochair 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.

#### **342.01 DEFINITIONS.**

Subd. 28. **Division of Medical Cannabis.** "Division of Medical Cannabis" means a division housed in the Office of Cannabis Management that operates the medical cannabis program.

Subd. 53. **Medical cannabis business.** "Medical cannabis business" means an entity licensed under this chapter to engage in one or more of the following:

(1) the cultivation of cannabis plants for medical cannabis flower;

(2) the manufacture of medical cannabinoid products; and

(3) the retail sale of medical cannabis flower and medical cannabinoid products.

Subd. 55. **Medical cannabis paraphernalia.** "Medical cannabis paraphernalia" means a delivery device, related supply, or educational material used by a patient enrolled in the registry program to administer medical cannabis and medical cannabinoid products.

#### **342.18 LICENSE SELECTION CRITERIA.**

Subdivision 1. **Market stability.** The office shall issue the necessary number of licenses in order to ensure the sufficient supply of cannabis flower and cannabis products to meet demand, provide market stability, ensure a competitive market, and limit the sale of unregulated cannabis flower and cannabis products.

#### **342.27 RETAIL SALE OF CANNABIS FLOWER AND PRODUCTS; GENERAL REQUIREMENTS.**

Subd. 13. **Adult-use and medical cannabis; colocation.** (a) A cannabis business with a license or endorsement authorizing the retail sale of adult-use cannabis flower or adult-use cannabis products that is also a licensed medical cannabis retailer may sell medical cannabis flower and medical cannabinoid products on a portion of the business's premises.

(b) The premises must provide an appropriate space for a pharmacist employee of the medical cannabis retailer to consult with a patient to determine the proper type of medical cannabis flower and medical cannabinoid products and proper dosage for the patient.

#### **342.29 CANNABIS MEZZOBUSINESS LICENSING AND OPERATIONS.**

Subd. 9. **Medical cannabis endorsement.** A cannabis mezzobusiness that cultivates cannabis plants for use as medical cannabis flower or for use in medical cannabinoid products, processes medical cannabinoid products, or both, must comply with sections 342.49, paragraph (d); 342.50, paragraph (c), and any additional requirements established by the office.

#### **342.47 MEDICAL CANNABIS BUSINESS LICENSES.**

Subdivision 1. **License types.** (a) The office shall issue the following types of medical cannabis business licenses:

(1) medical cannabis cultivator;

(2) medical cannabis processor;

(3) medical cannabis retailer; and

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(4) medical cannabis combination business license.

(b) The Division of Medical Cannabis may oversee the licensing and regulation of medical cannabis businesses.

Subd. 2. **Multiple licenses; limits.** (a) Except as provided in subdivision 3, a person, cooperative, or business holding:

(1) a medical cannabis cultivator license may also hold a medical cannabis processor license, a cannabis cultivator license, a cannabis manufacturer license, and a cannabis event organizer license subject to the ownership limitations that apply to those licenses;

(2) a medical cannabis processor license may also hold a medical cannabis cultivator license, a cannabis cultivator license, a cannabis manufacturer license, and a cannabis event organizer license subject to the ownership limitations that apply to those licenses; or

(3) a medical cannabis retailer license may also hold a cannabis mezzobusiness license, a cannabis retailer license, a cannabis delivery service license, and a cannabis event organizer license subject to the ownership limitations that apply to those licenses.

(b) Except as provided in paragraph (a), no person, cooperative, or business holding a medical cannabis license may own or operate any other cannabis business or hemp business.

(c) The office by rule may limit the number of medical cannabis business licenses that a person or business may hold.

(d) For purposes of this subdivision, a restriction on the number of licenses or type of license that a business may hold applies to every cooperative member or every director, manager, and general partner of a medical cannabis business.

Subd. 3. **Medical cannabis combination business license.** (a) A person, cooperative, or business holding a medical cannabis combination license is prohibited from owning or operating any other cannabis business or hemp business.

(b) A person or business may only hold one medical cannabis combination license.

