SENATE STATE OF MINNESOTA

NINETY-THIRD SESSION

S.F. No. 73

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

DATE	D-PG	OFFICIAL STATUS
01/09/2023	111	Introduction and first reading
		Referred to Judiciary and Public Safety
01/11/2023	146	Author added Boldon
01/26/2023	394a	Comm report: Amended, No recommendation, re-referred to Commerce and Consumer Protection
01/27/2023	454a	Comm report: To pass as amended and re-refer to Jobs and Economic Development
02/01/2023	549	Comm report: To pass and re-referred to State and Local Government and Veterans
02/02/2023	606	Withdrawn and re-referred to Agriculture, Broadband, and Rural Development
02/08/2023	697a	Comm report: To pass as amended and re-refer to Environment, Climate, and Legacy
	699	Rule 12.10: report of votes in committee
02/13/2023	783	Comm report: To pass and re-referred to Transportation
02/16/2023	830a	Comm report: To pass as amended and re-refer to Health and Human Services
03/01/2023	1171a	Comm report: To pass as amended and re-refer to Human Services
03/02/2023		Comm report: To pass as amended Labor

1.1

A bill for an act

relating to cannabis; establishing the Office of Cannabis Management; establishing 12 advisory councils; requiring reports relating to cannabis use and sales; legalizing 1.3 and limiting the possession and use of cannabis by adults; providing for the 1.4 licensing, inspection, and regulation of cannabis businesses; requiring testing of 1.5 cannabis flower and cannabinoid products; requiring labeling of cannabis flower 1.6 and cannabinoid products; limiting the advertisement of cannabis flower, 1.7 cannabinoid products, and cannabis businesses; providing for the cultivation of 1.8 cannabis in private residences; transferring regulatory authority for the medical 1.9 cannabis program; taxing the sale of adult-use cannabis; establishing grant and 1.10 loan programs; amending criminal penalties; prohibiting the use or possession of 1.11 cannabis flower and cannabinoid products on a street or highway; establishing 1.12 expungement procedures for certain individuals; establishing labor standards for 1.13 the use of cannabis by employees and testing of employees; providing for the 1.14 temporary regulation of certain edible cannabinoid products; providing for 1.15 professional licensing protections; amending the scheduling of marijuana and 1.16 1.17 tetrahydrocannabinols; classifying data; making miscellaneous cannabis-related changes and additions; making clarifying and technical changes; appropriating 1.18 money; amending Minnesota Statutes 2022, sections 13.411, by adding a 1.19 subdivision; 13.871, by adding a subdivision; 16B.2975, subdivision 8; 34A.01, 1.20 subdivision 4; 144.99, subdivision 1; 151.72; 152.01, by adding subdivisions; 1.21 152.02, subdivisions 2, 4; 152.021, subdivision 2; 152.022, subdivisions 1, 2; 1.22 152.023, subdivisions 1, 2; 152.024, subdivision 1; 152.025, subdivisions 1, 2; 1.23 181.938, subdivision 2; 181.950, subdivisions 2, 4, 5, 8, 13, by adding a 1.24 subdivision; 181.951, by adding subdivisions; 181.952, by adding a subdivision; 1.25 181.953; 181.954; 181.955; 181.957, subdivision 1; 244.05, subdivision 2; 245C.08, 1.26 subdivision 1; 256.01, subdivision 18c; 256B.0625, subdivision 13d; 256D.024, 1.27 1.28 subdivisions 1, 3; 256J.26, subdivisions 1, 3; 273.13, subdivision 24; 275.025, subdivision 2; 290.0132, subdivision 29; 290.0134, subdivision 19; 297A.61, 1.29 subdivision 3; 297A.67, subdivisions 2, 7; 297A.70, subdivisions 2, 18; 297A.99, 1.30 by adding a subdivision; 297D.01; 297D.04; 297D.06; 297D.07; 297D.08; 1.31 297D.085; 297D.09, subdivision 1a; 297D.10; 297D.11; 340A.412, subdivision 1.32 14; 609.135, subdivision 1; 609.5311, subdivision 1; 609.5314, subdivision 1; 1.33 609.5316, subdivision 2; 609A.01; 609A.03, subdivisions 5, 9; 609B.425, 1.34 subdivision 2; 609B.435, subdivision 2; 624.712, by adding subdivisions; 624.713, 1.35 subdivision 1; 624.714, subdivision 6; 624.7142, subdivision 1; 624.7151; 1.36 proposing coding for new law in Minnesota Statutes, chapters 3; 116J; 116L; 120B; 1.37 144; 152; 169A; 289A; 295; 340A; 609A; 624; proposing coding for new law as 1.38

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 2.1 2.2 2.3 2.4 2.5 2.6 2.7 2.8 2.9 2.10 2.11 2.12 2.13 2.14 	151.72; 152. 5b, 6, 7, 8, 9 1c, 2, 3, 4; 1 subdivisions subdivisions subdivisions 4770.0300; 4 4770.1100; 4 4770.2400; 4 4770.2400; 4 4770.4005; 4	.027, subdivision 9, 10, 11, 12, 13, 52.26; 152.261; 1, 2, 3; 152.29, 1, 2, 3; 152.33, su 1, 1a, 2, 3, 4, 5; 1 4770.0400; 4770. 4770.1200; 4770. 4770.1800; 4770. 4770.2700; 4770. 4770.4007; 4770. 4770.4015; 4770	s 3, 4; 152.21; 1 14; 152.23; 152 152.27, subdivisubdivisions 1, 1 abdivisions 1, 1 52.37; Minnesot 0500; 4770.0600 1300; 4770.1400 1900; 4770.2000 2800; 4770.4000 4008; 4770.4009 .4016; 4770.400	Ainnesota Statutes 20 152.22, subdivisions .24; 152.25, subdivisions sions 1, 2, 3, 4, 5, 6, 7 2, 3, 3a, 4; 152.30; 13 a, 2, 3, 4, 5, 6; 152.34; ta Rules, parts 4770.01 0; 4770.0800; 4770.09 0; 4770.1460; 4770.09 0; 4770.2100; 4770.22 0; 4770.4002; 4770.40 9; 4770.4010; 4770.40 17; 4770.4018; 4770.40 THE STATE OF MI	1, 2, 3, 4, 5, 5a, ions 1, 1a, 1b, 7; 152.28, 52.31; 152.32, 152.35; 152.36, 100; 4770.0200; 900; 4770.1000; 500; 4770.1600; 200; 4770.2300; 903; 4770.4004; 912; 4770.4013; 4030.
2.15			ARTICLE		
2.16		REGULATI	ON OF ADUL	T-USE CANNABIS	
2.17	Section 1. [342	.01] DEFINITIO	ONS.		
2.18	Subdivision 1	<u>.</u> Terms. For the	purposes of thi	s chapter, the followi	ng terms have the
2.19	meanings given t	hem.			
2.20	Subd. 2. Adu	lt-use cannabin	oid product. "A	dult-use cannabinoic	l product" means a
2.21	cannabinoid proc	luct that is appro-	ved for sale by	the office or is substa	ntially similar to a
2.22	product approved	l by the office. Ac	dult-use cannabi	inoid product includes	s edible cannabinoid
2.23	products but doe	s not include med	dical cannabino	id products.	
2.24	Subd. 3. Adu	lt-use cannabis	<u>concentrate.</u> "A	Adult-use cannabis co	oncentrate" means
2.25	cannabis concent	trate that is appro	oved for sale by	the office or is substa	antially similar to a
2.26	product approved	by the office. Ad	ult-use cannabis	concentrate does not	include synthetically
2.27	derived cannabin	ioids.			
2.28	Subd. 4. Adu	lt-use cannabis	flower. "Adult-	use cannabis flower"	means cannabis
2.29	flower that is app	roved for sale by	the office or is s	ubstantially similar to	a product approved
2.30	by the office. Ad	ult-use cannabis	flower does not	include medical can	nabis flower, hemp
2.31	plant parts, or he	mp-derived cons	umer products.		
2.32	Subd. 5. Adv	ertisement. "Ad	vertisement" me	eans any written or or	al statement,
2.33	illustration, or de	piction that is in	tended to promo	ote sales of cannabis f	flower, cannabinoid
2.34	products, lower p	ootency edible pr	oducts, hemp-d	erived consumer proc	lucts, or sales at a
2.35	specific cannabis	business and inc	ludes any newsp	oaper, radio, internet a	nd electronic media,
2.36	or television pror	motion; the distri	bution of fliers	and circulars; and the	e display of window
2.37	and interior signs	s in a cannabis bu	isiness. Adverti	sement does not inclu	ide a fixed outdoor
2.38	sign that meets the	ne requirements i	n section 342.6	6, subdivision 2, para	graph (b).

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	Subd. 6. Synthetically derived cannabinoid. "Synthetically derived cannabinoid" means
a	cannabinoid extracted from a cannabis plant, cannabis flower, hemp plant, or hemp plant
pa	arts with a chemical makeup that is changed after extraction to create a different cannabinoid
)]	other chemical compound by applying a catalyst other than heat or light. Synthetically
1	erived cannabinoid includes but is not limited to any tetrahydrocannabinol created from
:2	nnabidiol but does not include cannabis concentrate, cannabinoid products, or hemp-derived
20	onsumer products.
	Subd. 7. Batch. "Batch" means:
	(1) a specific quantity of cannabis plants that are cultivated from the same seed or plant
st	ock, are cultivated together, are intended to be harvested together, and receive an identical
)]	opagation and cultivation treatment; or
	(2) a specific quantity of a specific cannabinoid product, lower potency edible product,
sy	inthetically derived cannabinoid, or hemp-derived consumer product that is manufactured
11	the same time and using the same methods, equipment, and ingredients that is uniform
11	nd intended to meet specifications for identity, strength, purity, and composition, and that
S	manufactured, packaged, and labeled according to a single batch production record
22	secuted and documented during the same cycle of manufacture and produced by a
20	ontinuous process.
	Subd. 8. Batch number. "Batch number" means a unique numeric or alphanumeric
C	entifier assigned to a batch of cannabis flower or a batch of cannabinoid product, lower
20	otency edible product, synthetically derived cannabinoid, or hemp-derived consumer
p 1	roduct.
	Subd. 9. Bona fide labor organization. "Bona fide labor organization" means a labor
u	nion that represents or is actively seeking to represent cannabis workers.
	Subd. 10. Cannabinoid. "Cannabinoid" means any of the chemical constituents of hemp
p]	ants or cannabis plants that are naturally occurring, biologically active, and act on the
Ca	nnabinoid receptors of the brain. Cannabinoid includes but is not limited to
te	trahydrocannabinol and cannabidiol.
	Subd. 11. Cannabinoid extraction. "Cannabinoid extraction" means the process of
ez	stracting cannabis concentrate from cannabis plants or cannabis flower using water, lipids,
g	ases, solvents, or other chemicals or chemical processes, but does not include the process
0	fextracting concentrate from hemp plants or hemp plant parts or the process of creating
SY	inthetically derived cannabinoids.

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4.1	Subd. 12.	<u>Cannabinoid produ</u>	ict. (a) "Cannabi	noid product" means a	ny of the following:
4.2	(1) cannal	ois concentrate;			
4.3	(2) a produ	act infused with canna	abinoids, includi	ng but not limited to te	trahydrocannabinol,
4.4	extracted or d	lerived from cannabi	is plants or canr	abis flower;	
4.5	(3) any ot	her product that cont	tains cannabis c	oncentrate; or	
4.6	<u>(4)</u> a prod	uct infused with syn	thetically derive	ed cannabinoids.	
4.7	<u>(b) Canna</u>	binoid product inclu	des adult-use ca	annabinoid products, i	ncluding but not
4.8	limited to edi	ble cannabinoid prod	ducts, and medi	cal cannabinoid produ	icts. Cannabinoid
4.9	product does	not include cannabis	s flower, synthe	tically derived cannab	inoids, or
4.10	hemp-derived	l consumer products	<u>.</u>		
4.11	Subd. 13.	Cannabinoid profi	le. "Cannabinoi	d profile" means the a	mounts of each
4.12	cannabinoid t	hat the office require	es to be identifie	ed in testing and label	ing, including but
4.13	not limited to	delta-9 tetrahydroca	annabinol, tetral	nydrocannabinolic aci	d, cannabidiol <u>,</u>
4.14	cannabidiolic	acid, and cannabige	erol in cannabis	flower, a cannabinoid	product, a batch of
4.15	synthetically	derived cannabinoid	l, or a hemp-der	ived consumer produc	ct, expressed as
4.16	percentages n	neasured by weight a	nd, in the case o	f cannabinoid product	s and hemp-derived
4.17	consumer pro	ducts, expressed as	milligrams in ea	ach serving and packa	ge.
4.18	Subd. 14.	Cannabis business.	"Cannabis busi	ness" means any of the	e following licensed
4.19	under this cha	apter:			
4.20	(1) cannal	ois cultivator;			
4.21	(2) cannal	ois manufacturer;			
4.22	(3) cannal	ois retailer;			
4.23	<u>(4)</u> cannal	ois wholesaler;			
4.24	(5) cannal	ois transporter;			
4.25	(6) cannal	bis testing facility;			
4.26	(7) cannal	ois microbusiness;			
4.27	<u>(8)</u> cannal	ois event organizer;			
4.28	<u>(9)</u> cannal	bis delivery service;			
4.29	<u>(10) lower</u>	r potency edible reta	iler;		
4.30	<u>(11) medi</u>	cal cannabis cultivat	or;		

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5.1	<u>(12) medica</u>	al cannabis process	or; and		
5.2	<u>(13) medica</u>	al cannabis retailer.			
5.3	<u>Subd. 15.</u>	Cannabis concentr	ate. (a) "Cannab	ois concentrate" mean	<u>ns:</u>
5.4	(1) the extr	acts and resins of a	cannabis plant of	or cannabis flower;	
5.5	(2) the extra	acts or resins of a ca	nnabis plant or c	annabis flower that ar	re refined to increase
5.6	the presence of	f targeted cannabin	oids; or		
5.7	(3) a produc	et that is produced b	y refining extrac	ts or resins of a canna	bis plant or cannabis
5.8	flower and is in	ntended to be consu	amed by combus	stion or vaporization	of the product and
5.9	inhalation of s	moke, aerosol, or v	apor from the pr	oduct.	
5.10	<u>(b)</u> Cannab	is concentrate does	not include indu	ustrial hemp, synthet	ically derived
5.11	cannabinoids,	or hemp-derived co	onsumer product	<u>s.</u>	
5.12	<u>Subd. 16.</u>	Cannabis flower. "(Cannabis flower'	means the harvested	flower, bud, leaves,
5.13	and stems of a	cannabis plant. Ca	nnabis flower in	cludes adult-use cam	nabis flower and
5.14	medical cannal	bis flower. Cannabi	s flower does no	t include cannabis se	ed, industrial hemp,
5.15	or hemp-derive	ed consumer produ	cts.		
5.16	Subd. 17.	Cannabis industry.	. "Cannabis indu	stry" means every ite	em, product, person,
5.17	process, action	, business, or other	thing subject to	regulation under this	s chapter.
5.18	<u>Subd. 18.</u>	Cannabis paraphe	rnalia. "Cannab	is paraphernalia" me	ans all equipment,
5.19	products, and 1	naterials of any kir	nd that are know	ingly or intentionally	used primarily in:
5.20	<u>(1) manufa</u>	cturing cannabinoi	d products;		
5.21	(2) ingestin	g, inhaling, or other	wise introducing	cannabis flower or c	annabinoid products
5.22	into the humar	body; and			
5.23	(3) testing t	he strength, effectiv	eness, or purity o	of cannabis flower, ca	nnabinoid products,
5.24	or hemp-derive	ed consumer produ	cts.		
5.25	<u>Subd. 19.</u>	C <mark>annabis plant.</mark> "C	annabis plant" n	neans all parts of the	plant of the genus
5.26	Cannabis that	s growing or has n	ot been harveste	d and has a delta-9 te	trahydrocannabinol
5.27	concentration of	of more than 0.3 pe	rcent on a dry w	eight basis.	
5.28	<u>Subd. 20.</u>	Cannabis prohibiti	on. "Cannabis p	rohibition" means the	e system of state and
5.29	federal laws th	at prevented establ	ishment of a lega	al market and instead	l established petty
5.30	offenses and cr	iminal offenses pun	ishable by fines,	imprisonment, or bot	h for the cultivation,
5.31	possession, and	d sale of all parts of	the plant of any	species of the genus	Cannabis, including

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6.1	all agronomica	l varieties, whether	growing or no	t; the seeds thereof; th	e resin extracted
6.2	from any part of	of such plant; and ev	very compoun	d, manufacture, salt, de	erivative, mixture,
6.3	or preparation	of such plant, its see	eds, or resin.		
6.4	Subd. 21.	C annabis seed. "Car	nnabis seed" n	neans the viable seed o	f the plant of the
6.5	genus Cannabi	s that is reasonably	expected to gi	row into a cannabis pla	nt. Cannabis seed
6.6	does not includ	le hemp seed.			
6.7	<u>Subd. 22.</u>	Cannabis worker. <u>"(</u>	Cannabis worl	cer" means any individ	lual employed by a
6.8	cannabis busin	ess and any individu	ual who is a co	ontractor of a cannabis	business whose
6.9	scope of work	involves the handlin	ng of cannabis	plants, cannabis flowe	er, synthetically
6.10	derived cannab	pinoids, or cannabine	oid products.		
6.11	Subd. 23.	Child-resistant. "Ch	ild-resistant"	means packaging that 1	meets the poison
6.12	prevention pac	kaging standards in	Code of Fede	ral Regulations, title 10	6, section 1700.15.
6.13	Subd. 24.	Cooperative. "Coop	erative" mean	s an association condu	cting business on a
6.14	cooperative pla	an that is organized	or is subject to	o chapter 308A or 308I	<u>3.</u>
6.15	<u>Subd. 25.</u>	C ouncil. "Council" r	neans the Can	nabis Advisory Counc	<u>il.</u>
6.16	Subd. 26. C	C ultivation. "Cultiva	tion" means a	ny activity involving the	e planting, growing,
6.17	harvesting, dry	ing, curing, grading	, or trimming	of cannabis plants, can	nabis flower, hemp
6.18	plants, or hemp	o plant parts.			
6.19	Subd. 27. D	Division of Medical	Cannabis. "I	Division of Medical Ca	nnabis" means a
6.20				gement that operates th	
6.21	program.				
6.22	<u>Subd. 28.</u> D	Division of Social Eq	uity "Divisior	of Social Equity" mean	ns a division housed
6.23	in the Office of	f Cannabis Manager	nent that pron	notes development, sta	bility, and safety in
6.24	communities the	hat have experienced	d a disproporti	onate, negative impact	t from cannabis
6.25	prohibition and	l usage.			
6.26	<u>Subd. 29.</u>	dible cannabinoid	product. "Ed	ible cannabinoid produ	ict" means any
6.27	product that is	intended to be eaten	or consumed	as a beverage by hum	ans; contains a
6.28	cannabinoid, ir	ncluding a synthetica	ally derived ca	annabinoid, in combina	ation with food
6.29	ingredients; is	not a drug; and is a	type of produc	et approved for sale by	the office, or is
6.30	substantially si	milar to a product ap	proved by the	office including but not	t limited to products
6.31	that resemble n	onalcoholic beverag	ges, candy, and	baked goods. Edible c	annabinoid product
6.32	includes lower	potency edible proc	lucts.		

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7.1	Subd. 30. I	Health care practit	ioner. "Health c	are practitioner" mea	ans a
7.2				ota-licensed physicia	
7.3	within the scor	be of authorized prac	tice, or a Minnes	sota-licensed advance	ed practice registered
7.4	nurse who has	the primary respons	ibility for the ca	re and treatment of th	e qualifying medical
7.5	condition of a	n individual diagnos	sed with a qualit	fying medical condition	ion.
7.6	<u>Subd. 31.</u>	Health record. "Hea	alth record" has	the meaning given in	n section 144.291,
7.7	subdivision 2.				
7.8	Subd. 32. 1	Hemp concentrate.	(a) "Hemp con	centrate" means:	
7.9	(1) the extra (1)	racts and resins of a	hemp plant or h	emp plant parts;	
7.10	(2) the extr	acts or resins of a he	emp plant or her	np plant parts that ar	e refined to increase
7.11	the presence o	f targeted cannabing	oids; or		
7.12	<u>(3)</u> a produ	ict that is produced	by refining extra	acts or resins of a her	mp plant or hemp
7.13	plant parts and	l is intended to be co	onsumed by cor	nbustion or vaporiza	tion of the product
7.14	and inhalation	of smoke, aerosol,	or vapor from tl	ne product.	
7.15	(b) Hemp of	concentrate does not	t include synthe	tically derived canna	binoids or
7.16	hemp-derived	consumer products.	<u>-</u>		
7.17	<u>Subd. 33.</u>	Hemp-derived cons	sumer product.	(a) "Hemp-derived	consumer product"
7.18	means a produ	ict intended for hum	an or animal co	nsumption that:	
7.19	(1) consists	s of hemp plant part	<u>s;</u>		
7.20	(2) is hemp	o concentrate; or			
7.21	(3) contain	s hemp concentrate.	<u>.</u>		
7.22	(b) Hemp-	derived consumer p	roduct includes	hemp-derived topica	l products, but does
7.23	not include ed	ible cannabinoid pro	oducts, synthetic	cally derived cannab	inoids, hemp fiber
7.24	products, or he	emp grain.			
7.25	Subd. 34. 1	Hemp-derived topi	cal product. "H	lemp-derived topical	product" means a
7.26	product intend	led for human or ani	imal consumption	on that contains hem	p concentrate and is
7.27	intended for a	oplication externally	y to a part of the	body of a human or	animal.
7.28	Subd. 35.	Hemp fiber product	t. <u>"Hemp fiber p</u>	roduct" means an inte	ermediate or finished
7.29	product made	from the fiber of he	mp plant parts t	hat is not intended for	or human or animal
7.30	consumption.	Hemp fiber product	includes but is n	ot limited to cordage,	, paper, fuel, textiles,
7.31	bedding, insul	ation, construction 1	materials, comp	ost materials, and inc	lustrial materials.

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8.1	Subd. 36	. Hemp grain. "Hem	p grain" means	the harvested seeds of	of the hemp plant
8.2		consumption as a foo			
8.3	pressed or ex	xtracted from harvest	ed hemp seeds.		
8.4	Subd. 37	. Hemp plant. "Hem	p plant" means a	ll parts of the plant of	f the genus Cannabis
8.5	that is growi	ng or has not been ha	arvested and has	a delta-9 tetrahydroo	cannabinol
8.6	concentratio	n of no more than 0.3	3 percent on a dr	y weight basis.	
8.7	<u>Subd. 38</u>	. Hemp plant parts.	"Hemp plant par	ts" means any part of	f the harvested hemp
8.8	plant, includ	ling the flower, bud, l	eaves, stems, an	d stalk, but does not	include derivatives,
8.9	extracts, can	nabinoids, isomers, a	cids, salts, and s	alts of isomers that a	are separated from
8.10	the plant. He	emp plant parts does	not include hem	o fiber products, hen	np grain, or hemp
8.11	seed.				
8.12	<u>Subd. 39</u>	. Hemp seed. "Hemp	seed" means th	e viable seed of the p	plant of the genus
8.13	Cannabis that	at is intended to be pl	anted and is reas	sonably expected to g	grow into a hemp
8.14	plant. Hemp	seed does not includ	e cannabis seed	or hemp grain.	
8.15	<u>Subd. 40</u>	. Industrial hemp. "]	Industrial hemp"	has the meaning give	en in section 18K.02,
8.16	subdivision	<u>3.</u>			
8.17	<u>Subd. 41</u>	. Intoxicating canna	binoid. "Intoxic	ating cannabinoid" n	neans a cannabinoid,
8.18	including a s	synthetically derived	cannabinoid, tha	t when introduced in	nto the human body
8.19	impairs the c	central nervous system	n or impairs the l	numan audio, visual,	or mental processes.
8.20	Intoxicating	cannabinoid includes	s but is not limit	ed to any tetrahydroc	cannabinol.
8.21	<u>Subd. 42</u>	. Labor peace agree	ment. "Labor pe	eace agreement" mea	ins an agreement
8.22	between a ca	annabis business and	a bona fide labo	r organization that p	rotects the state's
8.23	interests by,	at minimum, prohibi	ting the labor or	ganization from enga	aging in picketing,
8.24	work stoppa	ges, or boycotts again	nst the cannabis b	ousiness. This type of	f agreement shall not
8.25	mandate a pa	articular method of el	ection or certific	ation of the bona fid	e labor organization.
8.26	Subd. 43	. License holder. "Li	icense holder" m	eans a person, coope	erative, or business
8.27	that holds an	ny of the following lie	censes:		
8.28	<u>(1) canna</u>	abis cultivator;			
8.29	<u>(2) canna</u>	abis manufacturer;			
8.30	<u>(3)</u> canna	abis retailer;			
8.31	<u>(4)</u> canna	abis wholesaler;			
8.32	<u>(5) canna</u>	abis transporter;			

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9.1	(6) cannabi	s testing facility;			
9.2	(7) cannabi	s microbusiness;			
9.3	(8) cannabi	s event organizer;			
9.4	(9) cannabi	s delivery service;			
9.5	(10) lower	potency edible retail	ler;		
9.6	<u>(11) medica</u>	al cannabis cultivato	or;		
9.7	(12) medica	al cannabis processo	or; or		
9.8	<u>(13) medica</u>	al cannabis retailer.			
9.9	<u>Subd. 44.</u> L	local unit of govern	iment. "Local	unit of government" n	neans a home rule
9.10	charter or statu	tory city, county, to	wn, or other po	olitical subdivision.	
9.11	<u>Subd. 45.</u> L	lower potency edib	<mark>le product.</mark> "L	lower potency edible p	roduct" means any
9.12	product that:				
9.13	(1) is intend	ded to be eaten or co	onsumed as a b	everage by humans;	
9.14	(2) contains	a cannabinoid, inclu	iding a synthet	cally derived cannabin	oid, in combination
9.15	with food ingre	edients;			
9.16	<u>(3) is not a</u>	drug;			
9.17	<u>(4) is packa</u>	iged in servings that	contain no mo	ore than five milligram	s of delta-9
9.18	tetrahydrocann	abinol per serving, 2	25 milligrams	of cannabidiol per serv	ving, 25 milligrams
9.19	of cannabigero	l per serving, or any	combination of	f those cannabinoids th	hat does not exceed
9.20	the identified a	mounts;			
9.21	(5) does no	t contain more than	a combined to	tal of 0.5 milligrams o	f all other
9.22	cannabinoids;				
9.23	<u>(6) does no</u>	t contain a synthetic	ally derived ca	annabinoid other than o	delta-9
9.24	tetrahydrocann	abinol; and			
9.25	<u>(7) is a type</u>	e of product approve	ed for sale by t	he office or is substant	ially similar to a
9.26	product approv	ved by the office, inc	cluding but not	limited to products th	at resemble
9.27	nonalcoholic b	everages, candy, and	d baked goods	<u>.</u>	
9.28	<u>Subd. 46.</u> <u>N</u>	/latrix barcode. "M	atrix barcode"	means a code that stor	res data in a
9.29	two-dimension	al array of geometri	cally shaped d	ark and light cells cap	able of being read
9.30	by the camera	on a smartphone or	other mobile d	evice.	

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10.1	Subd. 47. Medical ca	annabinoid pro	oduct. "Medical	cannabinoid produ	ict" means a
10.2	cannabinoid product pro	vided to a patien	nt enrolled in th	e registry program	; a registered
10.3	designated caregiver; or	a parent, legal g	guardian, or spo	use of an enrolled	patient, by a
10.4	cannabis retailer or medic	al cannabis retai	iler to treat or all	eviate the symptom	s of a qualifying
10.5	medical condition. A me	dical cannabino	oid product mus	t be in the form of:	
10.6	(1) liquid, including	out not limited t	to oil;		
10.7	<u>(2) pill;</u>				
10.8	(3) liquid or oil for u	se with a vapori	zed delivery me	ethod;	
10.9	(4) water-soluble can	nabinoid multipa	articulate, includ	ing granules, powde	er, and sprinkles;
10.10	(5) orally dissolvable	product, includ	ling lozenges, g	um, mints, buccal	tablets, and
10.11	sublingual tablets;				
10.12	(6) edible products in	the form of gu	mmies and chev	ws;	
10.13	(7) topical formulation	on; or			
10.14	(8) any allowable for	m or delivery m	nethod approved	l by the office.	
10.15	Subd. 48. Medical ca	annabis busines	ss. "Medical car	nnabis business" m	eans an entity
10.16	licensed under this chapt	er to engage in	one or more of	the following:	
10.17	(1) the cultivation of	cannabis plants	for medical car	nnabis flower;	
10.18	(2) the manufacture of	of medical canna	abinoid product	s; and	
10.19	(3) the retail sale of r	nedical cannabi	s flower and me	edical cannabinoid	products.
10.20	Subd. 49. Medical ca	annabis flower.	"Medical canna	bis flower" means	cannabis flower
10.21	provided to a patient enr	olled in the regi	stry program; a	registered designat	ed caregiver; or
10.22	a parent, legal guardian,	or spouse of an	enrolled patien	t by a cannabis reta	ailer or medical
10.23	cannabis business to trea	t or alleviate the	e symptoms of a	a qualifying medica	al condition.
10.24	Medical cannabis flower	does not includ	de adult-use can	nabis flower or her	np-derived
10.25	consumer products.				
10.26	Subd. 50. Medical ca	annabis paraph	nernalia. "Medi	cal cannabis parap	hernalia" means
10.27	a delivery device, related	l supply, or edu	cational materia	l used by a patient	enrolled in the
10.28	registry program to adm	inister medical o	cannabis and me	edical cannabinoid	products.
10.29	Subd. 51. Nonintoxi	cating cannabi	noid. "Nonintox	vicating cannabino	id" means a
10.30	cannabinoid that when in	troduced into th	ne human body	does not impair the	central nervous
10.31	system and does not imp	air the human a	udio, visual, or	mental processes.	Nonintoxicating

11.1	cannabinoid includes but is not limited to cannabidiol and cannabigerol but does not include
11.2	any synthetically derived cannabinoid.
11.3	Subd. 52. Office. "Office" means the Office of Cannabis Management.
11.4	Subd. 53. Outdoor advertisement. "Outdoor advertisement" means an advertisement
11.5	that is located outdoors or can be seen or heard by an individual who is outdoors and includes
11.6	billboards; advertisements on benches; advertisements at transit stations or transit shelters;
11.7	advertisements on the exterior or interior of buses, taxis, light rail transit, or business vehicles;
11.8	and print signs that do not meet the requirements in section 342.66, subdivision 2, paragraph
11.9	(b), but that are placed or located on the exterior property of a cannabis business.
11.10	Subd. 54. Patient. "Patient" means a Minnesota resident who has been diagnosed with
11.11	a qualifying medical condition by a health care practitioner and who has met all other
11.12	requirements for patients under this chapter to participate in the registry program.
11.13	Subd. 55. Patient registry number. "Patient registry number" means a unique
11.14	identification number assigned by the Division of Medical Cannabis to a patient enrolled
11.15	in the registry program.
11.16	Subd. 56. Qualifying medical condition. "Qualifying medical condition" means a
11.17	diagnosis of any of the following conditions:
11.18	(1) Alzheimer's disease;
11.19	(2) autism spectrum disorder that meets the requirements of the fifth edition of the
11.20	Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric
11.21	Association;
11.22	(3) cancer;
11.23	(4) chronic motor or vocal tic disorder;
11.24	(5) chronic pain;
11.25	(6) glaucoma;
11.26	(7) human immunodeficiency virus or acquired immune deficiency syndrome;
11.27	(8) intractable pain as defined in section 152.125, subdivision 1, paragraph (c);
11.28	(9) obstructive sleep apnea;
11.29	(10) post-traumatic stress disorder;
11.30	(11) Tourette's syndrome;

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12.1	(12) amyotro	ophic lateral sclere	osis;		
12.2	(13) seizures	s, including those	characteristic of	epilepsy;	
12.3	(14) severe a	and persistent mus	scle spasms, inclu	ading those characteris	stic of multiple
12.4	sclerosis;				
12.5	<u>(15) inflamn</u>	natory bowel dise	ase, including Cr	ohn's disease;	
12.6	(16) irritable	bowel syndrome	2		
12.7	(17) obsessiv	ve-compulsive dis	order;		
12.8	(18) sickle c	ell disease;			
12.9	(19) termina	l illness; or			
12.10	(20) any oth	er medical conditi	on or its treatme	nt approved by the off	ice.
12.11	Subd. 57. Re	egistered designa	ted caregiver. "I	Registered designated	caregiver" means
12.12	an individual wl	no:			
12.13	(1) is at least	t 18 years old;			
12.14	(2) is not dis	qualified for a cri	minal offense acc	cording to section 342.	.20, subdivision 2;
12.15	(3) has been	approved by the]	Division of Medi	cal Cannabis to assist	a patient with
12.16	obtaining medic	al cannabis flowe	er and medical ca	nnabinoid products fro	om a cannabis
12.17	retailer or medic	cal cannabis retail	er and with admi	nistering medical can	nabis flower and
12.18	medical cannabi	inoid products; an	<u>id</u>		
12.19	(4) is authorized	ized by the Divisi	on of Medical Ca	nnabis to assist a patie	ent with the use of
12.20	medical cannabi	is flower and med	ical cannabinoid	products.	
12.21	Subd. 58. Re	egistry or registr	y program. "Reg	gistry" or "registry pro	gram" means the
12.22	patient registry	established under	this chapter listing	ng patients authorized	to obtain medical
12.23	cannabis flower	, medical cannabi	noid products, ar	nd medical cannabis pa	araphernalia from
12.24	cannabis retailer	rs and medical car	nnabis retailers a	nd administer medical	cannabis flower
12.25	and medical can	nabinoid product	<u>s.</u>		
12.26	<u>Subd. 59.</u> Re	egistry verificatio	n. "Registry veri	fication" means the ver	rification provided
12.27	by the Division	of Medical Canna	abis that a patient	is enrolled in the regi	stry program and
12.28	that includes the	e patient's name, p	atient registry nu	mber, and, if applicab	le, the name of the
12.29	patient's register	ed designated car	regiver or parent,	legal guardian, or spo	ouse.
12.30	<u>Subd. 60.</u> Re	estricted area. <u>"</u> R	estricted area" m	eans an area where ca	annabis flower or
12.31	cannabinoid pro	ducts are cultivat	ed, manufactured	l, or stored by a canna	bis business.

Article 1 Section 1.

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13.1	Subd. 61.	Statewide monitor	• ing system. "Sta	atewide monitoring sys	stem" means the
13.2	system for in	tegrated cannabis tr	acking, inventor	y, and verification esta	blished or adopted
13.3	by the office.				i
13.4	Subd. 62.	Artificial cannabi	noid. "Artificial	cannabinoid" means a	substance with a
13.5	similar chem	ical structure and pha	armacological ac	tivity to a cannabinoid	but is not extracted
13.6	or derived fro	om cannabis plants,	cannabis flower,	hemp plants, or hemp	plant parts and is
13.7	instead create	ed or produced by cl	nemical or bioch	emical synthesis.	
13.8	Subd. 63.	Veteran. "Veteran"	means an indivi	dual who satisfies the	requirements in
13.9	section 197.4	47.			
13.10	Subd. 64.	Visiting designated	d caregiver. "Vis	siting designated careg	jiver" means an
13.11	individual wl	ho is authorized und	er a visiting pation	ent's jurisdiction of res	idence to assist the
13.12	visiting patie	nt with the use of me	edical cannabis f	lower and medical can	nabinoid products.
13.13	To be consid	ered a visiting desig	nated caregiver,	the individual must po	ssess a valid
13.14	verification c	eard or its equivalent	t that is issued by	the visiting patient's j	urisdiction of
13.15	residence and	d that verifies that th	e individual is au	thorized to assist the v	isiting patient with
13.16	the administr	ration of medical car	nabis flower and	l medical cannabinoid	products under the
13.17	laws or regul	ations of the visiting	g patient's jurisdi	ction of residence.	
13.18	Subd. 65.	Visiting patient. "W	isiting patient" m	neans an individual who	o is not a Minnesota
13.19	resident and	who possesses a val	id registration ve	erification card or its equivalent	quivalent that is
13.20	issued under	the laws or regulation	ons of another sta	ate, district, commonw	ealth, or territory
13.21	of the United	States verifying the	t the individual	is enrolled in or author	rized to participate
13.22	in that jurisd	iction's medical can	nabis or medical	marijuana program.	
13.23	Subd. 66.	Volatile solvent. "	Volatile solvent"	means any solvent tha	t is or produces a
13.24	flammable ga	as or vapor that, whe	en present in the	air in sufficient quanti	ties, will create
13.25	explosive or i	gnitable mixtures. V	olatile solvent ind	cludes but is not limited	l to butane, hexane,
13.26	and propane.				
13.27	Sec. 2. [342	2.02] OFFICE OF	CANNABIS MA	ANAGEMENT.	
13.28	<u>Subdivisi</u>	on 1. <mark>Establishmen</mark>	t. The Office of	Cannabis Management	is created with the
13.29	powers and c	luties established by	law. In making	rules, establishing poli	cy, and exercising
13.30	its regulatory	v authority over the o	cannabis industry	y, the office must:	
13.31	<u>(1)</u> promo	ote the public health	and welfare;		

13.32 (2) protect public safety;

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14.1	(3) eliminate	the illicit market	for cannabis flo	wer and cannabinoid	products;
14.2	(4) meet the n	narket demand fo	or cannabis flow	er and cannabinoid p	roducts;
14.3	(5) promote a	craft industry fo	or cannabis flowe	er and cannabinoid pr	oducts; and
14.4	(6) prioritize	growth and recov	very in commun	ities that have experie	nced a
14.5	disproportionate,	negative impact	from cannabis p	prohibition.	
14.6	Subd. 2. Pow	ers and duties.	The office has th	e following powers a	nd duties:
14.7	(1) to develop	, maintain, and e	nforce an organi	zed system of regulati	on for the cannabis
14.8	industry;				
14.9	(2) to establish	n programming, s	services, and noti	fication to protect, ma	intain, and improve
14.10	the health of citiz	zens;			
14.11	(3) to prevent	unauthorized ac	cess to cannabis	flower, cannabinoid	products, and
14.12	hemp-derived con	nsumer products	by individuals u	under 21 years of age;	
14.13	(4) to establis	h and regularly u	update standards	for product testing, p	ackaging, and
14.14	labeling;				
14.15	(5) to promote	e economic grow	th with an empl	nasis on growth in are	as that experienced
14.16	a disproportionat	e, negative impa	ct from cannabis	s prohibition;	
14.17	<u>(6) to issue ar</u>	nd renew licenses	5;		
14.18	(7) to require	fingerprints fron	n individuals det	termined to be subject	to fingerprinting,
14.19	including the sub	mission of finge	rprints to the Fe	deral Bureau of Inves	tigation where
14.20	required by law a	ind to obtain crin	ninal conviction	data for individuals s	eeking a license
14.21	from the office of	n the individual's	behalf or as a c	ooperative member of	director, manager,
14.22	or general partner	r of a business en	ntity;		
14.23	(8) to receive	reports required	by this chapter a	and inspect the premis	ses, records, books,
14.24	and other docume	ents of license ho	olders to ensure	compliance with all a	pplicable laws and
14.25	<u>rules;</u>				
14.26	(9) to authoriz	the use of unm	arked motor veh	icles to conduct seizur	es or investigations
14.27	pursuant to the of	ffice's authority;			
14.28	(10) to impose	e and collect civi	l and administra	tive penalties as provi	ded in this chapter;
14.29	(11) to publish	n such informatio	on as may be deer	med necessary for the	welfare of cannabis
14.30	businesses, canna	abis workers, and	l the health and	safety of citizens;	

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15.1	(12) to make	e loans and grants in	aid to the ext	ent that appropriation	s are made available
15.2	for that purpose	<u>};</u>			
15.3	(13) to auth	orize research and st	udies on can	nabis flower, cannabir	noid products, and
15.4	the cannabis in	dustry;			
15.5	<u>(14) to prov</u>	ide reports as require	ed by law;		
15.6	(15) to deve	lop a warning label 1	regarding the	effects of the use of a	cannabis flower and
15.7	cannabinoid pro	oducts by persons 25	years of age	e or younger;	
15.8	(16) to estab	olish limits on the pot	ency of cann	abis flower and canna	binoid products that
15.9	can be sold to cu	stomers by licensed	cannabis retai	lers and licensed canna	abis microbusinesses
15.10	with an endorse	ment to sell cannabi	s flower and	cannabinoid products	to customers; and
15.11	(17) to exer	cise other powers and	d authority a	nd perform other dution	es required by law.
15.12	<u>Subd. 3.</u> Me	dical cannabis prog	gram. The p	owers and duties of th	e Department of
15.13	Health with resp	pect to the medical car	nnabis progra	um under Minnesota St	atutes 2022, sections
15.14	152.22 to 152.3	7, are transferred to	the Office of	Cannabis Manageme	nt under section
15.15	<u>15.039.</u>				
15.16	Subd. 4. Int	eragency agreemen	u ts. (a) The o	ffice and the commiss	ioner of agriculture
15.17	shall enter into	interagency agreeme	ents to ensure	e that edible cannabine	oid products are
15.18	handled, manuf	actured, and inspected	ed in a mann	er that is consistent w	ith the relevant food
15.19	safety requirem	ents in chapters 28A	., 31, and 34	A and associated rules	<u>·</u>
15.20	(b) The offic	e may cooperate and	l enter into o	ther agreements with	the commissioner of
15.21	agriculture and	may cooperate and e	enter into agr	eements with the com	missioners and
15.22	directors of oth	er state agencies and	departments	to promote the benef	icial interests of the
15.23	state.				
15.24	<u>Subd. 5.</u> Ru	lemaking. The offic	e may adopt	rules to implement ar	y provisions in this
15.25	chapter. Rules f	for which notice is pu	ublished in th	ne State Register befor	re July 1, 2025, may
15.26	be adopted usin	g the expedited rule	making proc	ess in section 14.389.	
15.27	<u>Subd. 6.</u> Dir	rector. (a) The gover	nor shall app	oint a director of the o	ffice with the advice
15.28	and consent of	the senate. The direc	tor must be i	n the unclassified serv	vice and must serve
15.29	at the pleasure	of the governor.			
15.30	(b) The sala	ry of the director mu	st not exceed	l the salary limit estab	lished under section
15.31	15A.0815, subc	livision 3.			

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16.1	(c) While serving as the director and within two years after terminating service, the
16.2	director is prohibited from having a direct or an indirect financial interest in a cannabis
6.3	business licensed under this chapter.
16.4	Subd. 7. Employees. (a) The office may employ other personnel in the classified service
16.5	necessary to carry out the duties in this chapter.
16.6	(b) A prospective employee of the office must submit a completed criminal history
16.7	records check consent form, a full set of classifiable fingerprints, and the required fees to
16.8	the office. Upon receipt of this information, the office must submit the completed criminal
16.9	history records check consent form, full set of classifiable fingerprints, and required fees
16.10	to the Bureau of Criminal Apprehension. After receiving this information, the bureau must
16.11	conduct a Minnesota criminal history records check of the license applicant. The bureau
16.12	may exchange a license applicant's fingerprints with the Federal Bureau of Investigation to
16.13	obtain the applicant's national criminal history record information. The bureau must return
16.14	the results of the Minnesota and federal criminal history records checks to the director to
16.15	determine if the applicant is disqualified under section 342.20.
16.16	(c) While employed by the office and within two years after terminating employment,
16.17	an employee may not have a direct or an indirect financial interest in a cannabis business
6.18	licensed under this chapter.
16.19	Subd. 8. Division of Social Equity. The office must establish a Division of Social Equity.
16.20	At a minimum, the division must:
16.21	(1) administer grants to communities that experienced a disproportionate, negative impact
16.22	from cannabis prohibition and usage in order to promote economic development, provide
16.23	services to prevent violence, support early intervention programs for youth and families,
16.24	and promote community stability and safety;
16.25	(2) act as an ombudsperson for the office to provide information, investigate complaints
16.26	under this chapter, and provide or facilitate dispute resolutions; and
16.27	(3) report to the office on the status of complaints and social equity in the cannabis
16.28	industry.
16.29	Subd. 9. Compliance with federal law. Nothing in this chapter shall be construed to
16.30	allow cannabis to be transported outside of the state unless explicitly authorized by federal
16.31	law.
16.32	EFFECTIVE DATE. This section is effective July 1, 2023, except for subdivision 3,
16.33	which is effective January 1, 2024.

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17.1	Sec. 3. [342.0	3] CANNABIS A	DVISORY CO	UNCIL.	
17.2	Subdivision	<u>1.</u> Membership. (a) The Cannabi	s Advisory Council is	s created consisting
17.3	of the following	g members:			
17.4	(1) the direc	tor of the Office of	f Cannabis Man	agement or a designe	<u>e;</u>
17.5	(2) the com	missioner of emplo	yment and ecor	nomic development or	: a designee;
17.6	(3) the com	missioner of revenu	ue or a designee		
17.7	(4) the com	missioner of health	or a designee;		
17.8	(5) the com	missioner of huma	n services or a d	esignee;	
17.9	(6) the com	missioner of public	safety or a des	ignee;	
17.10	(7) the com	missioner of huma	n rights or a des	ignee;	
17.11	(8) the com	missioner of labor	or a designee;		
17.12	(9) the com	missioner of agricu	lture or a desig	nee;	
17.13	(10) the con	nmissioner of the P	Collution Contro	l Agency or a designe	<u>e;</u>
17.14	(11) the sup	erintendent of the l	Bureau of Crim	inal Apprehension or	a designee;
17.15	(12) the cold	onel of the State Pa	trol or a design	ee;	
17.16	(13) the dire	ector of the Office	of Traffic Safety	in the Department of	f Public Safety or a
17.17	designee;				
17.18	(14) a repres	sentative from the	League of Minr	esota Cities appointed	d by the league;
17.19	<u>(15) a repres</u>	sentative from the	Association of I	Minnesota Counties a	ppointed by the
17.20	association;				
17.21	(16) an expe	ert in minority busi	ness developme	ent appointed by the g	overnor;
17.22	<u>(17)</u> an expe	ert in economic dev	velopment strate	egies for under-resour	ced communities
17.23	appointed by th	e governor;			
17.24	<u>(18)</u> an expe	ert in farming or re	presenting the i	nterests of farmers ap	pointed by the
17.25	governor;				
17.26	<u>(19) an expe</u>	ert representing the	interests of can	nabis workers appoint	ed by the governor;
17.27	<u>(20)</u> an expe	ert representing the	interests of em	ployers appointed by	the governor;
17.28	<u>(21)</u> an expe	ert in municipal lav	v enforcement v	vith advanced training	g in impairment
17.29	detection and e	valuation appointed	d by the govern	or;	

Article 1 Sec. 3.

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18.1	<u>(22) an</u>	expert in social welfare	e or social justic	e appointed by the g	overnor;
18.2	<u>(23) an</u>	expert in criminal justic	ce reform to miti	gate the disproportic	onate impact of drug
18.3	prosecution	ns on communities of c	olor appointed b	y the governor;	
18.4	<u>(24) an</u>	expert in prevention, tr	reatment, and rec	covery related to sub-	stance use disorders
18.5	appointed l	by the governor;			
18.6	<u>(25) an</u>	expert in minority busi	ness ownership	appointed by the gov	vernor;
18.7	<u>(26) an</u>	expert in women-owne	ed businesses ap	pointed by the gover	nor;
18.8	<u>(27) an</u>	expert in cannabis reta	iling appointed l	by the governor;	
18.9	<u>(28) an</u>	expert in cannabis proc	duct manufactur	ing appointed by the	governor;
18.10	<u>(29) an</u>	expert in laboratory sci	iences and toxic	ology appointed by t	he governor;
18.11	<u>(30) an</u>	expert in providing leg	gal services to ca	nnabis businesses ap	pointed by the
18.12	governor;				
18.13	<u>(31) an</u>	expert in cannabis cult	ivation appointe	d by the governor;	
18.14	<u>(32) an</u>	expert in toxicology ap	ppointed by the g	governor;	
18.15	<u>(33)</u> an	expert in pediatric med	licine appointed	by the governor;	
18.16	<u>(34) an</u>	expert in adult medicir	ne appointed by	the governor;	
18.17	<u>(35) two</u>	o patient advocates, one	who is a patient	enrolled in the medic	al cannabis program
18.18	and one wh	no is a patient or caregin	ver of a parent in	n the medical cannab	ois program;
18.19	<u>(36) two</u>	o licensed mental healt	h professionals a	appointed by the gov	ernor;
18.20	<u>(37)</u> a v	veteran appointed by the	e governor; and		
18.21	<u>(38)</u> on	e member of each of th	e following fede	erally recognized Tri	bes, designated by
18.22	the elected	Tribal president or cha	irperson of the g	governing bodies of:	
18.23	(i) the H	Fond du Lac Band;			
18.24	(ii) the	Grand Portage Band;			
18.25	(iii) the	Mille Lacs Band;			
18.26	(iv) the	White Earth Band;			
18.27	(\mathbf{v}) the	Bois Forte Band;			
18.28	(vi) the	Leech Lake Band;			

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

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

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20.1	cannabinoi	d products, the number	and geographic d	istribution of cannab	is businesses needed
20.2		t demand, and the anti			
20.3	(b) The	office shall conduct a	study to determine	ne the size of the illi	cit cannabis market.
20.4	<u> </u>	of illicit cannabis flows			<u> </u>
20.5		issued and arrests mad		•	
20.6		ighborhoods, that expe			
20.7	enforcemen	<u>nt.</u>			
20.8	(c) The	office shall conduct a	study on impaire	d driving to determi	ne the number of
20.9		nvolving one or more o			
20.10	cannabinoi	d products or who test	ed positive for ca	nnabis or tetrahydro	ocannabinol, the
20.11		arrests of individuals for			
20.12	for cannabi	is or tetrahydrocannabi	inol, and the num	ber of convictions f	or driving under the
20.13	influence o	f cannabis flower, can	nabinoid product	s, or tetrahydrocann	abinol.
20.14	(d) The	office shall provide pr	eliminary report	s on the studies cond	lucted pursuant to
20.15	paragraphs	(a) to (c) to the legisla	ature by January	15, 2024, and shall p	provide final reports
20.16	to the legis	lature by January 15, 2	025. The reports	may be consolidated	d into a single report
20.17	by the offic	<u>e.</u>			
20.18	(e) The	office shall collect exi	sting data from t	he Department of H	uman Services,
20.19	Departmen	t of Health, Minnesota	state courts, and	hospitals licensed u	nder chapter 144 on
20.20	the utilizati	on of mental health and	d substance use d	lisorder services, em	ergency room visits,
20.21	and commi	tments to identify any	increase in the se	ervices provided or a	any increase in the
20.22	number of	visits or commitments.	. The office shall	also obtain summar	y data from existing
20.23	first episod	e psychosis programs	on the number of	f persons served by t	the programs and
20.24	number of	persons on the waiting	g list. All informa	tion collected by the	e office under this
20.25	paragraph s	shall be included in the	e report required	under paragraph (f).	
20.26	(f) The	office shall submit an	annual report to	the legislature by Jar	nuary 15, 2024, and
20.27	each Januar	ry 15 thereafter. The ani	nual report shall in	nclude but not be lim	ited to the following:
20.28	(1) the	status of the regulated	cannabis industry	<u>y;</u>	
20.29	(2) the	status of the illicit can	nabis market;		
20.30	(3) the 1	number of accidents, a	rrests, and convid	ctions involving driv	vers who admitted to
20.31	using canna	abis flower or cannabin	noid products or	who tested positive	for cannabis or
20.32	tetrahydroc	eannabinol;			

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21.1	(4) the chang	e in potency, if ar	y, of cannabis fl	ower and cannabinoid	l products available
21.2	through the regu	lated market;			
21.3	(5) progress of	on providing oppo	ortunities to indiv	viduals and communit	ies that experienced
21.4	a disproportiona	te, negative impa	ct from cannabis	prohibition, includin	ng but not limited to
21.5	providing relief	from criminal con	nvictions and inc	creasing economic op	portunities;
21.6	(6) the status	of racial and geo	graphic diversit	y in the cannabis indu	istry;
21.7	(7) proposed	legislative chang	jes;		
21.8	(8) information	on on the adverse	effects of secon	d-hand smoke from a	ny cannabis flower,
21.9	cannabinoid pro	ducts, and hemp-	derived consum	er products that are co	onsumed by
21.10	combustion or va	aporization of the	product and inl	alation of smoke, aer	osol, or vapor from
21.11	the product; and				
21.12	<u>(9) recomme</u>	ndations for level	ls of funding for	-	
21.13	(i) a coordina	ted education pro	ogram to address	and raise public awar	reness about the top
21.14	three adverse he	alth effects, as de	termined by the	commissioner of hea	lth, associated with
21.15	the use of cannal	bis flower or can	nabinoid produc	ts by individuals unde	er 21 years of age;
21.16	(ii) a coordina	ated education pro	ogram to educate	e pregnant women, bro	eastfeeding women,
21.17	and women who	may become pres	gnant on the adv	erse health effects of c	cannabis flower and
21.18	cannabinoid pro	<u>ducts;</u>			
21.19	(iii) training,	technical assistan	ce, and educatio	nal materials for home	e visiting programs,
21.20	Tribal home visi	ting programs, ar	nd child welfare	workers regarding sat	fe and unsafe use of
21.21	cannabis flower	and cannabinoid	products in hom	es with infants and y	oung children;
21.22	(iv) model pr	ograms to educat	te middle school	and high school stud	ents on the health
21.23	effects on childre	en and adolescent	ts of the use of c	annabis flower, canna	abinoid products,
21.24	and other intoxic	cating or controlle	ed substances;		
21.25	(v) grants iss	ued through the (CanTrain, CanNa	avigate, CanStartup, a	and CanGrow
21.26	programs;				
21.27	(vi) grants to	organizations for	r community dev	velopment in social ed	quity communities
21.28	through the Can	Renew program;			
21.29	(vii) training	of peace officers a	nd law enforcem	ent agencies on chang	ges to laws involving
21.30	cannabis flower,	cannabinoid proc	lucts, and hemp-	derived consumer pro	oducts, and the law's
21.31	impact on search	es and seizures;			
21.32	(viii) training	s of peace officers	s to increase the	number of drug recog	gnition experts;