**342.48 MEDICAL CANNABIS BUSINESS APPLICATIONS.**

In addition to the information required to be submitted under section 342.14, subdivision 1, and rules adopted pursuant to that section, a person, cooperative, or business seeking a medical cannabis business license must submit the following information in a form approved by the office:

(1) for medical cannabis cultivator license applicants:

(i) an operating plan demonstrating the proposed size and layout of the cultivation facility; plans for wastewater and waste disposal for the cultivation facility; plans for providing electricity, water, and other utilities necessary for the normal operation of the cultivation facility; and plans for compliance with applicable building code and federal and state environmental and workplace safety requirements;

(ii) a cultivation plan demonstrating the proposed size and layout of the cultivation facility that will be used exclusively for cultivation for medical cannabis, including the total amount of plant canopy; and

(iii) evidence that the business will comply with the applicable operation requirements for the license being sought;

(2) for medical cannabis processor license applicants:

(i) an operating plan demonstrating the proposed layout of the facility, including a diagram of ventilation and filtration systems; plans for wastewater and waste disposal for the manufacturing facility; plans for providing electricity, water, and other utilities necessary for the normal operation of the manufacturing facility; and plans for compliance with applicable building code and federal and state environmental and workplace safety requirements;

(ii) all methods of extraction and concentration that the applicant intends to use and the volatile chemicals, if any, that are involved in extraction or concentration;

(iii) if the applicant is seeking an endorsement to manufacture products infused with cannabinoids for consumption by patients enrolled in the registry program, proof of an edible cannabinoid product handler endorsement from the office; and



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(iv) evidence that the applicant will comply with the applicable operation requirements for the license being sought;

(3) for medical cannabis retailer license applicants:

(i) a list of every retail license held by the applicant and, if the applicant is a business, every retail license held, either as an individual or as part of another business, by each officer, director, manager, and general partner of the cannabis business;

(ii) an operating plan demonstrating the proposed layout of the facility, including a diagram of ventilation and filtration systems, policies to avoid sales to individuals who are not authorized to receive the distribution of medical cannabis flower or medical cannabinoid products, identification of a restricted area for storage, and plans to prevent the visibility of cannabis flower and cannabinoid products; and

(iii) evidence that the applicant will comply with the applicable operation requirements for the license being sought; or

(4) for medical cannabis combination license applicants:

(i) the information required under clauses (1) to (3); and

(ii) any additional information required under sections 342.30, subdivision 3; 342.31, subdivision 3; and 342.32, subdivision 3.

**342.49 MEDICAL CANNABIS CULTIVATORS.**

(a) A medical cannabis cultivator license entitles the license holder to grow cannabis plants within the approved amount of space up to 60,000 square feet of plant canopy from seed or immature plant to mature plant, harvest cannabis flower from a mature plant, package and label cannabis flower as medical cannabis flower, sell medical cannabis flower to medical cannabis processors and medical cannabis retailers, transport medical cannabis flower to a medical cannabis processor located on the same premises, and perform other actions approved by the office.

(b) A medical cannabis cultivator license holder must comply with all requirements of section 342.25.

(c) A medical cannabis cultivator license holder must verify that every batch of medical cannabis flower has passed safety, potency, and consistency testing at a cannabis testing facility approved by the office for the testing of medical cannabis flower before the medical cannabis cultivator may package, label, or sell the medical cannabis flower to any other entity.

(d) A medical cannabis cultivator may exceed the limit of 60,000 square feet of plant canopy if it was legally cultivating medical cannabis with a greater plant canopy as of April 1, 2023.

**342.50 MEDICAL CANNABIS PROCESSORS.**

(a) A medical cannabis processor license, consistent with the specific license endorsement or endorsements, entitles the license holder to:

(1) purchase medical cannabis flower, medical cannabinoid products, hemp plant parts, and hemp concentrate from medical cannabis cultivators and other medical cannabis processors;

(2) purchase hemp plant parts from industrial hemp growers;

(3) make cannabis concentrate from medical cannabis flower;

(4) make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;

(5) manufacture medical cannabinoid products;

(6) package and label medical cannabinoid products for sale to other medical cannabis processors and to medical cannabis retailers; and

(7) perform other actions approved by the office.

(b) A medical cannabis processor license holder must comply with all requirements of section 342.26, including requirements to obtain specific license endorsements.

(c) A medical cannabis processor license holder must verify that every batch of medical cannabinoid product has passed safety, potency, and consistency testing at a cannabis testing facility

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approved by the office for the testing of medical cannabinoid products before the medical cannabis processor may package, label, or sell the medical cannabinoid product to any other entity.

**342.52 PATIENT REGISTRY PROGRAM.**

Subd. 8. **Allowable delivery methods.** A patient in the registry program may receive medical cannabis flower and medical cannabinoid products. The office may approve additional delivery methods to expand the types of products that qualify as medical cannabinoid products.