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22.1	(ix) trainin	g of peace officers of	on the cultural us	ses of sage and distin	guishing use of sage
22.2	<u>~ </u>	*		er the Board of Peace	
22.3	and Training s	hould approve or d	evelop training 1	naterials;	
22.4	(\mathbf{x}) the reti	rement and replace	ment of drug det	ection dogs; and	
22.5	(xi) the De	partment of Humar	Services and co	ounty social service a	gencies to address
22.6	any increase in	n demand for servic	es.		
22.7	(g) In deve	loping the recomme	ended funding le	vels under paragraph	(f), clause (9), items
22.8	<u>(vii) to (xi), th</u>	e office shall consu	lt with local law	enforcement agenci	es, the Minnesota
22.9	Chiefs of Polic	e Association, the N	Minnesota Sheri	ff's Association, the I	eague of Minnesota
22.10	Cities, the Ass	ociation of Minnes	ota Counties, an	d county social servi	ces agencies.
22.11	Sec. 5. [342.	05] STATEWIDE	MONITORIN	<u>G SYSTEM.</u>	
22.12	Subdivisio	n 1. Statewide moi	nitoring. The of	fice must contract wi	th an outside vendor
22.13	to establish a s	statewide monitorin	g system for inte	egrated cannabis trac	king, inventory, and
22.14	verification to	track all cannabis p	plants, cannabis	flower, cannabinoid	products, and
22.15	synthetically c	lerived cannabinoid	ls from seed, im	mature plant, or creat	ion until disposal or
22.16	sale to a patien	nt or customer.			
22.17	<u>Subd. 2.</u> D	ata submission rec	quirements. The	e monitoring system	nust allow cannabis
22.18	businesses to s	submit monitoring of	data to the office	through the use of n	nonitoring system
22.19	software com	nonly used within t	he cannabis indu	ustry and may also po	ermit cannabis
22.20	businesses to s	submit monitoring of	data through mai	nual data entry with	approval from the
22.21	office.				
22.22			OF CANNABIS	FLOWER, PROD	UCTS, AND
22.23	<u>CANNABIN</u>	<u>DIDS.</u>			
22.24	(a) The off	ice shall approve ty	pes of cannabis	flower, cannabinoid	products, and
22.25	hemp-derived	consumer products	other than hemp	p-derived topical pro	ducts for retail sale.
22.26	(b) The off	ice shall not approv	ve any cannabing	oid product or hemp-	derived consumer
22.27	product that:				
22.28	<u>(1) is or ap</u>	pears to be a lollipo	op or ice cream;		
22.29	(2) bears the	ne likeness or conta	ins characteristic	es of a real or fiction	al person, animal, or
22.30	<u>fruit;</u>				

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23.1	(3) is mode	eled after a type or ¹	brand of product	s primarily consumed	l by or marketed to
23.2	children;				
23.3	(4) is subst	tantively similar to	a meat food proc	luct; poultry food pro	duct as defined in
23.4	section 31A.02	2, subdivision 10; or	a dairy product	as defined in section 3	2D.01, subdivision
23.5	<u>7;</u>				
23.6	(5) contain	is an artificial canna	ibinoid;		
23.7	<u>(6) is made</u>	by applying a canna	abinoid, including	g but not limited to a s	ynthetically derived
23.8	<u>cannabinoid, t</u>	o a finished food pr	roduct that does	not contain cannabing	oids and is sold to
23.9	consumers, ine	cluding but not limi	ited to a candy or	r snack food; or	
23.10	(7) if the p	roduct is an edible	cannabinoid proc	duct, contains an ingr	edient, other than a
23.11	cannabinoid, t	hat is not approved	by the United S	tates Food and Drug	Administration for
23.12	use in food.				
23.13	(c) The off	ice must not approv	ve any cannabis	flower, cannabinoid p	product, or
23.14	hemp-derived	consumer product	that:		
23.15	(1) is inten	ded to be consumed	d by combustion	or vaporization of the	e product and
23.16	inhalation of s	moke, aerosol, or v	apor from the pr	oduct; and	
23.17	(2) imparts	a taste or smell, ot	her than the taste	e or smell of cannabis	flower, that is
23.18	distinguishabl	e by an ordinary pe	rson before or du	aring consumption of	the product.
23.19	(d) The off	ice may adopt rules	to limit or prohi	bit ingredients in or ac	ditives to cannabis
23.20	flower, cannal	pinoid products, or	hemp-derived co	nsumer products to e	nsure compliance
23.21	with the limita	ations in paragraph	<u>(c).</u>		
23.22	Sec. 7. [342.	.07] AGRICULTU	RAL AND FOO	DD SAFETY PRAC	ГІСЕS;
23.23	<u>RULEMAKI</u>	NG.			
23.24	Subdivisio	n 1. Plant propag a	tion standards.	In consultation with	the commissioner
23.25	of agriculture,	the office by rule r	nust establish ce	rtification, testing, an	d labeling
23.26	requirements f	for the methods use	d to grow new ca	annabis plants or hem	p plants, including
23.27	but not limited	l to growth from see	ed, clone, cutting	g, or tissue culture.	
23.28	<u>Subd. 2.</u> <u>A</u>	gricultural best pr	actices. In const	ultation with the com	missioner of
23.29	agriculture and	d representatives fro	om the Universit	y of Minnesota Exter	sion Service, the
23.30	office shall est	tablish best practice	es for:		
23.31	(1) the cult	tivation and prepara	tion of cannabis	plants; and	

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24.1	(2) the use of p	oesticides, fertiliz	zers, soil ameno	lments, and plant am	endments in relation
24.2	to growing cannal	ois plants.			
24.3	Subd. 3. Edibl	e cannabinoid j	oroduct handl	er endorsement. (a)	Any person seeking
24.4	to manufacture, pr	cocess, sell, hand	le, or store an e	edible cannabinoid p	roduct, other than an
24.5	edible cannabinoi	d product that ha	s been placed i	n its final packaging	, must first obtain an
24.6	edible cannabinoi	d product handle	r endorsement.		
24.7	(b) In consulta	tion with the cor	nmissioner of a	agriculture, the office	e shall establish an
24.8	edible cannabinoi	d product handle	r endorsement.		
24.9	(c) The office	must regulate ed	ible cannabino	id product handlers a	and assess penalties
24.10	in the same manne	er provided for for	ood handlers u	nder chapters 28A, 3	1, and 34A and
24.11	associated rules, v	vith the followin	g exceptions:		
24.12	(1) the office m	nust issue an edib	le cannabinoid	product handler end	orsement, rather than
24.13	a license;				
24.14	(2) eligibility for	or an edible canna	abinoid product	handler endorsemen	t is limited to persons
24.15	who possess a val	id license issued	by the office;		
24.16	(3) the office r	nay not charge a	fee for issuing	or renewing the end	orsement;
24.17	(4) the office r	nust align the ter	m and renewal	period for edible car	nnabinoid product
24.18	handler endorsem	ents with the terr	n and renewal	period of the license	issued by the office;
24.19	and				
24.20	(5) an edible ca	annabinoid produ	ict must not be	considered adulterate	ed solely because the
24.21	product contains to	etrahydrocannabi	nol, cannabis c	oncentrate, or any oth	ner material extracted
24.22	or derived from a	cannabis plant, c	annabis flower	, hemp plant, or hem	np plant parts.
24.23	(d) The edible	cannabinoid pro	luct handler en	dorsement must proł	nibit the manufacture
24.24	of edible cannabir	noid products at t	he same premi	ses where food is ma	anufactured, except
24.25	for the limited pro	duction of edible	e products proc	luced solely for prod	uct development,
24.26	sampling, or testir	<u>1g.</u>			
24.27	Sec. 8. [342.08]	ESTABLISHM	ENT OF ENV	TRONMENTAL S	TANDARDS.
24.28	Subdivision 1.	Water standard	ls. In consultati	on with the commiss	ioner of the Pollution
24.29	Control Agency, t	he office by rule	must establish	appropriate water st	andards for cannabis
24.30	businesses.				
24.31	Subd. 2. Energ	gy use. In consul	tation with the	commissioner of co	mmerce, the office
24.32	by rule must estab	lish appropriate	energy standar	ds for cannabis busin	nesses.

Article 1 Sec. 8.

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25.1		Solid waste. In cons			
25.2		e office by rule must e	stablish appropr	iate solid waste stand	dards for the disposal
25.3	<u>of:</u>				
25.4	<u>(1) cann</u>	abis flower and canna	abinoid products	<u>;</u>	
25.5	<u>(2) pack</u>	aging;			
25.6	(3) recy	clable materials, inclu	ding minimum I	requirements for the	use of recyclable
25.7	<u>materials; a</u>	nd			
25.8	(4) other	r solid waste.			
25.9	Subd. 4.	Odor. The office by 1	rule must establis	sh appropriate standa	ards and requirements
25.10	to limit odo	rs produced by canna	bis businesses.		
25.11	Subd. 5.	Applicability; federa	al, state, and loc	al laws. A cannabis l	ousiness must comply
25.12	with all app	licable federal, state,	and local laws r	elated to the subjects	s of subdivisions 1 to
25.13	<u>4.</u>				
25.14	Subd. 6.	Rulemaking. (a) The	e office may only	y adopt a rule under	this section if the rule
25.15	is consisten	t with and at least as s	tringent as appli	cable state and feder	ral laws related to the
25.16	subjects of	subdivisions 1 to 4.			
25.17	(b) The	office must coordinat	e and consult wi	th a department or a	gency of the state
25.18	regarding th	ne development and im	plementation of	a rule under this sec	tion if the department
25.19	or agency h	as expertise or a regu	latory interest in	the subject matter of	of the rule.
25.20	Sec. 9. [3 4	42.09] PERSONAL 2	ADULT USE O	F CANNABIS.	
25.21	Subdivis	sion 1. Personal adul	t use, possession	, and transportatio	n of cannabis flower
25.22	and cannal	binoid products. (a) A	An individual 21	years of age or old	er may:
25.23	<u>(1) use,</u>	possess, or transport of	cannabis parapho	ernalia;	
25.24	<u>(2) poss</u>	ess or transport two ou	inces or less of a	dult-use cannabis flo	wer in a public place;
25.25	<u>(3) poss</u>	ess five pounds or les	s of adult-use ca	nnabis flower in the	individual's private
25.26	residence;				
25.27	<u>(4) poss</u>	ess or transport eight	grams or less of	adult-use cannabis o	concentrate;
25.28	<u>(5) poss</u>	ess or transport edible	e cannabinoid pr	oducts infused with	a combined total of
25.29	800 milligra	ams or less of tetrahyo	drocannabinol;		

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26.1	(6) give	e for no remuneration tv	vo ounces or less	of adult-use cannabis	s flower, eight grams
26.2	<u> </u>	dult-use cannabis conc			
26.3	800 millig	rams or less of tetrahyc	lrocannabinol to	an individual who is	at least 21 years of
26.4	age; and				
26.5	<u>(7)</u> use	adult-use cannabis flov	wer and adult-us	e cannabinoid produ	cts in the following
26.6	locations:				
26.7	<u>(i) a pri</u>	ivate residence, includi	ng the individua	l's curtilage or yard;	
26.8	<u>(ii) on </u>	private property, not ge	enerally accessible	e by the public, unle	ess the individual is
26.9	explicitly p	prohibited from consum	ning cannabis flo	wer or cannabinoid	products on the
26.10	property b	y the owner of the prop	perty; or		
26.11	(iii) on	the premises of an estab	olishment or ever	t licensed to permit of	on-site consumption.
26.12	<u>(b) Exc</u>	ept as provided in para	agraph (c), an inc	lividual may not:	
26.13	<u>(1) use</u>	, possess, or transport c	annabis flower o	or cannabinoid produ	ects if the individual
26.14	is under 21	years of age;			
26.15	<u>(2) use</u>	cannabis flower or can	nabinoid product	s in a motor vehicle	as defined in section
26.16	<u>169A.03, s</u>	subdivision 15;			
26.17	<u>(3)</u> use	cannabis flower or can	nabinoid produc	ts at any location wh	nere smoking is
26.18	prohibited	under section 144.414	• <u>•</u>		
26.19	<u>(4)</u> use	or possess cannabis flo	wer or cannabino	oid products in a publ	ic school, as defined
26.20	in section	120A.05, subdivisions	9, 11, and 13, or	in a charter school g	governed by chapter
26.21	<u>124E, inclu</u>	uding all facilities, when	ther owned, rente	d, or leased, and all v	vehicles that a school
26.22	district ow	ns, leases, rents, contra	acts for, or contro	ols;	
26.23	<u>(5) use</u>	or possess cannabis flov	wer or cannabino	id products in a state	correctional facility;
26.24	(6) ope	rate a motor vehicle wh	nile under the infl	uence of cannabis flo	ower or cannabinoid
26.25	products;				
26.26	<u>(7) give</u>	e for no remuneration c	cannabis flower of	or cannabinoid produ	ects to an individual
26.27	under 21 y	ears of age;			
26.28	<u>(8) give</u>	e for no remuneration c	cannabis flower of	or cannabinoid produ	ects as a sample or
26.20	momotion	al aift if the aiver is in	the husiness of a	alling goods or some	0001 07

26.29 promotional gift if the giver is in the business of selling goods or services; or

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27.1	(9) vapori	ze or smoke cannabi	is flower, canna	binoid products, artif	ficially derived
27.2					e the smoke, aerosol,
27.3	or vapor wou	ld be inhaled by a m	inor.		
27.4	(c) The pr	ohibitions under par	agraph (b), clau	uses (1) to (4), do not	apply to use other
27.5					sportation of medical
27.6	cannabis flow	ver or medical canna	binoid products	by a patient; a regist	tered designated
27.7	caregiver; or	a parent, legal guard	ian, or spouse c	of a patient.	
27.8	<u>(d)</u> A prop	prietor of a family or	group family d	ay care program mus	st disclose to parents
27.9	or guardians	of children cared for	on the premise	s of the family or gro	oup family day care
27.10	program, if th	ne proprietor permits	the smoking or	use of cannabis flow	ver or cannabinoid
27.11	products on the	he premises outside o	of its hours of o	peration. Disclosure	must include posting
27.12	on the premis	ses a conspicuous wr	itten notice and	orally informing par	ents or guardians.
27.13	Cannabis flow	wer or cannabinoid p	roducts must be	inaccessible to child	Iren and stored away
27.14	from food pro	oducts.			
27.15	<u>Subd. 2.</u>	<u>Home cultivation of</u>	cannabis for p	ersonal adult use. U	Jp to eight cannabis
27.16	plants, with n	o more than four bei	ing mature, flov	vering plants may be	grown at a single
27.17	residence, inc	luding the curtilage	or yard, withou	t a license to cultivat	e cannabis issued
27.18	under this cha	apter provided that c	ultivation takes	place at the primary	residence of an
27.19	individual 21	years of age or older	and in an enclos	sed, locked space that	is not open to public
27.20	view.				
27.21	<u>Subd. 3.</u>	Iome extraction of	cannabis conce	entrate by use of vol	atile solvent
27.22	prohibited. N	Jo person may use a	volatile solvent t	to separate or extract	cannabis concentrate
27.23	without a can	nabis manufacturer,	cannabis micro	business, or medical	cannabis processor
27.24	license issued	l under this chapter.			
27.25	<u>Subd. 4.</u>	ale of cannabis flov	wer and cannal	binoid products pro	hibited. No person
27.26	may sell cann	abis flower or cannal	pinoid products	without a license issu	ed under this chapter
27.27	that authorize	es the sale.			
27.28	<u>Subd. 5.</u> I	mportation of hemp	o-derived produ	icts. No person may i	mport lower potency
27.29	edible produc	ts or hemp-derived	consumer produ	cts, other than hemp	-derived topical
27.30	products, that	are manufactured o	utside the bound	daries of the state of	Minnesota with the
27.31	intent to sell	the products to consu	umers within the	e state or to any other	r person or business
27.32	that intends to	sell the products to	consumers with	in the state without a	license issued under
27.33	this chapter the third the	hat authorizes the im	portation of suc	ch products. This sub	division does not
27.34	apply to prod	ucts lawfully purcha	sed for persona	l use.	

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28.1	<u>Subd. 6</u>	Violations; penalties	s. (a) In addition	to penalties listed in th	nis subdivision, a
28.2	person who	violates the provision	s of this chapter	is subject to any appli	cable criminal
28.3	penalty.				
28.4	<u>(b)</u> The	office may assess the	following civil p	penalties on a person w	ho sells cannabis
28.5	flower or ca	annabinoid products w	vithout a license	issued under this chapt	er that authorizes
28.6	the sale:				
28.7	(1) if the	e person sells more tha	in two ounces bi	ut not more than eight o	unces of cannabis
28.8	flower, up t	<u>to \$1,000;</u>			
28.9	(2) if the	e person sells more the	an eight ounces	but not more than one p	bound of cannabis
28.10	flower, up t	<u>to \$5,000;</u>			
28.11	(3) if the	e person sells more the	an one pound bu	t not more than five po	unds of cannabis
28.12	flower, up t	to \$25,000;			
28.13	(4) if the	e person sells more tha	an five pounds b	ut not more than 25 po	unds of cannabis
28.14	flower, up t	to \$100,000;			
28.15	(5) if the	e person sells more tha	an 25 pounds bu	t not more than 50 pou	nds of cannabis
28.16	flower, up t	to \$250,000; and			
28.17	<u>(6) if the</u>	e person sells more the	an 50 pounds of	cannabis flower, up to	\$1,000,000.
28.18	(c) The	office may assess the	following civil p	penalties on a person w	ho sells cannabis
28.19	concentrate	without a license issu	ed under this ch	apter that authorizes th	e sale:
28.20	(1) if the	e person sells more tha	an eight grams b	ut not more than 40 gra	ams of cannabis
28.21	concentrate	e, up to \$1,000;			
28.22	(2) if the	e person sells more tha	an 40 grams but	not more than 80 gram	s of cannabis
28.23	concentrate	e, up to \$5,000;			
28.24	(3) if the	e person sells more the	an 80 grams but	not more than 400 gran	ns of cannabis
28.25	concentrate	e, up to \$25,000;			
28.26	(4) if the	e person sells more tha	n 400 grams but	not more than two kilo	grams of cannabis
28.27	concentrate	e, up to \$100,000;			
28.28	(5) if the	e person sells more that	an two kilogram	s but not more than fou	r kilograms of
28.29	cannabis co	oncentrate, up to \$250,	000; and		
28.30	(6) if the	e person sells more thar	n four kilograms	of cannabis concentrate	, up to \$1,000,000.

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

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30.1	(8) cannabis	s event organizer;			
30.2	(9) cannabis	s delivery service;			
30.3	(10) lower p	ootency edible retailer;	<u>.</u>		
30.4	<u>(11) medica</u>	l cannabis cultivator;			
30.5	<u>(12) medica</u>	l cannabis processor;	and		
30.6	<u>(13) medica</u>	l cannabis retailer.			
30.7	Sec. 11. [342 .	11] LICENSES; FEB	<u>CS.</u>		
30.8	Except for t	he application fees aut	horized under sec	ctions 342.12, parag	graph (d), and
30.9	342.15, subdivi	sion 4, the office shall	not charge a fee f	for annual licenses i	issued under this
30.10	chapter.				
30.11	Sec. 12. [342]	.12] LICENSES; TRA	ANSFERS; ADJ	USTMENTS.	
30.12	(a) Licenses	s issued under this cha	pter may not be tr	ansferred. A new li	cense must be
30.13	obtained when:				
30.14	(1) the form	of the licensee's legal	business structur	e converts or chang	ges to a different
30.15	type of legal bu	isiness structure;			
30.16	(2) the licer	see dissolves, consoli	dates, or merges v	vith another legal o	rganization;
30.17	(3) within the	ne previous 24 months	, 50 percent or mo	ore of the licensee i	s transferred by
30.18	a single transac	tion or multiple transa	ctions to:		
30.19	(i) another p	person or legal organiz	ation; or		
30.20	(ii) a persor	or legal organization	who had less thar	a five percent own	nership interest
30.21	in the licensee	at the time of the first	transaction; or		
30.22	(4) any othe	er event or combination	n of events that re	sults in a substituti	on, elimination,
30.23	or withdrawal o	of the licensee's respon	sibility for the op	eration of the licen	see.
30.24	(b) Licenses	s must be renewed ann	ually.		
30.25	(c) License	holders may petition the	he office to adjust	the tier of a license	e issued within a
30.26	license categor	y provided that the lice	ense holder meets	all applicable requ	irements.
30.27	(d) The offi	ce by rule may permit	relocation of a lic	ensed cannabis bus	siness, adopt
30.28	requirements for	or the submission of a	license relocation	application, establ	ish standards for
30.29	the approval of	a relocation application	on, and charge a fe	ee not to exceed \$2	50 for reviewing

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

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32.1	to identifying	concerns about the	proposed locatio	n of a cannabis busine	ss or sharing public
32.2		oout an applicant.			
32.3	<u>(h)</u> The off	ice by rule shall es	tablish an exped	ited complaint process	s to receive, review,
32.4	and respond to	complaints made	by a local unit o	f government about a	cannabis business.
32.5	Complaints m	ay include alleged	violations of loc	al ordinances or other	alleged violations.
32.6	At a minimum	, the expedited con	nplaint process s	hall require the office	to provide an initial
32.7	response to the	e complaint within	seven days and	perform any necessary	v inspections within
32.8	30 days. Noth	ing in this paragrap	ohs prohibits a lo	cal unit of governmer	nt from enforcing a
32.9	local ordinanc	<u>e.</u>			
32.10	Sec. 14. [342	2.15] LICENSE A	PPLICATION	AND RENEWAL; F	EES.
32.11	Subdivisio	n 1. Application;	contents. (a) The	e office by rule shall e	stablish forms and
32.12	procedures for	the processing of	licenses issued u	under this chapter. At a	a minimum, any
32.13	application to o	obtain or renew a lic	cense shall includ	le the following inform	nation, if applicable:
32.14	<u>(1) the nan</u>	ne, address, and da	te of birth of the	applicant;	
32.15	(2) the disc	closure of ownersh	ip and control re	quired under paragrap	<u>oh (b);</u>
32.16	(3) the disc	closure of whether	the applicant or,	if the applicant is a bu	usiness, any officer,
32.17	director, mana	ger, and general pa	urtner of the busi	ness has ever filed for	bankruptcy;
32.18	(4) the add	ress and legal prop	erty description	of the business;	
32.19	(5) docume	entation showing le	egal possession of	of the premises where	the business will
32.20	operate;				
32.21	<u>(6)</u> a diagra	am of the premises	, including a sec	urity drawing;	
32.22	<u>(7) a copy</u>	of the security plar	<u>1;</u>		
32.23	<u>(8)</u> proof o	f trade name regist	ration;		
32.24	<u>(9) a copy</u>	of the applicant's b	usiness plan sho	wing the expected siz	e of the business;
32.25	anticipated gro	owth; the methods	of record keepin	g; the knowledge and	experience of the
32.26	applicant and	any officer, directo	r, manager, and	general partner of the	business; the
32.27	environmental	plan; and other re	levant financial a	and operational compo	onents;
32.28	<u>(10)</u> an atte	estation signed by a	bona fide labor	organization stating th	at the applicant has
32.29	entered into a	labor peace agreen	nent;		
32.30	<u>(11)</u> certifi	cation that the appl	licant will comp	ly with the requirement	nts of this chapter
32.31	relating to the	ownership and ope	eration of a cann	abis business;	

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33.1	<u>(12) ident</u>	ification of one or mo	ore controlling pe	ersons or managerial	employees as agents		
33.2	who shall be responsible for dealing with the office on all matters; and						
33.3	<u>(13)</u> a stat	tement that the applic	ant agrees to resp	oond to the office's su	applemental requests		
33.4	for informati	on.					
33.5	(b) An ap	plicant must file and	update as necessa	ary a disclosure of ov	vnership and control.		
33.6	The office by	rule shall establish	the contents and	form of the disclosu	ıre. At a minimum,		
33.7	the disclosure	e shall include the fo	llowing:				
33.8	(1) the ma	anagement structure,	ownership, and	control of the applica	ant or license holder,		
33.9	including the	name of each coope	rative member, c	officer, director, man	ager, general partner		
33.10	or business e	ntity; the office or po	osition held by ea	ach person; each per	son's percentage		
33.11	ownership in	terest, if any; and, if	the business has	a parent company, t	he name of each		
33.12	owner, board	member, and officer	of the parent co	mpany and the owne	er's, board member's,		
33.13	or officer's pe	ercentage ownership	interest in the pa	rent company and th	e cannabis business;		
33.14	(2) a state	ement from the applic	cant and, if the ap	oplicant is a business	s, from every officer,		
33.15	director, man	ager, and general par	rtner of the busin	ness, indicating whet	ther that person has		
33.16	previously he	ld, or currently holds,	an ownership in	terest in a cannabis bu	usiness in Minnesota,		
33.17	any other sta	te or territory of the	United States, or	any other country;			
33.18	(3) if the	applicant is a corpora	ation, copies of i	ts articles of incorpo	oration and bylaws		
33.19	and any ame	ndments to its article	s of incorporation	on or bylaws;			
33.20	<u>(4) copies</u>	s of any partnership ag	greement, operati	ing agreement, or sha	areholder agreement;		
33.21	(5) copies	s of any promissory r	notes, security in	struments, or other s	similar agreements;		
33.22	<u>(6)</u> explan	nation detailing the f	unding sources u	used to finance the b	usiness;		
33.23	<u>(7) a list o</u>	of operating and inves	stment accounts f	for the business, incl	uding any applicable		
33.24	financial inst	itution and account r	number; and				
33.25	<u>(8)</u> a list o	f each outstanding loa	an and financial c	bligation obtained fo	or use in the business,		
33.26	including the	e loan amount, loan te	erms, and name	and address of the cr	editor.		
33.27	<u>(c)</u> An ap	plication may includ	<u>e:</u>				
33.28	<u>(1) proof</u>	that the applicant is a	a social equity a	oplicant;			
33.29	<u>(2)</u> a dive	rsity plan that estable	ishes a goal of d	iversity in ownership	o, management,		
33.30	employment,	and contracting;					

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34.1	(3) a descrip	tion of the trainir	g and education	that will be provided to	any employee:
34.2	<u>(c) u uccerp</u> or		8		<u>,</u>
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34.3		t business policies	s governing opera	ations to ensure compl	lance with this
34.4	chapter.				
34.5	(d) Commitr	nents made by an	applicant in its a	pplication, including b	out not limited to
34.6	the maintenance	of a labor peace	agreement, shall	be an ongoing materia	l condition of
34.7	maintaining and	l renewing the lic	ense.		
34.8	(e) An appli	cation on behalf o	of a corporation o	r association shall be s	igned by at least
34.9	two officers or r	nanaging agents	of that entity.		
34.10	Subd. 2. Ap	plication; proces	s. (a) An applicat	nt must submit all requ	ired information
34.11	to the office on	the forms and in t	the manner presen	ribed by the office.	
34.12	(b) If the off	ice receives an ar	plication that fail	ls to provide the requir	ed information,
34.13	the office shall i	ssue a deficiency	notice to the app	licant. The applicant s	hall have ten
34.14	business days fr	om the date of th	e deficiency notic	e to submit the require	ed information.
34.15	(c) Failure by	y an applicant to s	ubmit all required	information will result	in the application
34.16	being rejected.				
34.17	(d) Upon rec	eipt of a complet	ed application an	d fee, the office shall f	forward a copy of
34.18	the application t	to the local unit of	f government in v	which the business ope	rates or intends to
34.19	operate with a for	orm for certificati	ion as to whether	a proposed cannabis b	usiness complies
34.20	with local zonin	g ordinances and	, if applicable, wl	hether the proposed bu	siness complies
34.21	with the state fin	re code and build	ing code.		
34.22	<u>(e) Within 90</u>	0 days of receivir	ng a completed ap	plication, the office sh	all issue the
34.23	appropriate licer	nse or send the ar	plicant a notice of	of rejection setting fort	h specific reasons
34.24	that the office d	id not approve the	e application.		
34.25	Subd. 3. Cri	minal history ch	eck. A license ap	plicant or, in the case of	f a business entity,
34.26	every cooperativ	ve member or dire	ector, manager, ai	nd general partner of th	ne business entity,
34.27	<u>must submit a co</u>	mpleted criminal	history records ch	eck consent form, a ful	l set of classifiable
34.28	fingerprints, and	l the required fees	s to the office. Up	oon receipt of this infor	mation, the office
34.29	must submit the	completed crimina	al history records	check consent form, ful	l set of classifiable
34.30	fingerprints, and	l required fees to t	the Bureau of Crin	ninal Apprehension. A	fter receiving this
34.31	information, the	bureau must con	duct a Minnesota	criminal history recon	ds check of the
34.32	license applican	t. The bureau ma	y exchange a lice	nse applicant's fingerp	rints with the
34.33	Federal Bureau	of Investigation t	o obtain the appli	icant's national crimina	l history record

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35.1	information	. The bureau must retu	rn the results of	the Minnesota and fed	eral criminal history
35.2	records che	cks to the director to	letermine if the	applicant is disqualifi	ed under section
35.3	342.20.				
35.4	Subd. 4.	Application; fees. T	he office may c	harge a nonrefundable	e fee, not to exceed
35.5	\$250, to cov	ver the costs associate	d with reviewir	g and processing appl	lications.
35.6	Sec. 15.	342.16] SOCIAL EQ	UITY APPLIC	CANTS.	
35.7	<u>An indiv</u>	vidual qualifies as a so	ocial equity app	licant if the individual	is:
35.8	<u>(1) a mi</u>	litary veteran who los	t honorable stat	us due to a cannabis-r	elated offense;
35.9	<u>(2) a res</u>	ident for the last five	years of one or	more subareas, such a	s census tracts or
35.10	neighborho	ods, that experienced a	a disproportiona	tely large amount of ca	innabis enforcement
35.11	as determin	ed by the study condu	icted by the offi	ce pursuant to section	342.04, paragraph
35.12	(b), and rep	orted in the prelimina	ry report, final	report, or both; or	
35.13	<u>(3) a res</u>	ident for the last five	years of one or	more census tracts wh	iere, as reported in
35.14	the most rec	cently completed dece	nnial census pu	blished by the United	States Bureau of the
35.15	Census, eith	ner:			
35.16	(i) the p	overty rate was 20 per	rcent or more; o	<u>r</u>	
35.17	(ii) the r	nedian family income	did not exceed	80 percent of statewic	de median family
35.18	income or, i	f in a metropolitan are	a, did not excee	d the greater of 80 perc	cent of the statewide
35.19	median fam	ily income or 80 perc	ent of the medi	an family income for t	hat metropolitan
35.20	area.				
35.21	Sec. 16. [3	342.17] LICENSE SI	ELECTION C	RITERIA.	
35.22	Subdivis	sion 1. Market stabil	i tv. The office sl	nall issue the necessary	v number of licenses
35.23				s flower and cannabing	
35.24				ale of unregulated can	
35.25	cannabinoic	l products.			
35.26	<u>Subd. 2.</u>	Craft cultivation pr	iority. (a) The	office shall prioritize i	ssuance of
35.27	microbusine	ess licenses with an en	dorsement to cu	ltivate cannabis flower	r and craft cultivator
35.28	licenses.				
35.29	(b) Unle	ess the office determin	es that the issua	nce of bulk cultivator l	icenses is necessary
35.30	to ensure a	sufficient supply of ca	annabis flower a	and cannabinoid produ	icts, the office shall
35.31	not issue a l	bulk cultivator license	before July 1, 2	2028.	

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

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37.1	immediate	family, and the office	may award point	ts to such applicants	in the same manner	
37.2		e awarded to social eq				
37.3	(d) The	office shall establish p	olicies and guid	elines, which shall b	e made available to	
37.4	<u> </u>	regarding the number				
37.5	awarding th	nose points. Status as a	social equity app	licant must account fo	or at least 20 percent	
37.6	of the total	available points. In de	termining the nu	mber of points to aw	ard to a cooperative	
37.7	or business	applying as a social e	quity applicant,	the office shall consid	der the number or	
37.8	ownership	percentage of coopera	tive members, of	fficers, directors, mar	nagers, and general	
37.9	partners wh	no qualify as social equ	uity applicants.			
37.10	<u>(e)</u> Con	sistent with the goals i	dentified in subc	livision 1, the office	shall issue licenses	
37.11	in each lice	ense category, giving p	riority to applica	ints who receive the l	highest score under	
37.12	paragraphs	(a) and (b). If there ar	e insufficient lic	enses available for en	ntities that receive	
37.13	identical sc	ores, the office shall u	tilize a lottery to	randomly select lice	ense recipients from	
37.14	among those	se entities.				
37.15	37.15 Sec. 17. [342.18] INSPECTION; LICENSE VIOLATIONS; PENALTIES.					
37.16		sion 1. Authority to in				
37.17		pon presenting approp	riate credentials	to the owner, operato	r, or agent in charge,	
37.18	is authorize	<u>ed to:</u>				
37.19	<u>(1) ente</u>	r any cannabis busines	ss without delay	and at reasonable tin	nes;	
37.20	<u>(2) insp</u>	ect and investigate du	ring regular worl	king hours and at oth	er reasonable times,	
37.21	within reas	onable limits and in a r	easonable mann	er, any cannabis busin	ness and all relevant	
37.22	conditions,	equipment, records, a	nd materials the	cein; and		
37.23	<u>(3)</u> ques	stion privately any emp	oloyer, owner, op	perator, agent, or emp	ployee of a cannabis	
37.24	business.					
37.25	<u>(b)</u> An e	employer, owner, oper	ator, agent, or en	nployee must not ref	use the office entry	
37.26	or otherwis	e deter or prohibit the	office from takin	ng action under parag	graph (a).	
37.27	Subd. 2	<u>Powers of office.</u> (a)]	n making inspect	tions and investigation	ns under this chapter,	
37.28	the office sl	hall have the power to	administer oaths	, certify as to official	acts, take and cause	
37.29	to be taken	depositions of witnesse	s, issue subpoena	as, and compel the atte	endance of witnesses	
37.30	and produc	tion of papers, books,	documents, reco	ords, and testimony. I	n case of failure of	
37.31	any person	to comply with any su	ıbpoena lawfully	v issued, or on the ref	usal of any witness	
37.32	to produce	evidence or to testify t	o any matter reg	arding which the pers	son may be lawfully	
37.33	interrogate	d, the district court sha	ll, upon applicat	tion of the office, cor	npel obedience	

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

38.3 (b) If the office finds probable cause to believe that any cannabis plant, cannabis flower, synthetically derived cannabinoid, or cannabinoid product is being distributed in violation 38.4 of this chapter or rules adopted under this chapter, the office shall affix to the cannabis plant, 38.5 cannabis flower, synthetically derived cannabinoid, or cannabinoid product a tag, withdrawal 38.6 from distribution order, or other appropriate marking providing notice that the cannabis 38.7 plant, cannabis flower, synthetically derived cannabinoid, or cannabinoid product is, or is 38.8 suspected of being, distributed in violation of this chapter, and has been detained or 38.9 embargoed, and warning all persons not to remove or dispose of the cannabis plant, cannabis 38.10 flower, synthetically derived cannabinoid, or cannabinoid product by sale or otherwise until 38.11 permission for removal or disposal is given by the office or the court. It is unlawful for a 38.12 person to remove or dispose of detained or embargoed cannabis plant, cannabis flower, 38.13 synthetically derived cannabinoid, or cannabinoid product by sale or otherwise without the 38.14 office's or a court's permission and each transaction is a separate violation of this section. 38.15 (c) If any cannabis plant, cannabis flower, synthetically derived cannabinoid, or 38.16 cannabinoid product has been found by the office to be in violation of this chapter, the office 38.17 shall petition the district court in the county in which the cannabis plant, cannabis flower, 38.18 synthetically derived cannabinoid, or cannabinoid product is detained or embargoed for an 38.19 order and decree for the condemnation of the cannabis plant, cannabis flower, synthetically 38.20 derived cannabinoid, or cannabinoid product. The office shall release the cannabis plant, 38.21 cannabis flower, synthetically derived cannabinoid, or cannabinoid product when this chapter 38.22 and rules adopted under this chapter have been complied with or the cannabis plant, cannabis 38.23 flower, synthetically derived cannabinoid, or cannabinoid product is found not to be in 38.24 violation of this chapter or rules adopted under this chapter. 38.25 (d) If the court finds that detained or embargoed cannabis plant, cannabis flower, 38.26 synthetically derived cannabinoid, or cannabinoid product is in violation of this chapter or 38.27 rules adopted under this chapter, the following remedies are available: 38.28 (1) after entering a decree, the cannabis plant, cannabis flower, synthetically derived 38.29

38.30 cannabinoid, or cannabinoid product may be destroyed at the expense of the claimant under
 38.31 the supervision of the office, and all court costs, fees, storage, and other proper expenses
 38.32 must be assessed against the claimant of the cannabis plant, cannabis flower, synthetically

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

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

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40.1	that such viola	tion or danger exis	ts, the office sh	all make a special insp	ection as soon as
40.2		determine if such d			
40.3	(c) The off	ice shall prioritize	inspections of c	annabis businesses wh	ere there are
40.4	<u> </u>			ses imminent danger to	
40.5	customers.				
40.6	(d) The offi	ce shall promptly it	spect cannabis	businesses that are the s	subject of complaint
40.7	<u> </u>	of government.	<u></u>		
			trativo ordoro	and penalties. (a) The	office moviesus on
40.8					•
40.9		-		siness that the office de	
40.10	committed a vi	iolation of this cha	pter or rules add	opted pursuant to this c	hapter. The
40.11	administrative	order may require	the business to	correct the violation or	to cease and desist
40.12	from committi	ng the violation. T	he order must s	tate the deficiencies the	at constitute the
40.13	violation and t	he time by which t	he violation mu	st be corrected. If the	business believes
40.14	that the inform	ation in the admin	istrative order is	s in error, the person m	ay ask the office to
40.15	consider the pa	arts of the order tha	t are alleged to l	be in error. The request	must be in writing,
40.16	delivered to the	e office by certifie	d mail within se	even days after receipt	of the order, and
40.17	provide docum	nentation to suppor	t the allegation	of error. The office mu	ist respond to a
40.18	request for rec	onsideration within	n 15 days after 1	receiving the request. A	A request for
40.19	reconsideration	n does not stay the	correction orde	r unless the office issu	es a supplemental
40.20	order granting	additional time. T	he office's dispo	osition of a request for	reconsideration is
40.21	<u>final.</u>				
40.22	(b) For eacl	h violation of this c	hapter or rules a	adopted pursuant to thi	s chapter, the office
40.23	may issue to ea	ach business a mor	netary penalty o	f up to \$10,000, an am	ount that deprives
40.24	the business of	f any economic adv	vantage gained	by the violation, or bot	<u>h.</u>
40.25	<u>(c) An adm</u>	inistrative penalty	may be recover	ed in a civil action in th	ne name of the state
40.26	brought in the	district court of the	e county where	the violation is alleged	l to have occurred
40.27	or the district of	court where the off	ice is housed.		
40.28	(d) In addit	ion to penalties lis	ted in this subd	ivision, a person or bus	siness who violates
40.29	the provisions	of this chapter is s	ubject to any ap	plicable criminal pena	lty.
40.30	<u>Subd. 6.</u> No.	onpublic data. (a)	The following	data collected, created	, or maintained by
40.31	the office is cla	assified as nonpubl	ic data, as defir	ned in section 13.02, su	ubdivision 9, or as
40.32	private data on	individuals, as de	fined in section	13.02, subdivision 12:	<u>.</u>

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

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

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

42.20 person. The office may extend the period for an additional 90 days if the office notified the
 42.21 business that the office intends to revoke or not renew a license and the hearing required

42.22 <u>under subdivision 2 has not taken place</u>.

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

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

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

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43.1	history reco	rds checks to the direc	tor to determine	if the applicant is dis	squalified under this
43.2	section.				
43.3	Subd. 2.	Criminal offenses; d	isqualification	s. (a) No person may	hold or receive a
43.4		ed under this chapter o			
43.5	convicted of	c, or received a stay of a	adjudication for,	a violation of a state	or federal controlled
43.6	substance la	w that is a felony und	er Minnesota la	w or would be a felo	ny if committed in
43.7	Minnesota, 1	regardless of the senter	nce imposed, un	less the office determine	ines that the person's
43.8	conviction v	vas for the possession	or sale of canna	ibis.	
43.9	<u>(b)</u> A per	rson who has been conv	victed of, or rece	vived a stay of adjudic	ation for, a violation
43.10	of Minnesot	a Statutes 2022, sectio	on 152.023, subo	division 1, clause (3),	or a state or federal
43.11	law in confo	ormity with that provis	ion, for the sale	of cannabis to a pers	son under the age of
43.12	18 may hold	l or receive a license is	sued under this	chapter, or work for	a cannabis business,
43.13	if 20 years h	ave passed since the d	ate the person v	vas convicted or adju-	dication was stayed.
43.14	(c) Excep	pt as provided in parag	graph (a), (b), or	(d), a person who ha	s been convicted of,
43.15	or received a	a stay of adjudication	for, a violation	of a state or federal la	aw that is a felony
43.16	under Minne	esota law or would be	a felony if com	mitted in Minnesota,	regardless of the
43.17	sentence im	posed, may hold or rec	ceive a license i	ssued under this chap	oter, or work for a
43.18	cannabis bus	siness, if five years ha	ve passed since	the discharge of the	sentence.
43.19	<u>(d) No lie</u>	cense holder or applica	nt may hold or 1	eceive a license issue	d under this chapter,
43.20	or work for	a cannabis business, it	f the person has	been convicted of a	sale of cannabis in
43.21	the first deg	ree under section 152.	0264, subdivisi	<u>on 2.</u>	
43.22	<u>(e)</u> A per	rson who has been cor	nvicted of sale c	f cannabis in the seco	ond degree under
43.23	section 152.	0264, subdivision 3, n	nay hold or rece	vive a license issued u	under this chapter or
43.24	work for a c	annabis business if ter	n years have pas	ssed since the dischar	ge of the sentence.
43.25	(f) A per	son who has been conv	victed of sale of	cannabis in the third c	legree under section
43.26	<u>152.0264, su</u>	ubdivision 4, may hold	d or receive a lie	cense issued under th	is chapter or work
43.27	for a cannab	is business if five yea	rs have passed s	since the discharge of	f the sentence.
43.28	(g) A per	rson who has been cor	nvicted of sale of	of cannabis in the fou	rth degree under
43.29	section 152.	0264, subdivision 5, n	nay hold or rece	vive a license issued u	under this chapter or
43.30	work for a c	annabis business if on	e year has pass	ed since the discharge	e of the sentence.
43.31	<u>(h) I</u> f the	license holder or appl	licant is a busin	ess entity, the disqual	ifications under this
43.32		apply to every cooper		i î	
43.33	partner of th	e business entity.			

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

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45.1	(b) If the l	icense holder or app	icant is a busine	ess entity, every office	r, director, manager,
45.2	<u> </u>	••		et each of the requiren	
45.3	Sec. 20. [34	2.21] CANNABIS	BUSINESS; G	ENERAL OPERAT	IONAL
45.4	REQUIREM	IENTS AND PROF	HIBITIONS.		
45.5	Subdivisio	on 1. <mark>Individuals u</mark> r	ider 21 years o	f age. (a) A cannabis	business may not
45.6	employ an inc	lividual under 21 ye	ars of age and r	nay not contract with	an individual under
45.7	21 years of ag	ge if the individual's	scope of work	involves the handling	of cannabis plants,
45.8	cannabis flow	ver, synthetically der	ived cannabino	ids, or cannabinoid pr	oducts.
45.9	(b) A canr	nabis business may n	ot permit an inc	lividual under 21 year	rs of age to enter the
45.10	business prem	nises other than entry	into an area tha	t solely dispenses med	ical cannabis flower
45.11	or medical ca	nnabinoid products.			
45.12	(c) A canr	nabis business may r	not sell or give o	cannabis flower or car	mabinoid products
45.13	to an individu	al under 21 years of a	age unless the in	dividual is a patient; r	egistered designated
45.14	caregiver; or a	i parent, legal guardi	an, or spouse of	a patient who is author	rized to use, possess,
45.15	or transport n	nedical cannabis or r	nedical cannabi	noid products.	
45.16	<u>Subd. 2.</u>	se of cannabis flow	er and cannabi	noid products within	a licensed cannabis
45.17	<u>business. (a)</u>	A cannabis business	may not permi	t an individual who is	not an employee to
45.18	consume can	nabis flower or cann	abinoid product	ts within its licensed p	premises unless the
45.19	business is lic	ensed to permit on-si	te consumption	or the business has an	on-site endorsement
45.20	to a license au	uthorizing the sale of	f lower potency	edible products.	
45.21	(b) Except	as otherwise provid	ed in this subdiv	vision, a cannabis busi	ness may not permit
45.22	an employee t	o consume cannabis :	flower or cannab	pinoid products within	its licensed premises
45.23	or while the e	mployee is otherwis	se engaged in ac	tivities within the cou	urse and scope of
45.24	employment.				
45.25	(c) A canr	nabis business may p	ermit an emplo	yee to use medical ca	nnabis flower and
45.26	medical cann	abinoid products if t	hat individual is	s a patient.	
45.27	<u>(d)</u> For qu	ality control, employ	vees of a license	d cannabis business m	ay sample cannabis
45.28	flower or can	nabinoid products. E	Employees may	not interact directly w	vith customers for at
45.29	least three ho	urs after sampling a	product. Emplo	yees may not consum	ne more than three
45.30	samples in a s	ingle 24-hour period	. All samples mu	ist be recorded in the s	tatewide monitoring
45.31	system.				
45.32	<u>Subd. 3.</u>	Restricted access. (a) Except as othe	erwise provided in thi	s subdivision, a
45.33	cannabis busi	ness may not permit	any individual to	o enter a restricted area	a unless the cannabis

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46.1	business record	s the individual's r	name, time of entr	ry, time of exit, and a	uthorization to enter
46.2	the restricted ar	ea through use of	an electronic or	manual entry log and	d the individual:
46.3	<u>(1) is a cann</u>	abis worker empl	oyed by or contra	acted with the canna	bis business;
46.4	<u>(2) is an em</u>	ployee of the offic	e or another enfo	orcement agency;	
46.5	(3) is a cont	ractor of the canna	abis business, inc	cluding but not limit	ed to an electrician,
46.6	a plumber, an e	ngineer, or an alar	m technician, wh	nose scope of work v	will not involve the
46.7	handling of can	nabis flower or ca	nnabinoid produ	cts and, if the individ	dual is working in an
46.8	area with imme	diate access to car	nnabis flower or	cannabinoid produc	ts, the individual is
46.9	supervised at al	l times by a canna	ıbis worker empl	oyed by or contracte	ed with the cannabis
46.10	business; or				
46.11	(4) has expli	cit authorization fr	rom the office to e	enter a restricted area	and, if the individual
46.12	is in an area witl	n immediate access	s to cannabis flow	ver or cannabinoid pro	oducts, the individual
46.13	is supervised at	all times by a canr	nabis worker emp	bloyed by or contract	ed with the cannabis
46.14	business.				
46.15	(b) A canna	bis business shall	ensure that all ar	eas of entry to restri	cted areas within its
46.16	licensed premis	ses are conspicuou	sly marked and o	cannot be entered wi	thout recording the
46.17	individual's nar	ne, time of entry, t	time of exit, and	authorization to ente	er the restricted area.
46.18	Subd. 4. Ve	ntilation and filtr	ation. A cannab	is business must ma	intain a ventilation
46.19	and filtration sy	stem sufficient to	meet the require	ments for odor contr	ol established by the
46.20	office.				
46.21	<u>Subd. 5.</u> <u>Re</u>	cords. (a) A canna	abis business mu	st retain financial re	cords for the current
46.22	and previous tax	x year at the prima	y business locati	on and must make th	ose records available
46.23	for inspection b	y the office at any	time during reg	ular business hours.	
46.24	(b) When ap	plicable, a cannabi	is business must r	naintain financial rec	cords for the previous
46.25	ten tax years an	d must make those	e records availab	le for inspection with	hin one business day
46.26	of receiving a r	equest for inspecti	on by the office.		
46.27	(c) The office	ce may require a c	annabis business	to submit to an aud	it of its business
46.28	records. The off	ice may select or a	pprove the audito	or and the cannabis b	usiness must provide
46.29	the auditor with	access to all busi	ness records. Th	e cost of the audit m	ust be paid by the
46.30	cannabis busine	288.			
46.31	<u>Subd. 6.</u> Div	versity report. A	cannabis busines	s shall provide an a	nnual report on the
46.32	status of diversi	ty in the business	ownership, mana	gement, and employ	ment and in services
46.33	for which the b	usiness contracts.			

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47.1	Subd. 7.	Use of statewide mo	nitoring system	1. (a) A cannabis bus	iness must use the
47.2		onitoring system for i			
47.3	to track all c	annabis plants, cannab	is flower, canna	binoid products, and	synthetically derived
47.4	<u>cannabinoic</u>	ls the cannabis busines	ss has in its pos	session to the point o	f disposal, transfer,
47.5	or sale.				
47.6	<u>(b)</u> For t	he purposes of this su	bdivision, a can	nabis business posse	sses the cannabis
47.7	plants and c	annabis flower that th	e business cultiv	vates from seed or in	nmature plant, if
47.8	applicable,	or receives from anoth	er cannabis bus	iness, possesses the s	ynthetically derived
47.9	cannabinoic	ls that the business cre	eates or receives	from another cannal	ois business, and
47.10	possesses th	e cannabinoid product	ts that the busine	ess manufactures or re	eceives from another
47.11	<u>cannabis bu</u>	siness.			
47.12	(c) Sale	and transfer of cannab	ois plants, canna	bis flower, cannabine	oid products, and
47.13	syntheticall	y derived cannabinoid	s must be record	ded in the statewide 1	monitoring system
47.14	within the t	ime established by rule	<u>e.</u>		
47.15	<u>Subd. 8.</u>	Disposal; loss docum	entation. (a) A c	annabis business mus	t dispose of cannabis
47.16	plants, cann	abis flower, cannabing	oid products, an	d synthetically derive	ed cannabinoids that
47.17	are damage	d, have a broken seal,	have been conta	aminated, or have not	t been sold by the
47.18	expiration d	late on the label.			
47.19	(b) Disp	osal must be conducte	ed in a manner a	pproved by the office	2.
47.20	(c) Disp	osed products must be	documented in	the statewide monitor	oring system.
47.21	(d) Any	lost or stolen products	must be reported	d to local law enforce	ment and a cannabis
47.22	business mu	ast log any lost or stole	en products in th	ne statewide monitor	ing system as soon
47.23	as the loss i	s discovered.			
47.24	<u>Subd. 9.</u>	Sale of approved pro	ducts. A cannal	ois business may only	sell cannabis plants,
47.25	cannabis flo	ower, cannabinoid proc	ducts, and synth	etically derived cann	abinoids that are
47.26	approved by	the office and that co	mply with this c	chapter and rules ado	pted pursuant to this
47.27	chapter rega	arding the testing, pacl	kaging, and labe	ling of cannabis plan	nts, cannabis flower,
47.28	<u>cannabinoic</u>	l products, and synthe	tically derived c	annabinoids.	
47.29	Subd. 10). <u>Security.</u> A cannabi	s business must	maintain and follow	a security plan to
47.30	deter and pr	event the theft or dive	rsion of cannab	is plants, cannabis flo	ower, cannabinoid
47.31	products, ar	nd synthetically derive	d cannabinoids,	unauthorized entry i	nto the cannabis
47.32	business, ar	d the theft of currency	/.		

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48.1	Subd. 11. Financial relationship. (a) Except for the lawful sale of cannabis plants,
48.2	cannabis flower, cannabinoid products, and synthetically derived cannabinoids in the ordinary
48.3	course of business and as otherwise provided in this subdivision, no cannabis business may
48.4	offer, give, accept, receive, or borrow money or anything else of value or accept or receive
48.5	credit from any other cannabis business. This prohibition applies to offering or receiving a
48.6	benefit in exchange for preferential placement by a cannabis retailer, including preferential
48.7	placement on the cannabis retailer's shelves, display cases, or website. This prohibition
48.8	applies to every cooperative member or every director, manager, and general partner of a
48.9	cannabis business.
48.10	(b) This prohibition does not apply to merchandising credit in the ordinary course of
48.11	business for a period not to exceed 30 days.
48.12	(c) This prohibition does not apply to free samples of useable cannabis flower or
48.12	cannabinoid products packaged in a sample jar protected by a plastic or metal mesh screen
48.14	to allow customers to smell the cannabis flower or cannabinoid product before purchase.
48.15	A sample jar may not contain more than eight grams of useable cannabis flower, eight grams
48.16	of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of
48.17	tetrahydrocannabinol.
40.17	
48.18	(d) This prohibition does not apply to free samples of cannabis flower or cannabinoid
48.18 48.19	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality
	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A
48.19	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable
48.19 48.20	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product
48.19 48.20 48.21	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable
48.1948.2048.2148.22	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product
 48.19 48.20 48.21 48.22 48.23 	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol.
 48.19 48.20 48.21 48.22 48.23 48.24 48.25 	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event.
 48.19 48.20 48.21 48.22 48.23 48.24 48.25 48.26 	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or
 48.19 48.20 48.21 48.22 48.23 48.24 48.25 48.26 48.27 	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or wholesale customers with any federal agency, federal department, or federal entity unless
 48.19 48.20 48.21 48.22 48.23 48.24 48.25 48.26 	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or
 48.19 48.20 48.21 48.22 48.23 48.24 48.25 48.26 48.27 	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or wholesale customers with any federal agency, federal department, or federal entity unless
 48.19 48.20 48.21 48.22 48.23 48.24 48.25 48.26 48.27 48.28 48.29 	 products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or wholesale customers with any federal agency, federal department, or federal entity unless specifically ordered by a state or federal court. Sec. 21. [342.22] CANNABIS CULTIVATOR LICENSING.
 48.19 48.20 48.21 48.22 48.23 48.24 48.25 48.26 48.27 48.28 48.29 48.30 	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or wholesale customers with any federal agency, federal department, or federal entity unless specifically ordered by a state or federal court. Sec. 21. [342.22] CANNABIS CULTIVATOR LICENSING. Subdivision 1. Authorized actions. (a) A cannabis cultivator license entitles the license
 48.19 48.20 48.21 48.22 48.23 48.24 48.25 48.26 48.27 48.28 48.29 48.30 48.31 	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or wholesale customers with any federal agency, federal department, or federal entity unless specifically ordered by a state or federal court. Sec. 21. [342.22] CANNABIS CULTIVATOR LICENSING. Subdivision 1. Authorized actions. (a) A cannabis cultivator license entitles the license holder to grow cannabis plants within the approved amount of space from seed or immature
 48.19 48.20 48.21 48.22 48.23 48.24 48.25 48.26 48.27 48.28 48.29 48.30 	products provided to a cannabis retailer or cannabis wholesaler for the purposes of quality control and to allow cannabis retailers to determine whether to offer a product for sale. A sample provided for these purposes may not contain more than eight grams of useable cannabis flower, eight grams of a cannabis concentrate, or an edible cannabinoid product infused with 100 milligrams of tetrahydrocannabinol. (e) This prohibition does not apply to any fee charged by a licensed cannabis event organizer to a cannabis business for participation in a cannabis event. Subd. 12. Customer privacy. A cannabis business must not share data on retail or wholesale customers with any federal agency, federal department, or federal entity unless specifically ordered by a state or federal court. Sec. 21. [342.22] CANNABIS CULTIVATOR LICENSING. Subdivision 1. Authorized actions. (a) A cannabis cultivator license entitles the license

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49.1	manufacture	er located on the same	premises, and j	perform other actions	approved by the
49.2	office.				
49.3	(b) The	office may issue an app	olicant either of	the following types o	f cultivator licenses:
49.4	<u>(1) a cra</u>	uft cultivator license, w	hich allows cul	tivation by a license	holder of not more
49.5	<u>than 10,000</u>) square feet of plant ca	anopy unless the	e office, by rule, incr	eases that limit; or
49.6	<u>(</u> 2) a bul	lk cultivator license, w	hich allows cul	tivation by a license	holder of not more
49.7	than 30,000) square feet of plant ca	anopy.		
49.8	<u>(c)</u> The c	office may, by rule, inc	rease the limit o	n craft cultivator plar	nt canopy to no more
49.9	<u>than 15,000</u>	square feet if the office	ce determines th	at expansion is cons	istent with the goals
49.10	identified ir	n section 342.02, subdi	vision 1.		
49.11	<u>Subd. 2.</u>	Additional informat	<mark>ion required.</mark> I	n addition to the info	rmation required to
49.12	be submitte	d under section 342.15	, subdivision 1,	and rules adopted pur	suant to that section,
49.13	<u>a person, co</u>	ooperative, or business	seeking a cann	abis cultivator license	e must submit the
49.14	following in	nformation in a form a	pproved by the	office:	
49.15	<u>(1)</u> an o	perating plan demonstr	rating the propo	sed size and layout o	of the cultivation
49.16	facility; pla	ns for wastewater and	waste disposal	for the cultivation fac	cility; plans for
49.17	providing e	lectricity, water, and o	ther utilities nec	essary for the norma	l operation of the
49.18	cultivation	facility; and plans for c	compliance with	the applicable build	ing code and federal
49.19	and state en	vironmental and work	place safety rec	uirements;	
49.20	<u>(2) a cul</u>	ltivation plan demonstr	rating the propo	sed size and layout o	of the cultivation
49.21	facility that	will be used exclusive	ely for cultivation	on including the total	amount of plant
49.22	canopy; and	1			
49.23	<u>(3) evide</u>	ence that the business	will comply wit	h the applicable oper	ration requirements
49.24	for the licer	nse being sought.			
49.25	<u>Subd. 3.</u>	Multiple licenses; lir	nits. (a) A perso	on, cooperative, or bu	usiness holding a
49.26	cannabis cul	ltivator license may also	o hold a cannabi	s manufacturing licen	se, medical cannabis
49.27	cultivator li	cense, medical cannab	is producer lice	nse, license to grow i	industrial hemp, and
49.28	<u>cannabis ev</u>	vent organizer license.			
49.29	<u>(b) Exce</u>	ept as provided in para	graph (a), no pe	rson, cooperative, or	business holding a
49.30	cannabis cu	ltivator license may ow	n or operate any	other cannabis busin	ess. This prohibition
49.31	does not pre	event the transportation	of cannabis flow	ver from a cannabis cu	ltivator to a cannabis
49.32	manufactur	er licensed to the same	person, coopera	ative, or business and	located on the same
49.33	premises.				

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50.1	(c) The c	office by rule may limi	t the number of	cannabis cultivator lie	censes a person,
50.2	<u> </u>	or business may hold			<u>ı</u>
50.3	(d) For p	urposes of this subdiv	ision, a restricti	on on the number or t	vne of license a
50.4	<u> </u>	y hold applies to every			
50.5		ner of a cannabis busin	•	<u> </u>	<u> </u>
50.6	Subd. 4.	Limitations on healt	h care practitio	oners. A health care pr	actitioner who
50.7		lifying medical condit			
50.8	(1) holdi	ng a direct or indirect	economic intere	est in a cannabis cultiv	ator;
50.9	<u> </u>	ng as a cooperative me			
50.10	<u> </u>	s cultivator; or	ember, uncetor,	manager, general part	ner, or employee
			aultivator in or		
50.11		tising with a cannabis			
50.12	<u>Subd. 5.</u>	Remuneration. A can	nnabis cultivator	r is prohibited from:	
50.13	<u>(1) accep</u>	ting or soliciting any f	form of remuner	ation from a health car	e practitioner who
50.14	<u>certifies qua</u>	lifying medical condit	tions for patients	<u>s; or</u>	
50.15	(2) offeri	ng any form of remune	ration to a health	a care practitioner who	certifies qualifying
50.16	medical con	ditions for patients.			
50.17	Sec. 22. <u>[3</u>	42.23] CANNABIS (CULTIVATOR	OPERATIONS.	
50.18	Subdivis	ion 1. Cultivation rec	ords. A cannab	is cultivator must prep	pare a cultivation
50.19	record for ea	ach batch of cannabis	plants and canna	abis flower in the form	n required by the
50.20	office and m	ust maintain each reco	ord for at least f	ive years. The cultivat	ion record must
50.21	include the c	quantity and timing, w	here applicable	, of each pesticide, fer	tilizer, soil
50.22	amendment,	or plant amendment us	sed to cultivate t	he batch, as well as any	other information
50.23	required by	the office in rule. A lie	censed cultivato	r must present cultivat	tion records to the
50.24	office, the co	ommissioner of agricu	lture, or the cor	nmissioner of health u	pon request.
50.25	Subd. 2.	Agricultural chemic:	als and other ir	puts. <u>A cannabis cult</u>	ivator is subject to
50.26	rules promul	gated by the office in c	consultation with	the commissioner of a	agriculture, subject
50.27	to subdivisio	on 4, governing the use	e of pesticides,	fertilizers, soil amendr	nents, plant
50.28	amendments	s, and other inputs to c	ultivate cannab	is.	
50.29	<u>Subd. 3.</u>	<u>Cultivation plan. A c</u>	annabis cultiva	tor must prepare, mair	tain, and execute
50.30	_	plan and a cultivation	plan as directed	by the office in rule, v	which must include
50.21	hut is not lin	aitad ta.			

50.31 but is not limited to:

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51.1	<u>(1)</u> water us	age;						
51.2	(2) recycling;							
51.3	<u>(3) solid wa</u>	ste disposal; and						
51.4	<u>(4) a pest ma</u>	inagement protocol the	at incorporates int	egrated pest manag	gement principles			
51.5	to control or pro	event the introduction	of pests to the cu	ltivation site.				
51.6	<u>Subd. 4.</u> Ag	ricultural chemicals	and other inputs	; pollinator prote	ection. (a) A			
51.7	cannabis cultiva	ator must comply with	chapters 18B, 18	3C, 18D, and any c	other pesticide,			
51.8	fertilizer, soil an	nendment, and plant an	nendment laws and	l rules enforced by	the commissioner			
51.9	of agriculture.							
51.10	(b) A cannal	ois cultivator must not	apply pesticides v	when pollinators ar	e present or allow			
51.11	pesticides to dri	ft to flowering plants	that are attractive	to pollinators.				
51.12	<u>Subd. 5.</u> Ad	ulteration prohibited	l. <u>A</u> cannabis cult	ivator must not tre	eat or otherwise			
51.13	adulterate canna	abis plants or cannabis	s flower with any	substance or comp	ound that has the			
51.14	effect or intent	of altering the color, a	ppearance, weigh	t, or smell of the c	cannabis.			
51.15	Subd. 6. Inc	loor, outdoor cultiva	tion authorized;	security. A cannal	ois cultivator may			
51.16	cultivate cannal	ois plants indoors or o	utdoors, subject to	o the security, fenc	ing, lighting, and			
51.17	any other requi	rements imposed by th	ne office in rule.					
51.18	<u>Subd. 7.</u> See	ed permit. The comm	issioner of agricu	lture may issue a g	genetically			
51.19	engineered agri	culturally related orga	nism permit unde	er chapter 18F for	cannabis seed or			
51.20	cannabis plants	<u>.</u>						
51.21	Sec. 23. [342.	24] CANNABIS MA	NUFACTURER	LICENSING.				
51.22	Subdivision	1. Authorized action	is. <u>A</u> cannabis ma	nufacturer license	, consistent with			
51.23	the specific lice	nse endorsement or en	ndorsements, enti	tles the license hol	lder to:			
51.24	(1) purchase	cannabis flower, cann	abinoid products,	hemp plant parts, h	nemp concentrate,			
51.25	and syntheticall	y derived cannabinoid	ds from cannabis	cultivators, other c	cannabis			
51.26	manufacturers,	cannabis microbusine	sses, and industri	al hemp growers;				
51.27	(2) accept ca	annabis from unlicens	ed persons who a	re at least 21 years	s of age provided			
51.28	that the cannabi	s manufacturer does r	not accept more th	an two ounces fro	om an individual			
51.29	on a single occa	nsion;						
51.30	<u>(3) make car</u>	nnabis concentrate;						

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52.1	(4) make	hemp concentrate, ir	cluding hemp of	concentrate with a delta	-9
52.2				0.3 percent as measure	
52.3		facture synthetically			
	<u> </u>	· · · ·			1 4 6 11
52.4 52.5	(6) manu consumptior		broducts and he	mp-derived consumer p	roducts for public
32.3	· · · ·				
52.6	<u>`` / A</u>	~	^	nd hemp-derived consu	mer products for
52.7	sale to other	cannabis businesses;			
52.8	<u>(8) sell c</u>	annabis concentrate, l	hemp concentra	te, synthetically derived	d cannabinoids,
52.9	<u>cannabinoid</u>	products, and hemp-	derived consum	er products to other can	mabis businesses;
52.10	and				
52.11	<u>(9) perfo</u>	rm other actions appr	oved by the off	ice.	
52.12	<u>Subd. 2.</u>	Additional informat	t <mark>ion required.</mark> I	n addition to the inform	nation required to
52.13	be submitted	l under section 342.15	, subdivision 1,	and rules adopted pursu	ant to that section,
52.14	a person, coo	operative, or business	seeking a canna	bis manufacturer licens	se must submit the
52.15	following in	formation in a form a	pproved by the	office:	
52.16	<u>(1)</u> an op	perating plan demonst	rating the propo	osed layout of the facilit	ty, including a
52.17	diagram of v	ventilation and filtration	on systems; pla	ns for wastewater and v	vaste disposal for
52.18	the manufact	turing facility; plans fo	or providing elec	ctricity, water, and other	utilities necessary
52.19	for the norm	al operation of the ma	anufacturing fac	cility; and plans for con	apliance with
52.20	applicable b	uilding code and fede	eral and state en	vironmental and workp	lace safety
52.21	requirement	s; and			
52.22	<u>(</u> 2) evide	ence that the business	will comply wi	th the applicable operat	tion requirements
52.23	for the endo	rsement being sought	<u>.</u>		
52.24	<u>Subd. 3.</u>	Multiple licenses; lii	mits. (a) A pers	on, cooperative, or busi	iness holding a
52.25	cannabis ma	nufacturer license may	also hold a can	nabis cultivator license,	a medical cannabis
52.26	cultivator lic	ense, a medical cann	abis processor l	icense, and a cannabis	event organizer
52.27	license.				
52.28	(b) Exce	pt as provided in para	graph (a), no pe	erson, cooperative, or b	usiness holding a
52.29	<u>cannabis ma</u>	nufacturer license ma	ay own or opera	te any other cannabis b	usiness. This
52.30	prohibition of	loes not prevent trans	portation of car	nabis flower from a ca	nnabis cultivator
52.31	to a cannabis	s manufacturer license	ed to the same pe	erson, cooperative, or bu	siness and located
52.32	on the same	premises.			

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53.1	<u>(c)</u> The of	fice by rule may lim	it the number of	f cannabis manufactu	rer licenses that a			
53.2	person or business may hold.							
53.3	(d) For pu	rposes of this subdiv	vision, a restrict	ion on the number or	type of license that			
53.4	a business ma	y hold applies to ev	ery cooperative	member or every dire	ector, manager, and			
53.5	general partne	er of a cannabis busi	ness.					
53.6	<u>Subd. 4.</u> I	imitations on heal	th care practiti	oners. <u>A health care</u>	practitioner who			
53.7	certifies quali	fying medical condi	tions for patient	s is prohibited from:				
53.8	(1) holdin	g a direct or indirect	economic inter	est in a cannabis man	ufacturer;			
53.9	(2) serving	g as a cooperative m	ember, director,	manager, general par	tner, or employee			
53.10	of a cannabis	manufacturer; or						
53.11	(3) advert	ising with a cannabia	s manufacturer i	n any way.				
53.12	<u>Subd. 5.</u>	<u>Remuneration.</u> A ca	nnabis manufac	turer is prohibited fro	om:			
53.13	(1) accept	ing or soliciting any	form of remune	ration from a health ca	are practitioner who			
53.14	certifies quali	ifying medical condi	tions for patient	s; or				
53.15	(2) offerin	g any form of remune	eration to a healt	h care practitioner who	o certifies qualifying			
53.16	medical cond	itions for patients.						
53.17	Sec. 24. [34	2.25] CANNABIS	MANUFACTU	RER OPERATION	<u>S.</u>			
53.18	Subdivisio	on 1. <mark>All manufactu</mark>	irer operations	(a) Cannabis manufa	acturing must take			
53.19	place in an er	iclosed, locked facili	ity that is used e	xclusively for the ma	nufacture of			
53.20	cannabinoid p	products, creation of	hemp concentra	ate, or creation of syn	thetically derived			
53.21	<u>cannabinoids</u>	except that a busines	ss that also holds	a cannabis cultivator	license may operate			
53.22	in a facility th	nat shares general of	fice space, bath	ooms, entryways, and	d walkways.			
53.23	(b) Canna	bis manufacturing m	nust take place o	n equipment that is u	sed exclusively for			
53.24	the manufact	ure of cannabinoid p	roducts, creation	n of hemp concentrate	e, or creation of			
53.25	synthetically	derived cannabinoid	<u>S.</u>					
53.26	(c) A can	abis manufacturer n	nust comply wit	h all applicable packa	aging, labeling, and			
53.27	health and sat	fety requirements.						
53.28	<u>Subd. 2.</u>	Extraction and conc	centration. (a) A	A cannabis manufactu	rer that creates			
53.29	cannabis conc	centrate, hemp conce	entrate, or synthe	etically derived canna	binoids must obtain			
53.30	an endorseme	ent from the office.						

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54.1	(b) A c	cannabis manufacturer r	nust inform the c	office of all methods	of extraction and				
54.2	concentration that the manufacturer intends to use and identify the volatile chemicals, if								
54.3		vill be involved in the c							
54.4		nanufacturer may not u							
54.5		without approval by the							
54.6	(c) A c	annabis manufacturer n	nust inform the c	office of all methods	of conversion that				
54.7		acturer will use, includin							
54.8	to create s	ynthetically derived car	nabinoids and th	ne molecular nomeno	clature of all				
54.9	cannabino	ids or other chemical co	ompound that the	e manufacturer will c	create. A cannabis				
54.10	manufactu	irer may not use a meth	od of conversion	or a catalyst withou	t approval by the				
54.11	office.								
54.12	(d) A c	annabis manufacturer n	nust obtain a certi	fication from an inde	ependent third-party				
54.13	<u> </u>	hygienist or professiona			1 2				
54.14	<u>(1) all</u>	electrical, gas, fire supp	pression, and exh	aust systems; and					
54.15	(2) the	plan for safe storage ar	nd disposal of ha	zardous substances,	including but not				
54.16	limited to	any volatile chemicals.							
54.17	<u>(e)</u> A c	annabis manufacturer t	hat manufactures	s cannabis concentra	te from cannabis				
54.18	flower rec	eived from an unlicense	d person who is a	at least 21 years of ag	ge must comply with				
54.19	all health a	and safety requirements	established by th	he office. At a minim	num, the office shall				
54.20	require a c	cannabis manufacturer t	<u>o:</u>						
54.21	(1) stor	re the cannabis flower in	an area that is se	gregated from canna	bis flower and hemp				
54.22	plant parts	s received from a license	ed cannabis busin	ness;					
54.23	(2) per	form the extraction and	concentration or	n equipment that is u	used exclusively for				
54.24	<u> </u>	or concentration of can		• •					
54.25		re any cannabis concentr							
54.25		centrate, or synthetically		~ ~	<u>_</u>				
54.27		lower or hemp plant pa							
54.28	<u>(4) pro</u>	vide any cannabis conc	entrate only to the	ie person who provid	led the cannabis.				
54.29	<u>(f)</u> Upo	on the sale of cannabis of	concentrate, hem	p concentrate, or syr	nthetically derived				
54.30	<u>cannabino</u>	ids to any person, coope	erative, or busines	ss, a cannabis manufa	acturer must provide				
54.31	<u>a statemer</u>	nt to the buyer that discl	oses the method	of extraction and co	ncentration or				
54.32	conversion	n used and any solvents,	gases, or catalyst	s, including but not li	mited to any volatile				

54.33 <u>chemicals, involved in that method.</u>

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

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

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

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

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59.1	Subd. 4. Display of cannabis flower and cannabinoid products. (a) A cannabis retailer
59.2	must designate a retail area where customers are permitted. The retail area shall include the
59.3	portion of the premises where samples of cannabis flower and cannabinoid products available
59.4	for sale are displayed. All other cannabis flower and cannabinoid products must be stored
59.5	in the secure storage area.
59.6	(b) A cannabis retailer may display one sample of each type of cannabis flower or
59.7	cannabinoid product available for sale. Samples of cannabis flower and cannabinoid products
59.8	must be stored in a sample jar or display case and be accompanied by a label or notice
59.9	containing the information required to be affixed to the packaging or container containing
59.10	cannabis flower and cannabinoid products sold to customers. A sample may not consist of
59.11	more than eight grams of adult-use cannabis flower or adult-use cannabis concentrate or an
59.12	edible cannabinoid product infused with more than 100 milligrams of tetrahydrocannabinol.
59.13	A cannabis retailer may allow customers to smell the cannabis flower or cannabinoid product
59.14	before purchase.
59.15	(c) A cannabis retailer may not sell cannabis flower or cannabinoid products used as a
59.16	sample for display.
59.17	Subd. 5. Posting of notices. A cannabis retailer must post all notices as required by the
59.18	office, including but not limited to:
57.10	
59.19	(1) information about any product recall;
59.20	(2) a statement that operating a motor vehicle under the influence of intoxicating
59.21	cannabinoids is illegal; and
59.22	(3) a statement that cannabis flower, cannabinoid products, and hemp-derived consumer
59.23	products are only intended for consumption by individuals who are at least 21 years of age.
59.24	Subd. 6. Hours of operation. (a) Except as provided by paragraph (b), a cannabis retailer
59.25	may not sell cannabis flower, cannabinoid products, or hemp-derived consumer products:
59.26	(1) on Sundays, except between the hours of 11:00 a.m. and 6:00 p.m.;
59.27	(2) before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday;
59.28	(3) on Thanksgiving Day;
59.29	(4) on Christmas Day, December 25; or
59.30	(5) after 8:00 p.m. on Christmas Eve, December 24.

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

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61.1	(b) The	e portion of the premise	es in which med	ical cannabis flower a	and medical		
61.2	<u> </u>	id products are sold mu					
61.3	cannabis r	etailer, must be accesse	d through a dist	inct entrance, and mu	ist provide an		
61.4	appropriat	e space for a pharmacist	t employee of the	e medical cannabis ret	tailer to consult with		
61.5	the patient	to determine the proper	type of medical	cannabis flower and r	medical cannabinoid		
61.6	products a	nd proper dosage for th	e patient.				
61.7	Sec. 27.	[342.28] CANNABIS	WHOLESALE	R LICENSING.			
61.8	Subdiv	rision 1. Authorized ac	tions. A cannab	ois wholesaler license	entitles the license		
61.9	holder to:						
61.10	<u>(1) pur</u>	chase immature cannab	ois plants and se	edlings, cannabis flow	ver, cannabinoid		
61.11	products, a	and hemp-derived const	umer products f	rom cannabis cultivat	tors, cannabis		
61.12	<u>manufactu</u>	rers, cannabis microbus	sinesses, and ind	dustrial hemp growers	<u>s;</u>		
61.13	<u>(2) sell</u>	immature cannabis plan	nts and seedling	s, cannabis flower, ca	nnabinoid products,		
61.14	and hemp-	derived consumer prod	ucts to cannabis	s manufacturers and c	annabis retailers;		
61.15	(3) import hemp-derived consumer products and lower potency edible products that						
61.16	contain hemp concentrate or synthetically derived cannabinoids that are derived from hemp						
61.17	plants or hemp plant parts; and						
61.18	<u>(4) per</u>	form other actions appr	oved by the off	ice.			
61.19	Subd. 2	2. Additional informat	t <mark>ion required.</mark> I	n addition to the info	rmation required to		
61.20	be submitt	ed under section 342.15	, subdivision 1,	and rules adopted purs	suant to that section,		
61.21	<u>a person, c</u>	cooperative, or business	seeking a cann	abis wholesaler licens	se must submit the		
61.22	following	information in a form a	pproved by the	office:			
61.23	<u>(1)</u> an o	operating plan demonst	rating the propo	osed layout of the faci	lity including a		
61.24	diagram of	f ventilation and filtration	on systems and	policies to avoid sale	s to unlicensed		
61.25	<u>cannabis</u> b	ousinesses; and					
61.26	<u>(2) evi</u>	dence that the business	will comply wit	th the applicable oper	ation requirements		
61.27	for the lice	ense being sought.					
61.28	Subd. 3	3. <mark>Multiple licenses; li</mark> i	mits. (a) A pers	on, cooperative, or bu	usiness holding a		
61.29	<u>cannabis</u> w	vholesaler license may a	lso hold a canna	bis transporter license	, a cannabis delivery		
61.30	service lice	ense, and a cannabis ev	ent organizer lie	cense.			
61.31	<u>(b) Exc</u>	cept as provided in para	ıgraph (a), no pe	erson, cooperative, or	business holding a		
61.32	<u>cannabis</u> v	vholesaler license may	own or operate	any other cannabis bu	isiness.		

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62.1	(c) The offi	ce by rule may limit t	the number of	cannabis wholesaler	licenses a person or		
62.2	business may h						
62.3	(d) For pur	ooses of this subdivis	ion a restrict	ion on the number or	type of license a		
62.4		old applies to every					
62.5		of a cannabis busine	•		tion, manager, and		
02.5	<u>Beneral partner</u>						
62.6	Sec. 28. [342	.29] CANNABIS W	HOLESALE	R OPERATIONS.			
62.7	Subdivision	1. Separation of pro	oducts. A can	nabis wholesaler must	ensure that cannabis		
62.8	plants, cannabi	s flower, and cannab	inoid product	s are physically separ	rated from all other		
62.9	products, inclu	ding hemp-derived co	onsumer prod	ucts, in a manner tha	t prevents any		
62.10	cross-contamin	ation.					
62.11	<u>Subd. 2.</u> Re	cords and labels. A	cannabis who	olesaler must maintai	n accurate records		
62.12	and ensure that	appropriate labels re	emain affixed	to cannabis plants, ca	annabis flower,		
62.13	cannabinoid pr	oducts, and hemp-de	rived consum	er products.			
62.14	Subd. 3. Building conditions. (a) A cannabis wholesaler shall maintain compliance						
62.15	with state and l	local building, fire, a	nd zoning req	uirements or regulati	ons.		
62.16	(b) A canna	bis wholesaler shall	ensure that th	e licensed premises i	s maintained in a		
62.17		ary condition, free fr					
62 19	Subd 1 Sa	le of other products	Aconnahis	wholesaler may pure	hase and sell other		
62.18 62.19		ns for which the can		* 1			
62.20	^	a license or authoriza					
62.21		e but are not limited t					
62.22		abis paraphernalia, in					
62.23	-	other devices designe					
62.24		nabinoid products in					
62.25	years of age.						
62.26	Subd. 5. Im	portation of hemp-d	erived produ	cts. (a) A cannabis wh	nolesaler that imports		
62.27		edible products or hen					
62.28	topical product	s, that are manufactu	red outside th	e boundaries of the s	tate of Minnesota		
62.29	with the intent	to sell the products to	o a cannabis r	etailer or lower poter	ncy edible product		
62.30	retailer must of	otain a hemp-derived	product impo	orter endorsement fro	m the office.		
62.31	(b) A canna	bis wholesaler with a	hemp-derive	d product importer er	ndorsement may sell		
62.32		factured outside the b					
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63.1 (1) the manufacturer is licensed in another jurisdiction and subject to regulations designed

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

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

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

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

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

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

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

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

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

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65.1	(d) For p	urposes of this subdi	ivision, restrictio	ons on the number or	type of license a
65.2	business may	y hold apply to every	y cooperative me	ember or every direct	tor, manager, and
65.3	general partn	ner of a cannabis bus	siness.		
65.4	Sec. 30. [34	42.31] CANNABIS	TRANSPORT	ER OPERATIONS.	<u>.</u>
65.5	Subdivisi	on 1. Manifest requ	uired. Before tra	ansporting cannabis p	plants and seedlings,
65.6	cannabis flow	wer, cannabinoid pro	oducts, synthetic	ally derived cannabi	noids, hemp plant
65.7	parts, or hem	p-derived consumer	r products, a can	nabis transporter sha	ll obtain a shipping
65.8	manifest on a	a form established by	y the office. The	e manifest must be ke	ept with the products
65.9	at all times a	nd the cannabis trans	sporter must mai	ntain a copy of the m	anifest in its records.
65.10	Subd. 2.	Records of transpo	rtation. Record	s of transportation m	ust be kept for a
65.11	minimum of	three years at the ca	nnabis transport	ter's place of business	s and are subject to
65.12	inspection up	on request by the off	ice, the commiss	ioner of transportation	n, or law enforcement
65.13	agency. Reco	ords of transportation	n include the fol	lowing:	
65.14	<u>(1) copies</u>	s of transportation m	nanifests for all o	leliveries;	
65.15	<u>(2) a tran</u>	sportation log docur	menting the chai	n of custody for each	ı delivery, including
65.16	every employ	yee and vehicle used	l during transpor	rtation; and	
65.17	<u>(3) financ</u>	cial records showing	payment for tra	nsportation services.	
65.18	Subd. 3.	Storage compartme	e nt. Cannabis pl	ants and seedlings, c	annabis flower <u>,</u>
65.19	cannabinoid	products, synthetica	lly derived cann	abinoids, hemp plan	t parts, and
65.20	hemp-derive	d consumer products	s must be transp	orted in a locked, saf	e, and secure storage
65.21	compartment	t that is part of the m	notor vehicle or	in a locked storage co	ontainer that has a
65.22	separate key	or combination pad. (Cannabis plants a	and seedlings, cannabi	s flower, cannabinoid
65.23	products, syn	thetically derived ca	nnabinoids, hem	ppplant parts, and her	np-derived consumer
65.24	products may	y not be visible from	outside the mo	tor vehicle.	
65.25	Subd. 4.	Identifying logos or	r business name	e <mark>s prohibited.</mark> No ve	hicle or trailer may
65.26	contain an in	nage depicting the ty	pes of items be	ing transported, inclu	ding but not limited
65.27	to an image d	lepicting a cannabis	or hemp leaf, or	a name suggesting th	nat the vehicle is used
65.28	in transportir	ng cannabis plants ar	nd seedlings, car	nnabis flower, cannal	pinoid products,
65.29	synthetically	derived cannabinoi	ds, hemp plant p	arts, or hemp-derived	d consumer products.
65.30	<u>Subd. 5.</u>]	Randomized delive	ries. A cannabis	s transporter shall ens	sure that all delivery
65.31	times and rou	utes are randomized.	<u>.</u>		

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

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67.1	<u>(2) proo</u>	f of accreditation by a	laboratory accred	diting organization a	pproved by the office
67.2	that, at a mi	inimum, requires a lab	poratory to opera	te formal manageme	ent systems under the
67.3	Internationa	al Organization for St	andardization; ar	nd	
67.4	<u>(3) evid</u>	ence that the business	will comply wit	h the applicable ope	eration requirements
67.5	for the licer	nse being sought.			
67.6	Subd. 3	<u>Multiple licenses; li</u>	mits. (a) A perso	on, cooperative, or b	ousiness holding a
67.7	cannabis te	sting facility license r	nay not own or o	perate, or be employ	yed by, any other
67.8	<u>cannabis bu</u>	isiness.			
67.9	<u>(b)</u> The	office by rule may lim	it the number of	cannabis testing faci	lity licenses a person
67.10	or business	may hold.			
67.11	<u>(c) For </u>	purposes of this subdi	vision, a restricti	on on the number of	f licenses a business
67.12	may hold a	pplies to every cooper	rative member or	every director, man	lager, and general
67.13	partner of a	cannabis business.			
67.14	Sec. 32. [342.33] CANNABIS	TESTING FAC	CILITY OPERATION	<u>ONS.</u>
67.15	Subdivi	sion 1. Testing servic	e s. A cannabis to	esting facility shall p	provide some or all
67.16	testing serv	ices required under so	ection 342.60 and	d rules adopted purs	uant to that section.
67.17	<u>Subd. 2</u>	<u>.</u> Testing protocols. <u>A</u>	cannabis testing	g facility shall follow	all testing protocols,
67.18	standards, a	and criteria adopted by	y rule by the officient	ce for the testing of	different forms of
67.19	cannabis flo	ower and cannabinoid	products; determi	ning batch size; sam	oling; testing validity;
67.20	and approv	al and disapproval of	tested cannabis p	plants and seedlings,	cannabis flower,
67.21	cannabinoi	d products, hemp plar	it parts, hemp con	ncentrate, synthetica	ally derived
67.22	cannabinoi	ds, and hemp-derived	consumer produ	cts.	
67.23	Subd. 3	Records. Records of	f all business trar	nsactions and testing	; results; records
67.24	required to	be maintained pursuar	nt to any applicab	le standards for accre	editation; and records
67.25	relevant to	testing protocols, star	dards, and criter	ia adopted by the of	fice must be kept for
67.26	<u>a minimum</u>	of three years at the c	annabis testing f	acility's place of bus	siness and are subject
67.27	to inspectio	on upon request by the	e office or law en	forcement agency.	
67.28	<u>Subd. 4</u>	<u>Disposal of cannab</u>	is flower and ca	nnabinoid product	s. A testing facility
67.29	shall dispos	se of or destroy used, used, used, used, used, used, used, used and used are an arrival to the second s	unused, and wast	e cannabis plants and	d seedlings, cannabis
67.30	flower, can	nabinoid products, he	mp plant parts, h	emp concentrate, sy	nthetically derived
67.31	cannabinoi	ds, and hemp-derived	consumer produc	ets pursuant to rules a	adopted by the office.

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

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69.1	(3) if the	e applicant is seeking a	n endorsement	to create cannabis con	centrate, information
69.2	identifying	all methods of extracti	on and concen	tration that the applica	ant intends to use and
69.3	the volatile	chemicals, if any, that	will be involv	red in extraction or co	ncentration; and
69.4	<u>(4) evid</u>	ence that the applicant	t will comply v	vith the applicable op	eration requirements
69.5	for the licer	nse being sought.			
69.6	Subd. 3.	Multiple licenses; li	mits. (a) A per	son, cooperative, or b	usiness holding a
69.7	cannabis m	icrobusiness license m	ay also hold a	cannabis event organ	izer license.
69.8	<u>(b) Exce</u>	ept as provided in para	graph (a), no p	person, cooperative, or	r business holding a
69.9	cannabis m	icrobusiness license m	ay own or ope	rate any other cannab	is business.
69.10	(c) The	office by rule may lim	it the number	of cannabis microbusi	ness licenses that a
69.11	person or b	usiness may hold.			
69.12	<u>(d)</u> For	purposes of this subdiv	vision, a restric	ction on the number of	r type of license that
69.13	a business r	nay hold applies to ev	ery cooperativ	e member or every di	rector, manager, and
69.14	general part	tner of a cannabis busi	ness.		
69.15	-	342.35] CANNABIS			
69.16		sion 1. Cultivation en		•	
69.17		ants and harvests cann	abıs flower mu	ist comply with the rec	juirements in section
69.18	<u>342.23.</u>				
69.19	<u>(b)</u> A car	nnabis microbusiness	that cultivates of	cannabis may cultivate	e not more than 2,000
69.20	square feet	of plant canopy unless	s the office, by	rule, increases that lin	mit. The office may,
69.21	by rule, inc	rease the limit on plan	t canopy to no	more than 5,000 squa	ure feet if the office
69.22	determines t	that expansion is consis	stent with the go	bals identified in sectio	n 342.02, subdivision
69.23	<u>1.</u>				
69.24	Subd. 2.	Extraction and cond	centration end	lorsement. <u>A</u> cannabi	s microbusiness that
69.25	creates can	nabis concentrate mus	t comply with	the requirements in se	ection 342.25,
69.26	subdivision	s 1 and 2.			
69.27	Subd. 3.	Production of custo	mer products	endorsement. A cam	nabis microbusiness
69.28	that manufa	acturers edible cannab	inoid products	must comply with the	requirements in
69.29	section 342	.25, subdivisions 1 and	<u>d 3.</u>		
69.30	Subd. 4.	Retail operations en	dorsement. A	cannabis microbusin	ess that operates a
69.31	retail locati	on must comply with	the requirement	its in section 342.27.	

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

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

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

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

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

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- 75.1 (c) The cannabis event organizer shall ensure that consumption of adult-use cannabis
- 75.2 flower or adult-use cannabinoid products within a designated consumption area is not visible
 75.3 from any public place.

75.4 (d) The cannabis event organizer shall not permit consumption of alcohol or tobacco.

- 75.5 (e) The cannabis event organizer shall not permit smoking, according to section 144.413,
- 75.6 of adult-use cannabis flower or cannabinoid products at any location where smoking is not
- 75.7 permitted under sections 144.413 to 144.417. Nothing in this section prohibits a statutory
- 75.8 or home rule charter city or county from enacting and enforcing more stringent measures
- to protect individuals from secondhand smoke or involuntary exposure to aerosol or vapor
 form electronic delivery devices.

75.11 Sec. 37. [342.38] CANNABIS DELIVERY SERVICE LICENSING.

75.12 Subdivision 1. Authorized actions. A cannabis delivery service license entitles the

75.13 license holder to purchase cannabis flower, cannabinoid products, and hemp-derived

- 75.14 consumer products from licensed cannabis retailers, licensed cannabis microbusinesses with
- 75.15 an endorsement to sell adult-use cannabis flower and adult-use cannabinoid products to
- 75.16 customers, and medical cannabis retailers; transport and deliver cannabis flower, cannabinoid
- 75.17 products, and hemp-derived consumable products to customers; and perform other actions
- 75.18 approved by the office.
- 75.19 Subd. 2. Additional information required. In addition to the information required to

75.20 be submitted under section 342.15, subdivision 1, and rules adopted pursuant to that section,

75.21 a person, cooperative, or business seeking a cannabis delivery service license must submit

- 75.22 the following information in a form approved by the office:
- 75.23 (1) a list of all vehicles to be used in the delivery of cannabis flower, cannabinoid
- 75.24 products, and hemp-derived consumer products including:
- 75.25 (i) the vehicle make, model, and color;
- 75.26 (ii) the vehicle identification number; and
- 75.27 (iii) the license plate number;
- 75.28 (2) proof of insurance for each vehicle;
- 75.29 (3) a business plan demonstrating policies to avoid sales of cannabis flower, cannabinoid
- 75.30 products, and hemp-derived consumer products to individuals who are under 21 years of
- 75.31 age and plans to prevent the visibility of cannabis flower, cannabinoid products, and
- 75.32 hemp-derived consumer products to individuals outside the delivery vehicle; and

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76.1	<u> </u>		will comply w	ith the applicable opera	tion requirements
76.2	for the licens	e being sought.			
76.3	<u>Subd. 3.</u>	Multiple licenses; li	mits. (a) A per	son, cooperative, or bus	iness holding a
76.4	cannabis deli	very service license	may also hold	a cannabis retailer licen	se, a cannabis
76.5	wholesaler li	cense, a cannabis tra	nsporter licens	e, a cannabis event orga	unizer license, and
76.6	a medical car	nnabis retailer license	e subject to the	ownership limitations	that apply to those
76.7	licenses.				
76.8	<u>(b)</u> Excep	ot as provided in para	graph (a), no p	erson, cooperative, or b	ousiness holding a
76.9	cannabis deli	very service license	may own or op	erate any other cannabi	is business.
76.10	(c) The of	ffice by rule may lim	it the number of	of cannabis delivery ser	vice licenses that a
76.11	person or bus	siness may hold.			
76.12	<u>(d)</u> For pi	urposes of this subdiv	vision, a restric	tion on the number or t	ype of license that
76.13	a business m	ay hold applies to ev	ery cooperative	e member or every dire	ctor, manager, and
76.14	general partn	er of a cannabis busi	ness.		
76.15	Sec. 38. [3 4	42.39] CANNABIS	DELIVERY S	ERVICE OPERATIO	NS.
76.16	Subdivisi	on 1. Age or registr	y verification.	Prior to completing a d	elivery, a cannabis
76.17	delivery serv	ice shall verify that the	he customer is	at least 21 years of age of	or is enrolled in the
76.18	registry prog	ram. Section 342.27,	subdivision 3,	applies to the verificat	ion of a customer's
76.19	age. Registry	verification issued b	by the Division	of Medical Cannabis n	nay be considered
76.20	evidence that	t the person is enrolle	ed in the regist	ry program.	
76.21	<u>Subd. 2.</u>	Records. The office	by rule shall es	tablish record-keeping	requirements for a
76.22	cannabis deli	very service, includi	ng but not limi	ted to proof of delivery	to individuals who
76.23	are at least 2	l years of age or enro	olled in the reg	istry program.	
76.24	Subd. 3.	Amount to be trans	ported. The of	fice by rule shall establ	ish limits on the
76.25	amount of ca	nnabis flower, canna	binoid product	s, and hemp-derived co	nsumer products
76.26	that a cannab	is delivery service m	nay transport.		
76.27	<u>Subd. 4.</u>	Statewide monitorin	ng system. Rec	eipt of cannabis flower	and cannabinoid
76.28	products by t	he cannabis delivery	service and a c	lelivery to a customer n	nust be recorded in
76.29	the statewide	monitoring system	within the time	established by rule.	
76.30	<u>Subd. 5.</u>	Storage compartme	nt. Cannabis fl	ower, cannabinoid proc	lucts, and
76.31	hemp-derive	d consumer products	must be transp	orted in a locked, safe,	and secure storage
76.32	compartment	t that is part of the ca	nnabis deliver	y service vehicle or in a	locked storage

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77.1	container tha	t has a separate key or	r combination page	d. Cannabis flower, c	annabinoid products,
77.2	and hemp-de	erived consumer prod	ucts may not be v	visible from outside t	he cannabis delivery
77.3	service vehic	ele.			
77.4	Subd. 6.	Identifying logos or	business names	prohibited. No cann	abis delivery service
77.5	vehicle or tra	ailer may contain an	image depicting	the types of items be	eing transported,
77.6	including but	t not limited to an ima	ge depicting a ca	nnabis or hemp leaf,	or a name suggesting
77.7	that the cann	abis delivery service	vehicle is used	for transporting canr	nabis flower,
77.8	cannabinoid	products, or hemp-de	erived consumer	products.	
77.9	Subd. 7.	Nonemployee passe	ngers prohibite	d. Only a cannabis v	vorker employed by
77.10	or contracted	d with the cannabis d	elivery service a	nd who is at least 21	years of age may
77.11	transport car	nnabis flower, cannab	pinoid products,	or hemp-derived con	sumer products. All
77.12	passengers in	n a cannabis delivery	service vehicle	must be cannabis wo	orkers employed by
77.13	or contracted	d with the cannabis d	elivery service.		
77.14	Subd. 8.	Vehicles subject to ir	spection. Any c	annabis delivery serv	vice vehicle is subject
77.15	to inspection	and may be stopped	or inspected at a	any licensed cannabi	is business or while
77.16	en route duri	ing transportation.			
77.17	Sac 20 124	2.40] LOWER POT	ENCV EDIDI E		II ED I ICENSINC
//.1/	Sec. 39. <u>[34</u>	2.40 LOWERIOI	ENCI EDIDLE	I RODUCT KETA	ILEN LICENSING.
77.18	Subdivisi	ion 1. Authorized ac	etions. A lower p	otency edible produ	ct retailer license
77.19	entitles the li	icense holder to:			
77.20	(1) purch	ase lower potency ed	lible products fro	om cannabis manufa	cturers, cannabis
77.21	wholesalers,	and cannabis microb	ousinesses;		
77.22	<u>(2) sell lo</u>	ower potency edible p	products to custo	mers; and	
77.23	(3) perfor	rm other actions appr	coved by the officient	<u>ce.</u>	
77.24	Subd. 2.	Licensing exception	s; requirements	(a) Except as other	wise provided in this
77.25	subdivision,	the provisions of this	s chapter relating	to license application	ons, license selection
77.26	criteria, gene	eral ownership disqua	alifications and r	equirements, and ge	neral operational
77.27	requirements	s do not apply to a lo	wer potency edil	ole product license o	r licensee.
77.28	<u>(b) A lice</u>	ense applicant or, in t	he case of a busi	ness entity, every co	ooperative member
77.29	or director, n	nanager and general	partner of the bu	siness entity must su	ubmit a completed
77.30	criminal hist	ory records check co	nsent form, a ful	l set of classifiable f	ingerprints, and the
77.31	required fees	s to the office. Upon	receipt of this in	formation, the office	must submit the
77.32	completed cr	riminal history record	ls check consent	form, full set of clas	sifiable fingerprints,

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78.1	and required fees to the Bureau of Criminal Apprehension. After receiving this information,
78.2	the bureau must conduct a Minnesota criminal history records check of the license applicant.
78.3	The bureau may exchange a license applicant's fingerprints with the Federal Bureau of
78.4	Investigation to obtain the applicant's national criminal history record information. The
78.5	bureau must return the results of the Minnesota and federal criminal history records checks
78.6	to the director to determine if the applicant is disqualified under section 342.20.
78.7	(c) The office may issue a lower potency edible products license to an applicant who:
78.8	(1) is at least 21 years of age;
78.9	(2) has completed an application for licensure or application for renewal and has fully
78.10	and truthfully complied with all information requests relating to license application and
78.11	renewal;
78.12	(3) registers with the statewide monitoring system;
78.13	(4) is not employed by the office or any state agency with regulatory authority over this
78.14	chapter; and
78.15	(5) is not disqualified under section 342.20, subdivision 2.
78.16	(d) Licenses must be renewed annually. The office may charge an application fee not
78.17	to exceed \$250 to cover the costs associated with reviewing and processing applications
78.18	but must not charge a licensing fee.
78.19	(e) Licenses may not be transferred.
78.20	Subd. 3. Multiple licenses; limits. (a) A person, cooperative, or business holding a
78.21	lower potency edible product license may not own, operate, or be employed by any other
78.22	cannabis business.
78.23	(b) A person, cooperative, or business holding a lower potency edible product license
78.24	may hold an off-sale or on-sale license for the sale of 3.2 percent malt liquor, an on-sale
78.25	intoxicating liquor license, an off-sale intoxicating liquor license, or a combination off-sale
78.26	and on-sale intoxicating liquor license.
78.27	Sec. 40. [342.41] LOWER POTENCY EDIBLE PRODUCT RETAILER
78.28	OPERATIONS.
78.29	Subdivision 1. Sale of lower potency edible products. (a) A lower potency edible
10.29	Subarvision 1. Sale of lower potency cubic products. (a) A lower potency cubic

- 78.30 product retailer may only sell lower potency edible products to individuals who are at least
- 78.31 <u>21 years of age.</u>

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79.1	<u>(b) A lo</u>	wer potency edible pro	oduct retailer ma	y sell lower potency o	edible products that:
79.2	(1) are o	obtained from a license	ed Minnesota ca	nnabis manufacturer,	cannabis
79.3	microbusin	ess, or cannabis whole	esaler; and		
79.4	<u>(2) mee</u>	t all applicable packag	ing and labeling	g requirements.	
79.5	Subd. 2	. Sale of other produc	e ts. A lower pote	ency edible product re	tailer may sell other
79.6	products or	titems for which the lo	ower potency ed	ible product retailer h	as a license or
79.7	authorizatio	on or that do not requir	re a license or a	uthorization.	
79.8	Subd. 3	<u>.</u> Age verification. Pri	or to initiating a	a sale, an employee of	f the lower potency
79.9	edible prod	uct retailer must verify	y that the custor	ner is at least 21 years	s of age. Section
79.10	<u>342.27, sub</u>	odivision 3, applies to t	the verification	of a customer's age.	
79.11	Subd. 4	<u>. Display and storage</u>	of lower poten	cy edible products.	A lower potency
79.12	edible prod	uct retailer shall ensur	e that all lower	potency edible produc	cts are displayed
79.13	behind a ch	eckout counter where	the public is no	t permitted. All lower	potency edible
79.14	products th	at are not displayed m	ust be stored in	a secure area.	
79.15	Subd. 5	. <u>Compliant products</u>	A lower poten	cy edible product reta	iler shall ensure that
79.16	all lower po	otency edible products	offered for sale	comply with the limit	s on the amount and
79.17	types of car	nnabinoids that a lowe	r potency edible	e product can contain,	including but not
79.18	limited to the	he requirement that lov	wer potency edi	ble products:	
79.19	<u>(1) be p</u>	ackaged in servings th	at contain no m	ore than five milligra	ms of delta-9
79.20	tetrahydroc	annabinol per serving,	, 25 milligrams	of cannabidiol per ser	ving, 25 milligrams
79.21	of cannabig	gerol per serving, or an	y combination o	f those cannabinoids	that does not exceed
79.22	the identifie	ed amounts;			
79.23	<u>(2) do no</u>	ot contain more than a c	combined total c	f 0.5 milligrams of all	other cannabinoids;
79.24	<u>(3) do n</u>	ot contain a synthetica	ally derived can	nabinoid other than de	elta-9
79.25	tetrahydroc	annabinol; and			
79.26	(4) if the	e package contains mo	ore than one serv	ving, indicate each ser	rving by scoring,
79.27	wrapping, o	or other indicators that	appear on the l	ower potency edible p	product designating
79.28	the individu	ual serving size.			
79.29	Subd. 6	<u>.</u> On-site consumption	n. (a) A lower p	otency edible product	t retailer that also
79.30	holds an on	-sale license for the sal	e of 3.2 percent	malt liquor, an on-sale	e intoxicating liquor
79.31	license, or a	a combination off-sale	and on-sale into	oxicating liquor licens	se may sell lower

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80.1	potency edi	ble products that are in	ntended to be co	onsumed as a beverage	e for on-site
80.2	consumptio	<u>n.</u>			
80.3	<u>(b) lowe</u>	er potency edible produ	ucts sold for on-	site consumption mus	t comply with this
80.4	chapter and	rules adopted pursuar	nt to this chapter	regarding the testing,	, packaging, and
80.5	labeling of	cannabinoid products.			
80.6	<u> </u>	r potency edible produ			
80.7		ckaging, but may be re	emoved from the	e products' packaging	by customers and
80.8	consumed c				
80.9	<u> </u>	and beverages not ot	-		
80.10 80.11		site provided that the te and local laws, ordin			
80.12 80.13	<u> </u>	wer potency edible pro at the lower potency e		-	
80.13	-	ordinances, licensing r	-		
80.15	(f) A loy	wer potency edible pro	duct retailer ma	v not	
	<u> </u>	· · · ·		<u> </u>	21 years of acay
80.16		lower potency edible p			
80.17		ower potency edible pro			
80.18 80.19		ws or reasonably shou			r provided by the
			-		·
80.20	<u> </u>	a lower potency edible	•	· · · · · ·	<u>.</u>
80.21	<u> </u>	cannabis flower, hemp			<u> </u>
80.22	other than le	ower potency edible p	roducts that are	intended to be consum	ned as a beverage;
80.23		nit lower potency edibl	-		
80.24	packaging t	o be removed from the	e premises of th	e lower potency edible	e product retailer;
80.25	<u>(6) allov</u>	v for the dispensing of	lower potency	edible products in ven	iding machines;
80.26	<u>(7) sell l</u>	lower potency edible p	products when the	ne statewide monitorin	ng system is not
80.27	operational	; or			
80.28	<u>(8) distr</u>	ibute or allow free san	nples of lower p	otency edible product	<u>s.</u>
80.29	<u>Subd. 7.</u>	Statewide monitorin	n <mark>g system.</mark> (a) A	lower potency edible	product retailer
80.30	shall record	all lower potency edib	le products it rec	ceives in the statewide	monitoring system.

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81.1	<u>(b) A low</u>	ver potency edible pro	oduct retailer shal	l record all lower po	tency edible products
81.2	sold, damag	ed, or destroyed in th	e statewide mon	itoring system.	
81.3	<u>Subd. 8.</u>	Posting of notices. A	lower potency e	dible product retailer	r must post all notices
81.4	as provided	in section 342.27, su	bdivision 5.		
81.5	<u>Subd. 9.</u>	Building conditions	(a) A lower pote	ency edible product r	retailer shall maintain
81.6	<u>compliance</u>	with state and local b	ouilding, fire, and	l zoning requiremen	ts or regulations.
81.7	<u>(b) A lov</u>	ver potency edible pr	oduct retailer sha	all ensure that the lie	censed premises is
81.8	maintained i	n a clean and sanitar	y condition, free	from infestation by	insects, rodents, or
81.9	other pests.				
81.10	<u>Subd. 10</u>	. Enforcement. The	office shall inspe	ect lower potency ca	unnabinoid product
81.11	retailers and	take enforcement ac	tion as provided	in sections 342.18 a	ind 342.19.
01.10	Saa 11 [3	42.42] MEDICAL (TANNADIS DI	SINESS I ICENSE	'S
81.12	-	•			
81.13		· · · · · · · · · · · · · · · · · · ·	(a) The office sl	hall issue the follow	ring types of medical
81.14	cannabis bus	siness licenses:			
81.15	<u>(1) medi</u>	cal cannabis cultivato	or;		
81.16	<u>(2) medie</u>	cal cannabis processo	or; and		
81.17	<u>(3) medie</u>	cal cannabis retailer.			
81.18	<u>(b) The I</u>	Division of Medical (Cannabis may ov	ersee the licensing a	and regulation of
81.19	medical can	nabis businesses.			
81.20	Subd. 2.	Multiple licenses; li	mits. (a) A perso	on, cooperative, or b	usiness holding:
81.21	<u>(1)</u> a mee	dical cannabis cultiva	tor license may	also hold a medical	cannabis processor
81.22	license, a car	nnabis cultivator licer	nse, a cannabis m	anufacturer license,	and a cannabis event
81.23	organizer lic	ense subject to the o	wnership limitati	ons that apply to the	ose licenses;
81.24	(2) a mee	dical cannabis proces	sor license may	also hold a medical	cannabis cultivator
81.25	license, a car	nnabis cultivator licer	nse, a cannabis m	anufacturer license,	and a cannabis event
81.26	organizer lic	ense subject to the or	wnership limitati	ons that apply to the	ose licenses; or
81.27	<u>(3) a med</u>	lical cannabis retailer	license may also	hold a cannabis retai	ler license, a cannabis
81.28	delivery serv	vice license, and a ca	nnabis event org	anizer license subjec	et to the ownership
81.29	limitations t	hat apply to those lice	enses.		
81.30	(b) Exce	pt as provided in para	agraph (a), no pe	rson, cooperative, o	r business holding a
81.31	medical can	nabis license may ow	n or operate any	other cannabis busi	ness.

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82.1	(c) The off	ice by rule may lin	nit the number o	f medical cannabis bı	siness licenses that
82.2	<u> </u>	siness may hold.			
82.3	(d) For pur	poses of this subdi	vision, a restrict	ion on the number of	licenses or type of
82.4	license that a l	business may hold	applies to every	cooperative member	or every director,
82.5	manager, and	general partner of a	a medical cannal	ois business.	
82.6	Subd. 3. R	egistered medical	cannabis manu	Ifacturers. As used in	n this subdivision,
82.7	"medical cann	abis manufacturer"	means either of	the two in-state manu	facturers of medical
82.8	cannabis regis	tered with the com	missioner of hea	llth pursuant to sectio	n 152.25 as of July
82.9	<u>1, 2023.</u>				
82.10	<u>Subd. 4.</u> L	imitations on heal	th care practiti	oners. A health care	practitioner who
82.11	certifies qualif	fying medical cond	itions for patient	ts is prohibited from:	
82.12	(1) holding	g a direct or indirec	t economic inter	est in a medical cann	abis business;
82.13	(2) serving	g on a board of dire	ctors or as an en	ployee of a medical	cannabis business;
82.14	or				
82.15	(3) adverti	sing with a medical	l cannabis busin	ess in any way.	
82.16	<u>Subd. 5.</u> <u>R</u>	emuneration. <u>A</u> m	edical cannabis	business is prohibited	d from:
82.17	(1) accepti	ng or soliciting any	form of remune	ration from a health c	are practitioner who
82.18	certifies qualif	fying medical cond	itions for patient	ts; or	
82.19	(2) offering	g any form of remun	eration to a healt	h care practitioner wh	o certifies qualifying
82.20	medical condi	tions for patients.			
82.21	EFFECTI	VE DATE. This se	ection is effectiv	e January 1, 2024.	
82.22	Sec. 42. [34 2	2.43] MEDICAL (CANNABIS BU	SINESS APPLICAT	<u>ΓΙΟΝS.</u>
82.23	Subdivision	n 1. Information re	e quired. In addit	ion to information requ	uired to be submitted
82.24	under section	342.15, subdivision	1, and rules ad	opted pursuant to that	t section, a person,
82.25	cooperative, o	r business seeking	a medical canna	bis business license n	nust submit the
82.26	following info	ormation in a form a	approved by the	office:	
82.27	(1) for mee	dical cannabis culti	vator license app	olicants:	
82.28	(i) an opera	nting plan demonstra	ating the propose	d size and layout of th	e cultivation facility;
82.29	plans for wast	ewater and waste d	isposal for the c	ultivation facility; pla	ans for providing
82.30	electricity, wa	ter, and other utiliti	es necessary for	the normal operation	of the cultivation

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83.1	facility; and plans for compliance with applicable building code and federal and state	3
83.2	environmental and workplace safety requirements;	
83.3	(ii) a cultivation plan demonstrating the proposed size and layout of the cultivation	on
83.4	facility that will be used exclusively for cultivation for medical cannabis, including the	e total
83.5	amount of plant canopy; and	
83.6	(iii) evidence that the business will comply with the applicable operation require	<u>ments</u>
83.7	for the license being sought;	
83.8	(2) for medical cannabis processor license applicants:	
83.9	(i) an operating plan demonstrating the proposed layout of the facility, including	<u>a</u>
83.10	diagram of ventilation and filtration systems; plans for wastewater and waste disposa	al for
83.11	the manufacturing facility; plans for providing electricity, water, and other utilities nece	essary
83.12	for the normal operation of the manufacturing facility; and plans for compliance with	h
83.13	applicable building code and federal and state environmental and workplace safety	
83.14	requirements;	
83.15	(ii) all methods of extraction and concentration that the applicant intends to use an	nd the
83.16	volatile chemicals, if any, that are involved in extraction or concentration;	
83.17	(iii) if the applicant is seeking an endorsement to manufacture products infused w	vith
83.18	cannabinoids for consumption by patients enrolled in the registry program, proof of	an
83.19	edible cannabinoid product handler endorsement from the office; and	
83.20	(iv) evidence that the applicant will comply with the applicable operation requires	ments
83.21	for the license being sought; or	
83.22	(3) for medical cannabis retailer license applicants:	
83.23	(i) a list of every retail license held by the applicant and, if the applicant is a busi	ness,
83.24	every retail license held, either as an individual or as part of another business, by each	<u>:h</u>
83.25	officer, director, manager, and general partner of the cannabis business;	
83.26	(ii) an operating plan demonstrating the proposed layout of the facility including	<u>a</u>
83.27	diagram of ventilation and filtration systems, policies to avoid sales to individuals where	no are
83.28	not authorized to receive the distribution of medical cannabis flower or medical cannab	oinoid
83.29	products, identification of a restricted area for storage, and plans to prevent the visibil	lity of
83.30	cannabis flower and cannabinoid products;	
83.31	(iii) if the applicant holds or is applying for a cannabis retailer license, a diagram sho	owing
83.32	the portion of the premises in which medical cannabis flower and medical cannabing	oid

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

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

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

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

84.5 cannabinoid products and proper dosage for the patient; and

84.6 (iv) evidence that the applicant will comply with the applicable operation requirements
84.7 for the license being sought.

Subd. 2. Segregation of medical cannabis. A person, cooperative, or business seeking
a medical cannabis cultivator license or a medical cannabis processor license and any other
type of cannabis business license, other than a cannabis event organizer license, must identify
the methods that will be used to segregate medical cannabis flower and medical cannabinoid
products from other cannabis flower and cannabinoid products to avoid cross-contamination.

84.13 **EFFECTIVE DATE.** This section is effective January 1, 2024.

84.14 Sec. 43. [342.44] MEDICAL CANNABIS CULTIVATORS.

(a) A medical cannabis cultivator license entitles the license holder to grow cannabis
plants within the approved amount of space 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.

84.21 (b) A medical cannabis cultivator license holder must comply with all requirements of
84.22 section 342.23.

84.23 (c) A medical cannabis cultivator license holder must verify that every batch of medical

84.24 cannabis flower has passed safety, potency, and consistency testing at a cannabis testing

84.25 <u>facility approved by the office for the testing of medical cannabis flower before the medical</u>

84.26 <u>cannabis cultivator may package, label, or sell the medical cannabis flower to any other</u>

84.27 <u>entity.</u>

84.28 **EFFECTIVE DATE.** This section is effective January 1, 2024.

84.29 Sec. 44. [342.45] MEDICAL CANNABIS PROCESSORS.

84.30 (a) A medical cannabis processor license, consistent with the specific license endorsement
84.31 or endorsements, entitles the license holder to:

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- 85.1 (1) purchase medical cannabis flower, medical cannabinoid products, hemp plant parts,
- and hemp concentrate from medical cannabis cultivators, other medical cannabis processors,
- 85.3 and industrial hemp growers;
- 85.4 (2) make cannabis concentrate from medical cannabis flower;
- 85.5 (3) make hemp concentrate, including hemp concentrate with a delta-9
- 85.6 <u>tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;</u>
- 85.7 (4) manufacture medical cannabinoid products;
- 85.8 (5) package and label medical cannabinoid products for sale to other medical cannabis
- 85.9 processors and to medical cannabis retailers; and
- 85.10 (6) perform other actions approved by the office.
- (b) A medical cannabis cultivator license holder must comply with all requirements of
- 85.12 section 342.23, including requirements to obtain specific license endorsements.
- 85.13 (c) A medical cannabis processor license holder must verify that every batch of medical
- 85.14 cannabinoid product has passed safety, potency, and consistency testing at a cannabis testing
- 85.15 facility approved by the office for the testing of medical cannabinoid products before the
- 85.16 medical cannabis processor may package, label, or sell the medical cannabinoid product to
- 85.17 any other entity.
- 85.18 **EFFECTIVE DATE.** This section is effective January 1, 2024.

85.19 Sec. 45. [342.46] MEDICAL CANNABIS RETAILERS.

85.20 Subdivision 1. Authorized actions. (a) A medical cannabis retailer license entitles the
 85.21 license holder to purchase medical cannabis flower and medical cannabinoid products from
 85.22 medical cannabis cultivators and medical cannabis processors and sell or distribute medical

85.23 cannabis flower and medical cannabinoid products to any person authorized to receive

- 85.24 distribution.
- (b) A medical cannabis retailer license holder must verify that all medical cannabis
 flower and medical cannabinoid products have passed safety, potency, and consistency
 testing at a cannabis testing facility approved by the office for the testing of medical cannabis
 flower and medical cannabinoid products before the medical cannabis retailer may distribute
 the medical cannabis flower or medical cannabis product to any person authorized to receive
- 85.30 distribution.
- 85.31 Subd. 2. Distribution requirements. (a) Prior to distribution of medical cannabis flower
 85.32 or medical cannabinoid products, a medical cannabis retailer licensee must:

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86.1	<u>(1) revie</u>	w and confirm the pa	tient's registry v	erification;	
86.2	(2) verif	y that the person requ	esting the distri	bution of medical can	nabis flower or
86.3				patient's registered des	
86.4	or the patier	nt's parent, legal guard	lian, or spouse u	using the procedures s	pecified in section
86.5	152.11, sub	division 2d;			
86.6	<u>(3) ensu</u>	re that a pharmacist e	mployee of the 1	nedical cannabis retai	ler has consulted
86.7	with the pat	ient if required accord	ling to subdivisi	on 3; and	
86.8	<u>(4)</u> apply	a patient-specific lab	el on the medica	l cannabis flower or m	nedical cannabinoid
86.9	product that	includes recommend	ed dosage requin	rements and other info	rmation as required
86.10	by rules add	pted by the office.			
86.11	<u>(b)</u> A me	edical cannabis retaile	er may not delive	er medical cannabis fl	ower or medical
86.12	cannabinoid	l products unless the r	nedical cannabi	s retailer also holds a	cannabis delivery
86.13	service licer	nse. Delivery of medic	cal cannabis flov	ver and medical canna	binoid products are
86.14	subject to th	e provisions of section	on 342.39.		
86.15	<u>Subd. 3.</u>	Final approval for c	listribution of 1	nedical cannabis flov	wer and medical
86.16	<u>cannabinoi</u>	d products. (a) A car	nabis worker w	ho is employed by a r	nedical cannabis
86.17	retailer and	who is licensed as a pl	harmacist pursua	ant to chapter 151 shal	l be the only person
86.18	who may gi	ve final approval for	the distribution	of medical cannabis fl	ower and medical
86.19	cannabinoid	products. Prior to the	e distribution of	medical cannabis flow	wer or medical
86.20	cannabinoid	l products, a pharmaci	st employed by	the medical cannabis r	etailer must consult
86.21	with the pati	ent to determine the pr	oper type of med	lical cannabis flower, r	nedical cannabinoid
86.22	product, or r	medical cannabis para	phernalia and pro	oper dosage for the pat	cient after reviewing
86.23	the range of	chemical compositio	ns of medical ca	unnabis flower or med	ical cannabinoid
86.24	product. For	r purposes of this sub	division, a consu	ultation may be condu	cted remotely by
86.25	secure video	oconference, telephon	e, or other remo	te means, as long as:	
86.26	<u>(1) the p</u>	harmacist engaging in	n the consultatio	n is able to confirm th	ne identity of the
86.27	patient; and				
86.28	<u>(2)</u> the c	onsultation adheres to	patient privacy	requirements that app	ply to health care
86.29	services del	ivered through teleme	edicine.		
86.30	<u>(b) Notw</u>	vithstanding paragrap	h (a), a pharmaci	ist consultation is not i	required prior to the
86.31	distribution	of medical cannabis t	flower or medica	al cannabinoid produc	ts when a medical
86.32	cannabis ret	ailer is distributing m	edical cannabis	flower or medical car	nabinoid products
86.33	to a patient a	according to a patient-s	specific dosage p	lan established with th	at medical cannabis

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87.1	retailer and is not modifying the dosage or product being distributed under that plan. Medical
87.2	cannabis flower or medical cannabinoid products distributed under this paragraph must be
87.3	distributed by a pharmacy technician employed by the medical cannabis retailer.
87.4	Subd. 4. 90-day supply. A medical cannabis retailer shall not distribute more than a
87.5	90-day supply of medical cannabis flower or medical cannabinoid products to a patient,
87.6	registered designated caregiver, or parent, legal guardian, or spouse of a patient according
87.7	to the dosages established for the individual patient.
87.8	Subd. 5. Distribution to recipient in a motor vehicle. A medical cannabis retailer may
87.9	distribute medical cannabis flower and medical cannabinoid products to a patient, registered
87.10	designated caregiver, or parent, legal guardian, or spouse of a patient who is at a dispensary
87.11	location but remains in a motor vehicle, provided that:
87.12	(1) staff receive payment and distribute medical cannabis flower and medical cannabinoid
87.13	products in a designated zone that is as close as feasible to the front door of the facility;
87.14	(2) the medical cannabis retailer ensures that the receipt of payment and distribution of
87.15	medical cannabis flower and medical cannabinoid products are visually recorded by a
87.16	closed-circuit television surveillance camera and provides any other necessary security
87.17	safeguards;
87.18	(3) the medical cannabis retailer does not store medical cannabis flower or medical
87.19	cannabinoid products outside a restricted access area and staff transport medical cannabis
87.20	flower and medical cannabinoid products from a restricted access area to the designated
87.21	zone for distribution only after confirming that the patient, designated caregiver, or parent,
87.22	guardian, or spouse has arrived in the designated zone;
87.23	(4) the payment and distribution of medical cannabis flower and medical cannabinoid
87.24	products take place only after a pharmacist consultation takes place, if required under
87.25	subdivision 3;
87.26	(5) immediately following distribution of medical cannabis flower or medical cannabinoid
87.27	products, staff enter the transaction in the statewide monitoring system; and
87.28	(6) immediately following distribution of medical cannabis flower and medical
87.29	cannabinoid products, staff take the payment received into the facility.
87.30	Subd. 6. Physical separation required. A medical cannabis retailer that is also a cannabis
87.31	retailer must distribute medical cannabis flower and medical cannabinoid products provided
87.32	that the portion of the premises in which medical cannabis flower and medical cannabinoid
87.33	products are sold is definite and distinct from all other areas of the cannabis retailer, is

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88.1	accessed throug	gh a distinct entra	nce, and provide	s an appropriate space	for a pharmacist
88.2			-	ult with the patient to d	
88.3	type of medical	cannabis flower	and medical car	nabinoid products and	proper dosage for
88.4	the patient.				
88.5	<u>EFFECTIV</u>	/ <mark>E DATE.</mark> This so	ection is effectiv	e January 1, 2024.	
88.6	Sec. 46. [342.	47] PATIENT R	EGISTRY PRO	DGRAM.	
88.7	Subdivision	1. Administratio	on. The Division	of Medical Cannabis	must administer the
88.8	medical cannab	is registry progra	<u>m.</u>		
88.9	<u>Subd. 2.</u> Ap	plication proced	ure for patient	s. (a) A patient seeking	g to enroll in the
88.10	registry program	n must submit to tl	ne Division of M	edical Cannabis an app	lication established
88.11	by the Division	of Medical Cann	abis and a copy	of the certification spe	cified in paragraph
88.12	(b) or, if the pat	tient is a veteran v	vho receives car	e from the United Stat	es Department of
88.13	Veterans Affair	s, the information	required pursua	ant to subdivision 3. Th	ne patient must
88.14	provide at least	the following inf	ormation in the	application:	
88.15	(1) the patie	nt's name, mailing	g address, and d	ate of birth;	
88.16	(2) the name	e, mailing address	, and telephone	number of the patient'	s health care
88.17	practitioner;				
88.18	(3) the name	e, mailing address	, and date of bin	th of the patient's regis	stered designated
88.19	caregiver, if any	y, or the patient's pa	arent, legal guard	lian, or spouse if the par	rent, legal guardian,
88.20	or spouse will b	be acting as the pa	tient's caregiver	 2	
88.21	(4) a disclos	sure signed by the	patient that inc	udes:	
88.22	(i) a stateme	ent that, notwithst	anding any law	to the contrary, the Off	fice of Cannabis
88.23	Management, tl	he Division of Me	dical Cannabis,	or an employee of the	Office of Cannabis
88.24	Management or	Division of Med	ical Cannabis m	ay not be held civilly	or criminally liable
88.25	for any injury, l	oss of property, pe	ersonal injury, o	death caused by an ac	t or omission while
88.26	acting within th	e employee's sco	pe of office or e	mployment under this	section; and
88.27	(ii) the patie	ent's acknowledgn	nent that enrolln	nent in the registry pro	gram is conditional
88.28	on the patient's	agreement to mee	et all other requi	rements of this section	i; and
88.29	(5) all other	information requ	ired by the Divi	sion of Medical Canna	<u>bis.</u>
88.30	(b) As part of	of the application	under this subd	vision, a patient must	submit a copy of a
88.31	certification fro	m the patient's he	alth care practit	ioner that is dated with	nin 90 days prior to

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the submission of the application and that certifies that the patient has been diagnosed with
 a qualifying medical condition.

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

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90.1	(3) does not	provide the infor	mation required b	by the Division of M	fedical Cannabis;
90.2	(4) provided	l false informatior	on the application	on; or	
90.3	(5) at the tin	ne of application,	is also enrolled in	n a federally approv	ed clinical trial for
90.4	the treatment of	a qualifying med	ical condition wi	th medical cannabis	<u>.</u>
90.5	(c) If the Di	vision of Medical	Cannabis denies	a patient's enrollme	ent in the registry
90.6	program, the Di	ivision of Medica	l Cannabis must j	provide written noti	ce to a patient of all
90.7	reasons for den	ying enrollment. I	Denial of enrollm	ent in the registry p	rogram is considered
90.8	a final decision	of the office and	is subject to judic	cial review under ch	apter 14.
90.9	(d) A patien	t's enrollment in t	he registry progra	am may be revoked	only:
90.10	(1) pursuant	to subdivision 2,	paragraph (c);		
90.11	(2) upon the	e death of the patie	ent;		
90.12	(3) if the pat	tient's certifying h	ealth care practit	ioner has filed a dec	claration under
90.13	subdivision 2, p	aragraph (c), that	the patient's qual	ifying diagnosis no	longer exists and the
90.14	patient does not	t submit another c	ertification withi	n 30 days;	
90.15	(4) if the pat	tient does not com	ply with subdivi	sion 6; or	
90.16	(5) if the pat	tient intentionally	sells or diverts n	nedical cannabis flor	wer or medical
90.17	cannabinoid pro	oducts in violation	of this chapter.		
90.18	If a patient's en	rollment in the reg	gistry program ha	is been revoked due	to a violation of
90.19	subdivision 6, t	he patient may ap	ply for enrollmer	nt 12 months after th	ne date on which the
90.20	patient's enrolln	nent was revoked.	The office must p	process such an appli	ication in accordance
90.21	with this subdiv	vision.			
90.22	<u>Subd. 5.</u> Re	gistry verificatio	n. When a patien	t is enrolled in the r	egistry program, the
90.23	Division of Me	dical Cannabis m	ust assign the pat	ient a patient registr	y number and must
90.24	issue the patient	t and the patient's	registered design	ated caregiver, pare	nt, legal guardian, or
90.25	spouse, if applie	cable, a registry v	erification. The I	Division of Medical	Cannabis must also
90.26	make the registr	y verification avai	lable to medical c	annabis retailers. The	e registry verification
90.27	must include:				
90.28	(1) the patie	nt's name and date	e of birth;		
90.29	(2) the patie	nt registry numbe	r assigned to the	patient; and	

91.1	(3) the name and date of birth of the patient's registered designated caregiver, if any, or
91.2	the name of the patient's parent, legal guardian, or spouse if the parent, legal guardian, or
91.3	spouse will act as a caregiver.
91.4	Subd. 6. Conditions of continued enrollment. As conditions of continued enrollment,
91.5	a patient must:
91.6	(1) continue to receive regularly scheduled treatment for the patient's qualifying medical
91.7	condition from the patient's health care practitioner; and
91.8	(2) report changes in the patient's qualifying medical condition to the patient's health
91.9	care practitioner.
91.10	Subd. 7. Enrollment period. Enrollment in the registry program is permanent.
91.11	Subd. 8. Medical cannabis flower and medical cannabinoid products; allowable
91.12	delivery methods. Medical cannabis flower and medical cannabinoid products may be
91.13	delivered in the form of:
91.14	(1) a liquid, including but not limited to oil;
91.15	<u>(2) a pill;</u>
91.16	(3) a vaporized delivery method with the use of liquid or oil;
91.17	(4) a water-soluble cannabinoid multiparticulate, including granules, powder, and
91.18	sprinkles;
91.19	(5) an orally dissolvable product, including lozenges, gum, mints, buccal tablets, and
91.20	sublingual tablets;
91.21	(6) edible products in the form of gummies and chews;
91.22	(7) a topical formulation;
91.23	(8) combustion with the use of dried raw cannabis; or
91.24	(9) any other method approved by the office.
91.25	Subd. 9. Registered designated caregiver. (a) The Division of Medical Cannabis must
91.26	register a designated caregiver for a patient if the patient requires assistance in administering
91.27	medical cannabis flower or medical cannabinoid products or in obtaining medical cannabis
91.28	flower, medical cannabinoid products, or medical cannabis paraphernalia from a medical
91.29	cannabis retailer.
91.30	(b) In order to serve as a designated caregiver, a person must:

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92.1	(1) be at	t least 18 years of age;			
92.2	(2) agree	e to only possess the pa	atient's medical	cannabis flower and 1	nedical cannabinoid
92.3		r purposes of assisting			
92.4	(3) agree	e that if the applicatior	n is approved, tl	ne person will not ser	ve as a registered
92.5		caregiver for more that			
92.6	in the same	residence count as one	e patient.		
92.7	(c) The	office shall conduct a	criminal backgr	ound check on the de	esignated caregiver
92.8	prior to regi	istration to ensure that	the person does	not have a convictio	n for a disqualifying
92.9	felony offer	nse. Any cost of the ba	ckground checl	shall be paid by the	person seeking
92.10	registration	as a designated caregi	ver. A designat	ed caregiver must ha	ve the criminal
92.11	background	l check renewed every	two years.		
92.12	<u>(d)</u> Noth	ing in this section shall	l be construed to	prevent a registered	designated caregiver
92.13	from being	enrolled in the registry	/ program as a j	patient and possessing	g and administering
92.14	medical car	nnabis as a patient.			
92.15	Subd. 10	0. Parents, legal guar	dians, spouses.	A parent, legal guar	dian, or spouse of a
92.16	patient may	act as the caregiver for	or a patient. The	e parent, legal guardia	n, or spouse who is
92.17	acting as a c	caregiver must follow a	all requirements	for parents, legal gua	ardians, and spouses
92.18	under this c	hapter. Nothing in this	section limits	any legal authority th	at a parent, legal
92.19	guardian, or	r spouse may have for	the patient und	er any other law.	
92.20	Subd. 1	1. Enrollment fee. (a)	The Division o	f Cannabis Managem	ent must collect an
92.21	enrollment	fee of \$40 from a patie	ent enrolled und	ler this section.	
92.22	(b) Reve	enue collected under th	nis subdivision s	shall deposit to a dedi	cated account in the
92.23	special reve	enue fund. The balance	e of the account	shall be appropriated	l annually to the
92.24	administrate	or of the office for pro	gram operation	<u>S.</u>	
92.25	<u>Subd. 12</u>	2. Notice of change of	f name or addr	ess. Patients and regi	stered designated
92.26	caregivers r	nust notify the Divisio	on of Medical C	annabis of any addre	ss or name change
92.27	within 30 d	ays of the change having	ng occurred. A	patient or registered of	lesignated caregiver
92.28	is subject to	a \$100 fine for failure	e to notify the o	ffice of the change.	
92.29	<u>EFFEC</u>	TIVE DATE. This see	ction is effectiv	e January 1, 2024.	

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93.1	Sec. 47. [3	342.48] DUTIES OF	OFFICE OF C	ANNABIS MANA(GEMENT;
93.2	-	Y PROGRAM.			
93.3	The offic	ce may add an allowal	ble form of medi	cal cannabinoid prod	luct, and may add or
93.4		alifying medical condi			
93.5	^	c or from the Cannabi	•		
93.6	evaluate all	petitions and must ma	ake the addition	or modification if the	e office determines
93.7	that the add	ition or modification	is warranted by 1	he best available evi	dence and research.
93.8	If the office	wishes to add an allow	able form or add	or modify a qualifyin	g medical condition,
93.9	the office m	ust notify the chairs an	nd ranking minor	ity members of the leg	gislative committees
93.10	and division	ns with jurisdiction ov	ver health finance	e and policy by Janua	ary 15 of the year in
93.11	which the ch	nange becomes effectiv	ve. In this notifica	ation, the office must	specify the proposed
93.12	addition or r	modification, the reaso	ons for the addition	on or modification, ar	y written comments
93.13	received by	the office from the pu	blic about the ac	ldition or modificatio	n, and any guidance
93.14	received fro	m the Cannabis Advi	sory Council. A	n addition or modific	ation by the office
93.15		ubdivision becomes e	ffective on Augu	st 1 of that year unle	ss the legislature by
93.16	law provide	s otherwise.			
93.17	EFFEC	TIVE DATE. This se	ection is effective	e January 1, 2024.	
93.18	Sec. 48. [3	342.49] DUTIES OF	DIVISION OF	MEDICAL CANN	ABIS; REGISTRY
93.19	<u>PROGRAM</u>	<u>/I.</u>			
93.20	Subdivis	sion 1. Duties related	to health care	practitioners. The D	vivision of Medical
93.21	Cannabis m				
93.22	(1) prov	ide notice of the regis	try program to h	ealth care practition	ers in the state.
) 5.22	<u> </u>			•	
93.23	<u> </u>	v health care practition	• •		ram if they request
93.24	to participat	te and meet the progra	am's requirement	<u>s;</u>	
93.25	<u>(3) provi</u>	ide explanatory inform	nation and assist	tance to health care p	ractitioners to
93.26	understand	the nature of the thera	peutic use of me	edical cannabis withi	n program
93.27	requirement	<u>'S;</u>			
93.28	<u>(</u> 4) make	e available to participa	ting health care	practitioners a certific	cation form in which
93.29	a health care	e practitioner certifies	that a patient ha	as a qualifying medic	al condition; and
93.30	(5) super	rvise the participation	of health care pra	actitioners in the regis	stry reporting system
93.31	<u> </u>	alth care practitioners			
93.32		in a manner that ensu			

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94.1	and that prev	vents the unauthorized	l release of privat	te data on individuals	as defined in section
94.2	13.02.		`		
94.3	Subd. 2.	Duties related to th	e registry progr	am. The Division of	Medical Cannabis
94.4	must:		<u> </u>	<u></u> <u></u>	
04.5	(1) admi	niston the registry and	arom according	to gostion 242 47.	
94.5	<u> </u>	nister the registry pro			
94.6	<u> </u>	ide information to par			
94.7		proved clinical trials for		• • • •	
94.8	with medica	l cannabis flower or m	nedical cannabing	bid products as an alte	rnative to enrollment
94.9	in the regist	ry program;			
94.10	<u>(3) main</u>	tain safety criteria with	n which patients r	nust comply as a conc	lition of participation
94.11	in the regist	ry program to preven	t patients from u	ndertaking any task	under the influence
94.12	of medical c	annabis flower or mee	lical cannabinoid	products that would	constitute negligence
94.13	or professio	nal malpractice;			
94.14	<u>(</u> 4) revie	w and publicly report	on existing med	ical and scientific lite	erature regarding the
94.15	range of rec	ommended dosages fo	or each qualifying	g medical condition, t	he range of chemical
94.16	composition	ns of medical cannabi	s flower and med	lical cannabinoid pro	ducts that will likely
94.17	be medically	y beneficial for each q	ualifying medica	al condition, and any	risks of noncannabis
94.18	drug interac	tions. This informatic	on must be update	ed by December 1 of	each year. The office
94.19	may consult	t with an independent	laboratory unde	r contract with the of	fice or other experts
94.20	in reporting	and updating this inf	formation; and		
94.21	<u>(5)</u> annu	ally consult with cann	abis businesses a	bout medical cannab	is that the businesses
94.22	cultivate, m	anufacture, and offer	for sale and post	t on the Division of M	Medical Cannabis
94.23	website a lis	st of the medical cann	abis flower and i	medical cannabinoid	products offered for
94.24	sale by each	n medical cannabis re	tailer.		
94.25	<u>Subd. 3.</u>	Research. (a) The D	ivision of Medica	al Cannabis must con	duct or contract with
94.26	a third party	to conduct research	and studies using	g data from health re	cords submitted to
94.27	the registry	program under sectio	n 342.50, subdiv	ision 2, and data sub	mitted to the registry
94.28	program un	der section 342.47, su	ubdivisions 2 and	13. If the division co	ontracts with a third
94.29	party for res	search and studies, the	e third party mus	st provide the divisio	n with access to all
94.30	research and	l study results. The div	vision must subm	it reports on intermed	liate or final research
94.31	results to the	e legislature and majo	or scientific jour	nals. All data used by	y the division or a
94.32	third party u	under this subdivision	must be used or	reported in an aggreg	gated nonidentifiable
94.33	form as part	t of a scientific peer-r	eviewed publica	tion of research or in	the creation of
94.34	summary da	ata, as defined in sect	ion 13.02, subdiv	vision 19.	

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95.1	(b) The	Division of Medical (Cannabis mav s	submit medical research	based on the data
95.2				and data collected throu	
95.3	monitoring	system to any federal	agency with re	egulatory or enforcemen	it authority over
95.4	medical can	mabis to demonstrate	the effectivene	ss of medical cannabis	flower or medical
95.5	cannabinoid	l products for treating	or alleviating	the symptoms of a quali	fying medical
95.6	condition.				
95.7	<u>EFFEC</u>	TIVE DATE. This se	ection is effecti	ve January 1, 2024.	
95.8	Sec. 49. [3	342.50] DUTIES OF	HEALTH CA	RE PRACTITIONER	S; REGISTRY
95.9	PROGRAM	<u>M.</u>			
95.10	Subdivis	sion 1. Health care p	ractitioner du	ties before patient enro	ollment. Before a
95.11	patient's em	collment in the registry	y program, a he	ealth care practitioner m	iust:
95.12	<u>(1) deter</u>	rmine, in the health ca	re practitioner'	s medical judgment, wh	ether a patient has
95.13	a qualifying	medical condition and	d, if so determi	ned, provide the patient	with a certification
95.14	of that diag	nosis;			
95.15	<u>(2)</u> advis	se patients, registered	designated car	egivers, and parents, leg	gal guardians, and
95.16	spouses acti	ing as caregivers of ar	iy nonprofit pa	tient support groups or	organizations;
95.17	<u>(3) prov</u>	ide to patients explana	tory information	on from the Division of	Medical Cannabis,
95.18	including in	formation about the e	xperimental na	ature of the therapeutic u	use of medical
95.19	cannabis flo	ower and medical can	nabinoid produ	cts; the possible risks, b	enefits, and side
95.20	effects of th	e proposed treatment;	and the applic	ation and other materia	ls from the office;
95.21	<u>(4) prov</u>	ide to patients a Tenne	ssen warning a	s required under section	13.04, subdivision
95.22	2; and				
95.23	<u>(5) agree</u>	e to continue treatment	of the patient's	qualifying medical con	dition and to report
95.24	findings to 1	the Division of Medic	al Cannabis.		
95.25	<u>Subd. 2.</u>	Duties upon patient	's enrollment	in registry program. U	pon receiving
95.26	notification	from the Division of M	Aedical Cannab	ois of the patient's enrolli	ment in the registry
95.27	program, a	health care practitione	er must:		
95.28	<u>(1) partie</u>	cipate in the patient reg	gistry reporting	system under the guidar	nce and supervision
95.29	of the Divis	ion of Medical Canna	bis;		
95.30	<u>(2)</u> repor	rt to the Division of M	Iedical Cannab	bis patient health records	s throughout the
95.31	patient's ong	going treatment in a n	nanner determi	ned by the office and in	accordance with
95.32	subdivision	<u>4;</u>			

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96.1	(3) determine on a yearly basis if the patient continues to have a qualifying medical
96.2	condition and, if so, issue the patient a new certification of that diagnosis. The patient
96.3	assessment conducted under this clause may be conducted via telemedicine, as defined in
96.4	section 62A.671, subdivision 9; and
96.5	(4) otherwise comply with requirements established by the Office of Cannabis
96.6	Management and the Division of Medical Cannabis.
96.7	Subd. 3. Participation not required. Nothing in this section requires a health care
96.8	practitioner to participate in the registry program.
96.9	Subd. 4. Data. Data on patients collected by a health care practitioner and reported to
96.10	the registry program, including data on patients who are veterans who receive care from
96.11	the United States Department of Veterans Affairs, are health records under section 144.291
96.12	and are private data on individuals under section 13.02 but may be used or reported in an
96.13	aggregated nonidentifiable form as part of a scientific peer-reviewed publication of research
96.14	conducted under section 342.49 or in the creation of summary data, as defined in section
96.15	<u>13.02, subdivision 19.</u>
96.16	Subd. 5. Exception. The requirements of this section do not apply to a patient who is a
96.17	veteran who receives care from the United States Department of Veterans Affairs or a health
96.18	care practitioner employed by the United States Department of Veterans Affairs. Such a
96.19	patient must meet the certification requirements developed pursuant to section 342.47,
96.20	subdivision 3, before the patient's enrollment in the registry program. The Division of
96.21	Medical Cannabis may establish policies and procedures to obtain medical records and other
96.22	relevant data from a health care practitioner employed by the United States Department of
96.23	Veterans Affairs, provided that those policies and procedures are consistent with this section.
96.24	EFFECTIVE DATE. This section is effective January 1, 2024.
96.25	Sec. 50. [342.51] LIMITATIONS.
96.26	Subdivision 1. Limitations on consumption; locations of consumption. Nothing in
96.27	sections 342.42 to 342.56 permits any person to engage in, and does not prevent the
96.28	imposition of any civil, criminal, or other penalties for:
96.29	(1) undertaking a task under the influence of medical cannabis that would constitute
96.30	negligence or professional malpractice;
96.31	(2) possessing or consuming medical cannabis:
96.32	(i) on a school bus or van; or

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97.1	<u>(ii) in a</u>	correctional facility;						
97.2	(3) vaporizing or smoking medical cannabis:							
97.3	<u>(i) on a</u>	ny form of public trans	portation;					
97.4	(ii) whe	ere the vapor would be i	nhaled by a nor	npatient minor or whe	re the smoke would			
97.5	be inhaled	by a minor; or						
97.6	<u>(iii) in</u>	any public place, includ	ling any indoor	or outdoor area used	by or open to the			
97.7	general pu	blic or a place of employ	yment, as define	ed in section 144.413,	subdivision 1b; and			
97.8	<u>(4) ope</u>	rating, navigating, or be	ing in actual ph	ysical control of a mo	tor vehicle, aircraft,			
97.9	train, or m	otorboat or working on	transportation	property, equipment, o	or facilities while			
97.10	under the i	nfluence of medical car	mabis or a med	ical cannabis product	<u>.</u>			
97.11	Subd. 2	2. <u>Health care facilities</u>	. (a) Health car	e facilities licensed un	nder chapter 144A;			
97.12	hospice pr	oviders licensed under o	chapter 144A; ł	ooarding care homes o	or supervised living			
97.13	facilities lie	censed under section 144	.50; assisted liv	ing facilities under cha	pter 144G; facilities			
97.14	owned, cor	ntrolled, managed, or un	der common co	ntrol with hospitals lic	ensed under chapter			
97.15	144; and o	ther health care facilitie	es licensed by th	ne commissioner of he	ealth or the			
97.16	commissio	oner of human services 1	nay adopt rease	onable restrictions on	the use of medical			
97.17	cannabis fl	ower or medical cannabi	inoid products b	y a patient enrolled in	the registry program			
97.18	who reside	es at or is actively receiv	ving treatment o	or care at the facility. T	The restrictions may			
97.19	include a p	provision that the facility	y must not store	or maintain a patient	's supply of medical			
97.20	cannabis f	lower or medical cannal	binoid products	on behalf of the patie	ent; that a patient			
97.21	store the p	atient's supply of medic	al cannabis flov	wer or medicinal cann	abinoid products in			
97.22	a locked co	ontainer accessible only	to the patient,	the patient's designate	ed caregiver, or the			
97.23	patient's pa	arent, legal guardian, or	spouse; that th	e facility is not respor	nsible for providing			
97.24	medical ca	nnabis for patients; and	that medical c	annabis flower or med	lical cannabinoid			
97.25	products a	re used only in a location	on specified by	the facility or provide	r. Nothing in this			
97.26	subdivision	n requires facilities and	providers listed	d in this subdivision to	o adopt such			
97.27	restrictions	<u>5.</u>						
97.28	<u>(b) No</u>	facility or provider liste	ed in this subdiv	vision may unreasonal	bly limit a patient's			
97.29	access to o	r use of medical cannal	ois flower or me	edical cannabiniod pro	oducts to the extent			
97.30	that such u	se is authorized under s	sections 342.42	to 342.56. No facility	or provider listed			
97.31	in this sub	division may prohibit a	patient access t	o or use of medical ca	annabis flower or			
97.32	medical ca	nnabinoid products due	solely to the fa	act that cannabis is a S	Schedule I drug			
97.33	pursuant to	the federal Uniform C	ontrolled Subst	ances Act. If a federal	l regulatory agency,			
97.34	the United	States Department of J	ustice, or the fe	deral Centers for Med	licare and Medicaid			

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98.1	Services takes one of the following actions, a facility or provider may suspend compliance
98.2	with this paragraph until the regulatory agency, the United States Department of Justice, or
98.3	the federal Centers for Medicare and Medicaid Services notifies the facility or provider that
98.4	it may resume permitting the use of medical cannabis flower or medical cannabinoid products
98.5	within the facility or in the provider's service setting:
98.6	(1) a federal regulatory agency or the United States Department of Justice initiates
98.7	enforcement action against a facility or provider related to the facility's compliance with
98.8	the medical cannabis program; or
98.9	(2) a federal regulatory agency, the United States Department of Justice, or the federal
98.10	Centers for Medicare and Medicaid Services issues a rule or otherwise provides notification
98.11	to the facility or provider that expressly prohibits the use of medical cannabis in health care
98.12	facilities or otherwise prohibits compliance with the medical cannabis program.
98.13	(c) An employee or agent of a facility or provider listed in this subdivision or a person
98.14	licensed under chapter 144E is not violating this chapter or chapter 152 for the possession
98.15	of medical cannabis flower or medical cannabinoid products while carrying out employment
98.16	duties, including providing or supervising care to a patient enrolled in the registry program,
98.17	or distribution of medical cannabis flower or medical cannabinoid products to a patient
98.18	enrolled in the registry program who resides at or is actively receiving treatment or care at
98.19	the facility or from the provider with which the employee or agent is affiliated.
98.20	Subd. 3. Child care facilities. A proprietor of a family or group family day care program
98.21	must disclose to parents or guardians of children cared for on the premises of the family or
98.22	group family day care program, if the proprietor permits the smoking or use of medical
98.23	cannabis on the premises, outside of its hours of operation. Disclosure must include posting
98.24	on the premises a conspicuous written notice and orally informing parents or guardians.
98.25	EFFECTIVE DATE. This section is effective January 1, 2024.
98.26	Sec. 51. [342.52] PROTECTIONS FOR REGISTRY PROGRAM PARTICIPANTS.
98.27	Subdivision 1. Presumption. There is a presumption that a patient enrolled in the registry

98.28 program is engaged in the authorized use of medical cannabis flower and medical cannabinoid

98.29 products. This presumption may be rebutted by evidence that the patient's use of medical

98.30 cannabis flower or medical cannabinoid products was not for the purpose of treating or

98.31 <u>alleviating the patient's qualifying medical condition or symptoms associated with the</u>

98.32 patient's qualifying medical condition.

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99.1	Subd. 2.	Criminal and civil J	protections. (a)	Subject to section 342	2.51, the following	
99.2	are not viola	tions of this chapter	or chapter 152:			
99.3	<u>(1) use o</u>	r possession of medie	cal cannabis flov	ver, medical cannabin	oid products, or	
99.4	medical can	nabis paraphernalia b	y a patient enroll	ed in the registry prog	ram or by a visiting	
99.5	patient to wl	nom medical cannabi	s is distributed u	nder section 342.46, s	subdivision 5;	
99.6	<u>(</u> 2) posse	ession of medical can	nabis flower, me	dical cannabinoid pro	oducts, or medical	
99.7	cannabis par	aphernalia by a regis	tered designated	caregiver or a parent	, legal guardian, or	
99.8	spouse of a	patient enrolled in the	e registry progra	m; or		
99.9	<u>(3) posse</u>	ession of medical can	nabis flower, me	dical cannabinoid pro	oducts, or medical	
99.10	<u>cannabis par</u>	aphernalia by any pe	rson while carry	ing out duties require	d under sections	
99.11	<u>342.42 to 34</u>	2.56.				
99.12	<u>(b) The (</u>	Office of Cannabis M	anagement, mer	nbers of the Cannabis	Advisory Council,	
99.13	Office of Ca	nnabis Management o	employees, agen	ts or contractors of the	Office of Cannabis	
99.14	Managemen	t, and health care pra	ctitioners partici	pating in the registry	program are not	
99.15	subject to an	y civil penalties or d	isciplinary action	n by the Board of Mee	dical Practice, the	
99.16	Board of Nursing, or any business, occupational, or professional licensing board or entity					
99.17	solely for pa	rticipating in the reg	stry program eit	her in a professional o	capacity or as a	
99.18	patient. A pl	narmacist licensed un	der chapter 151	is not subject to any c	vivil penalties or	
99.19	disciplinary	action by the Board	of Pharmacy whe	en acting in accordance	e with sections	
99.20	342.42 to 34	2.56 either in a profe	essional capacity	or as a patient. Nothi	ng in this section	
99.21	prohibits a p	rofessional licensing	board from takir	ng action in response to	o a violation of law.	
99.22	<u>(c) Notw</u>	ithstanding any law t	o the contrary, a	Cannabis Advisory C	ouncil member, the	
99.23	governor, or	an employee of a sta	te agency must 1	not be held civilly or c	riminally liable for	
99.24	any injury, l	oss of property, perso	onal injury, or de	ath caused by any act	or omission while	
99.25	acting within	n the scope of office	or employment ı	under sections 342.42	to 342.56.	
99.26	(d) Feder	ral, state, and local la	w enforcement a	uthorities are prohibi	ted from accessing	
99.27	the registry of	except when acting pu	irsuant to a valid	search warrant. Notw	vithstanding section	
99.28	<u>13.09, a viol</u>	lation of this paragrap	oh is a gross mis	demeanor.		
99.29	(e) Notw	ithstanding any law t	o the contrary, th	e office and employee	es of the office must	
99.30	not release d	lata or information ab	out an individua	al contained in any rep	port or document or	
99.31	in the registr	y and must not releas	se data or inform	ation obtained about a	a patient enrolled in	
99.32	the registry	program, except as p	ovided in sectio	ns 342.42 to 342.56.	Notwithstanding	
99.33	section 13.0	9, a violation of this	oaragraph is a gr	oss misdemeanor.		

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100.1	(f) No ir	nformation contained i	in a report or do	cument, contained in	the registry, or
100.2	obtained fro	om a patient under sec	tions 342.42 to	342.56 may be admit	ted as evidence in a
100.3	criminal pro	oceeding, unless:			
100.4	(1) the in	nformation is indepen	dently obtained	or	
100.5	<u>(2)</u> admi	ission of the information	on is sought in a	criminal proceeding	involving a criminal
100.6	violation of	Sections 342.42 to 34	2.56.		
100.7	(g) Poss	ession of a registry ve	erification or an	application for enroll	ment in the registry
100.8	program:				
100.9	<u>(1) does</u>	not constitute probab	le cause or reaso	onable suspicion;	
100.10	<u>(2) must</u>	t not be used to suppor	rt a search of the	e person or property o	of the person with a
100.11	registry ver	ification or application	n to enroll in the	e registry program; ar	nd
100.12	<u>(3) must</u>	t not subject the person	n or the property	of the person to insp	pection by any
100.13	government	t agency.			
100.14	<u>Subd. 3.</u>	School enrollment;	rental property	<u>r. (a) No school may </u>	refuse to enroll a
100.15	patient as a	pupil or otherwise per	nalize a patient	solely because the pa	tient is enrolled in
100.16	the registry	program, unless failin	ng to do so woul	d violate federal law	or regulations or
100.17	cause the sc	chool to lose a moneta	ry or licensing-1	elated benefit under	federal law or
100.18	regulations.				
100.19	<u>(b) No la</u>	andlord may refuse to	lease to a patien	nt or otherwise penali	ize a patient solely
100.20	because the	patient is enrolled in t	the registry prog	ram, unless failing to	do so would violate
100.21	federal law	or regulations or caus	e the landlord to	lose a monetary or l	icensing-related
100.22	benefit und	er federal law or regul	ations.		
100.23	Subd. 4.	Medical care. For pu	urposes of medio	cal care, including or	gan transplants, a
100.24	patient's use	e of medical cannabis	according to see	ctions 342.42 to 342.5	56 is considered the
100.25	equivalent of	of the authorized use of	of a medication	used at the discretion	of a health care
100.26	practitioner	and does not disquali	fy a patient from	n needed medical car	<u>e.</u>
100.27	Subd. 5.	Employment. (a) Un	nless a failure to	do so would violate	federal or state law
100.28	or regulatio	ns or cause an employ	ver to lose a mor	netary or licensing-re	lated benefit under
100.29	federal law	or regulations, an emp	ployer may not o	liscriminate against a	a person in hiring,
100.30	termination	, or any term or condit	tion of employm	ent, or otherwise pen	alize a person, if the
100.31	discriminati	ion is based on:			
100.32	<u>(1) the p</u>	person's status as a pat	ient enrolled in	the registry program;	or

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- (2) a patient's positive drug test for cannabis components or metabolites, unless the
 patient used, possessed, sold, transported, or was impaired by medical cannabis flower or
 a medical cannabinoid product on work premises, during working hours, or while operating
 an employer's machinery, vehicle, or equipment.
 (b) An employee who is a patient and whose employer requires the employee to undergo
- 101.6 drug testing according to section 181.953 may present the employee's registry verification
- 101.7 as part of the employee's explanation under section 181.953, subdivision 6.

101.8 Subd. 6. Custody; visitation; parenting time. A person must not be denied custody of

- a minor child or visitation rights or parenting time with a minor child based solely on the
- 101.10 person's status as a patient enrolled in the registry program. There must be no presumption
- 101.11 of neglect or child endangerment for conduct allowed under sections 342.42 to 342.56,
- 101.12 <u>unless the person's behavior creates an unreasonable danger to the safety of the minor as</u>
- 101.13 established by clear and convincing evidence.

101.14 Subd. 7. Action for damages. In addition to any other remedy provided by law, a patient

101.15 may bring an action for damages against any person who violates subdivision 3, 4, or 5. A

101.16 person who violates subdivision 3, 4, or 5 is liable to a patient injured by the violation for

101.17 the greater of the person's actual damages or a civil penalty of \$100 and reasonable attorney

101.18 <u>fees.</u>

101.19 **EFFECTIVE DATE.** This section is effective January 1, 2024.

101.20 Sec. 52. [342.54] VIOLATION BY HEALTH CARE PRACTITIONER; CRIMINAL 101.21 PENALTY.

- 101.22 A health care practitioner who knowingly refers patients to a medical cannabis business
- 101.23 or to a designated caregiver, who advertises as a retailer or producer of medical cannabis
- 101.24 flower or medical cannabinoid products, or who issues certifications while holding a financial
- 101.25 interest in a cannabis retailer or medical cannabis business is guilty of a misdemeanor and
- 101.26 may be sentenced to imprisonment for not more than 90 days or to payment of not more
- 101.27 than \$1,000, or both.
- 101.28 **EFFECTIVE DATE.** This section is effective January 1, 2024.

101.29 Sec. 53. [342.55] DATA PRACTICES.

- 101.30 Subdivision 1. Data classification. Patient health records maintained by the Office of
- 101.31 Cannabis Management or the Division of Medical Cannabis and government data in patient
- 101.32 health records maintained by a health care practitioner are classified as private data on

102.1	individuals, as defined in section 13.02, subdivision 12, or nonpublic data, as defined in
102.2	section 13.02, subdivision 9.
102.3	Subd. 2. Allowable use; prohibited use. Data specified in subdivision 1 may be used
102.4	to comply with chapter 13, to comply with a request from the legislative auditor or the state
102.5	auditor in the performance of official duties, and for purposes specified in sections 342.42
102.6	to 342.56. Data specified in subdivision 1 and maintained by the Office of Cannabis
102.7	Management or Division of Medical Cannabis must not be used for any purpose not specified
102.8	in sections 342.42 to 342.56 and must not be combined or linked in any manner with any
102.9	other list, dataset, or database. Data specified in subdivision 1 must not be shared with any
102.10	federal agency, federal department, or federal entity unless specifically ordered to do so by
102.11	a state or federal court.
102.12	EFFECTIVE DATE. This section is effective January 1, 2024.
102.13	Sec. 54. [342.56] CLINICAL TRIALS.
102.14	The Division of Medical Cannabis may conduct, or award grants to health care providers
102.15	or research organizations to conduct, clinical trials on the safety and efficacy of using
102.16	medical cannabis flower or medical cannabinoid products to treat a specific health condition.
102.17	A health care provider or research organization receiving a grant under this section must
102.18	provide the office with access to all data collected in a clinical trial funded under this section.
102.19	The office may use data from clinical trials conducted or funded under this section as
102.20	evidence to approve additional qualifying medical conditions or additional allowable forms
102.21	of medical cannabis.
102.22	EFFECTIVE DATE. This section is effective January 1, 2024.
102.23	Sec. 55. [342.60] TESTING.
102.24	Subdivision 1. Testing required. A cannabis business shall not sell or offer for sale
102.25	cannabis flower, cannabinoid products, synthetically derived cannabinoids, or hemp-derived
102.26	consumer products to another cannabis business or to a customer or patient, or otherwise
102.27	transfer cannabis flower, cannabinoid products, synthetically derived cannabinoids, or
102.28	hemp-derived consumer products to another cannabis business, unless:
102.29	(1) a representative sample of the batch of cannabis flower, cannabinoid product,
102.30	synthetically derived cannabinoid, or hemp-derived consumer product has been tested

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102.31 according to this section and rules adopted under this chapter;

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103.1	(2) the testi	ng was completed	by a cannabis tes	sting facility licensed	under this chapter:
103.2	and				
		1 1 0	1. 0		
103.3				abinoid product, synt	
103.4			nsumer product v	was found to meet tes	sting standards
103.5	established by	the office.			
103.6	<u>Subd. 2.</u> Pr	ocedures and star	ndards establish	ed by office. (a) The	office shall by rule
103.7	establish proce	dures governing th	ne sampling, hand	lling, testing, storage	, and transportation
103.8	of cannabis flor	wer, cannabinoid j	products, synthet	ically derived cannat	vinoids, and
103.9	hemp-derived of	consumer products	s tested under this	s section; the contam	inants for which
103.10	cannabis flower	, cannabinoid prod	ucts, synthetically	derived cannabinoid	s, and hemp-derived
103.11	consumer prod	ucts must be tested	d; standards for p	otency and homoger	eity testing; and
103.12	procedures app	licable to cannabi	s businesses and	cannabis testing facil	lities regarding
103.13	cannabis flower	; cannabinoid prod	ucts, synthetically	derived cannabinoid	s, and hemp-derived
103.14	consumer prod	ucts that fail to me	eet the standards	for allowable levels	of contaminants
103.15	established by	the office, that fail	to meet the pote	ncy limits in this cha	pter or that do not
103.16	conform with t	he content of the c	annabinoid profi	le listed on the label.	
103.17	(b) All testir	ng required under t	his section must b	e performed in a man	ner that is consistent
103.18	with general re	quirements for tes	ting and calibrati	on activities.	
103.19	Subd. 3. Sta	andards establish	ed by Office of C	Cannabis Managemo	e nt. The office shall
103.20	by rule establis	h standards for all	owable levels of	contaminants in can	nabis flower,
103.21	cannabinoid pro	oducts, syntheticall	ly derived cannab	inoids, hemp-derived	consumer products,
103.22	and growing me	edia. Contaminant	s for which the of	fice must establish al	lowable levels must
103.23	include but are	not limited to resi	dual solvents, for	reign material, micro	biological
103.24	contaminants, l	neavy metals, pest	icide residue, and	l mycotoxins.	
103.25	<u>Subd. 4.</u> <u>Te</u>	sting of samples;	disclosures. (a)	On a schedule detern	nined by the office,
103.26	every cannabis	cultivator, cannab	is manufacturer, c	annabis wholesaler v	vith an endorsement
103.27	to import produ	icts, cannabis mic	robusiness, or me	dical cannabis busin	ess shall make each
103.28	batch of cannal	ois flower, cannab	inoid products, sy	ynthetically derived of	cannabinoids, or
103.29	hemp-derived of	consumer products	s grown, manufac	ctured, or imported by	y the cannabis
103.30	cultivator, cann	abis manufacture	r, cannabis whole	saler with an endors	ement to import
103.31	products, canna	abis microbusiness	s, or medical can	nabis business availa	ble to a cannabis
103.32	testing facility.				
103.33	(b) A canna	bis cultivator, can	nabis manufactur	er, cannabis wholesa	ler with an
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must disclose all known information regarding pesticides, fertilizers, solvents, or other
foreign materials, including but not limited to catalysts used in creating synthetically derived
cannabinoids, applied or added to the batch of cannabis flower, cannabinoid products,
synthetically derived cannabinoids, or hemp-derived consumer products subject to testing.
Disclosure must be made to the cannabis testing facility and must include information about
all applications by any person, whether intentional or accidental.

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

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

104.9 potency and homogeneity and to allow the cannabis flower, cannabinoid product,

104.10 synthetically derived cannabinoid, or hemp-derived consumer product to be accurately

104.11 labeled with its cannabinoid profile. Testing for contaminants must include testing for

104.12 residual solvents, foreign material, microbiological contaminants, heavy metals, pesticide

104.13 residue, mycotoxins, and any items identified pursuant to paragraph (b), and may include

104.14 testing for other contaminants. A cannabis testing facility must destroy or return to the

104.15 cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement to

104.16 import products, cannabis microbusiness, or medical cannabis business any part of the

104.17 sample that remains after testing.

Subd. 5. Test results. (a) If a sample meets the applicable testing standards, a cannabis 104.18 testing facility shall issue a certification to a cannabis cultivator, cannabis manufacturer, 104.19 cannabis wholesaler with an endorsement to import products, cannabis microbusiness, or 104.20 medical cannabis business, and the cannabis cultivator, cannabis manufacturer, cannabis 104.21 wholesaler with an endorsement to import products, cannabis microbusiness, or medical 104.22 cannabis business may then sell or transfer the batch of cannabis flower, cannabinoid 104.23 products, synthetically derived cannabinoids, or hemp-derived consumer products from 104.24 which the sample was taken to another cannabis business or offer the cannabis flower, 104.25 cannabinoid products, or hemp-derived consumer products for sale to customers or patients. 104.26 104.27 If a sample does not meet the applicable testing standards or if the testing facility is unable to test for a substance identified pursuant to subdivision 4, paragraph (b), the batch from 104.28 104.29 which the sample was taken shall be subject to procedures established by the office for such batches, including destruction, remediation, or retesting. A cannabis cultivator, cannabis 104.30 manufacturer, cannabis wholesaler with an endorsement to import products, cannabis 104.31 microbusiness, or medical cannabis business must maintain the test results for cannabis 104.32 flower, cannabinoid products, synthetically derived cannabinoids, or hemp-derived consumer 104.33 products grown, manufactured, or imported by that cannabis cultivator, cannabis 104.34

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105.1	manufactur	er, cannabis wholesale	r with an endo	sement to import prod	lucts, cannabis		
105.2		ess, or medical cannab		• •			
105.3	(b) A an	nnabis cultivator, cann	ahis manufact	ror connobic wholese	lor with an		
105.5	<u> </u>	nt to import products, c					
105.5							
105.6		shall make test results maintained by that cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement to import products, cannabis microbusiness, or					
105.7		mabis business availab					
105.8		made available to the		· · · · ·			
105.9	Sec. 56. [.	342.62] PACKAGINO	<u>.</u>				
105.10	Subdivis	sion 1. <mark>General.</mark> All ca	annabis flower,	cannabinoid products	, and hemp-derived		
105.11	consumer p	roducts sold to custome	ers or patients m	ust be packaged as req	uired by this section		
105.12	and rules ac	lopted under this chapt	ter.				
105.13	Subd. 2.	Packaging requirem	ents. (a) Excep	t as provided in paragra	aph (b), all cannabis		
105.14	flower, can	nabinoid products, and	hemp-derived	consumer products so	old to customers or		
105.15	patients mu	st be:					
105.16	<u>(1) prepa</u>	ackaged in packaging o	or a container th	at is plain, child-resista	ant, tamper-evident,		
105.17	and opaque	; or					
105.18	(2) place	ed in packaging or a co	ontainer that is	plain, child-resistant, t	amper-evident, and		
105.19	opaque at th	he final point of sale to	a customer.				
105.20	<u>(b) The</u>	requirement that packa	aging be child-	esistant does not appl	y to:		
105.21	<u>(1) a her</u>	mp-derived topical pro	duct; or				
105.22	<u>(2) a lov</u>	wer potency edible prod	duct that:				
105.23	<u>(i) is int</u>	ended to be consumed	as a beverage;				
105.24	(ii) cont	ains nonintoxicating ca	annabinoids;				
105.25	<u>(iii) doe</u>	s not contain more that	n a combined t	otal of 0.25 milligrams	s of intoxicating		
105.26	cannabinoid	ls; and					
105.27	(iv) doe	s not contain a synthet	ically derived o	annabinoid.			
105.28	<u>(c)</u> If a c	annabinoid product or a	hemp-derived	consumer product is pa	ackaged in a manner		
105.29	that include	s more than a single ser	ving, each servi	ng must be indicated by	y scoring, wrapping,		
105.30	or other ind	licators designating the	individual ser	ving size. If the item is	s a lower potency		

serving size must appear on the edible cannabinoid product. (d) An edible cannabinoid product containing more than a single serving must be prepackaged or placed at the final point of sale in packaging or a container that is resealable. Subd. 3. Packaging prohibitions. (a) Cannabis flower, cannabinoid products, or hemp-derived consumer products sold to customers or patients must not be packaged in a manner that: (1) bears a reasonable resemblance to any commercially available product that does not contain cannabinoids, whether the manufacturer of the product holds a registered trademark or has registered the trade dress; or (2) is designed to appeal to persons under 21 years of age. (b) Packaging for cannabis flower, cannabinoid products, and hemp-derived consumer products must not contain or be coated with any perfluoroalkyl substance. (c) Edible cannabinoid products must not be packaged in a material that is not approved by the United States Food and Drug Administration for use in packaging food. Sec. 57. [342.64] LABELING. Subdivision 1. General. All cannabis flower, cannabinoid products, and hemp-derived consumer products sold to customers or patients must be labeled as required by this section and rules adopted under this chapter.		
 (d) An edible cannabinoid product containing more than a single serving must be prepackaged or placed at the final point of sale in packaging or a container that is resealable. Subd. 3. Packaging prohibitions. (a) Cannabis flower, cannabinoid products, or hemp-derived consumer products sold to customers or patients must not be packaged in a manner that: (1) bears a reasonable resemblance to any commercially available product that does not contain cannabinoids, whether the manufacturer of the product holds a registered trademark or has registered the trade dress; or (2) is designed to appeal to persons under 21 years of age. (b) Packaging for cannabis flower, cannabinoid products, and hemp-derived consumer products must not contain or be coated with any perfluoroalkyl substance. (c) Edible cannabinoid products must not be packaged in a material that is not approved by the United States Food and Drug Administration for use in packaging food. Sec. 57. [342.64] LABELING. Subdivision 1. General. All cannabis flower, cannabinoid products, and hemp-derived consumer products sold to customers or patients must be labeled as required by this section and rules adopted under this chapter. Subd. 2. Content of label; cannabis, All cannabis flower and hemp-derived consumer products that consist of hemp plant parts sold to customers or patients must have affixed on the packaging or container of the cannabis flower or hemp-derived consumer product a label that contains at least the following information: (1) the name and license number of the cannabis flower or hemp plant parts in the package or container; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or container; 		edible product, any indicator other than individual wrapping that designates the individual
 Subd. 3. Packaging prohibitions. (a) Cannabis flower, cannabinoid products, or hemp-derived consumer products sold to customers or patients must not be packaged in a manner that: (1) bears a reasonable resemblance to any commercially available product that does not contain cannabinoids, whether the manufacturer of the product holds a registered trademark or has registered the trade dress; or (2) is designed to appeal to persons under 21 years of age. (b) Packaging for cannabis flower, cannabinoid products, and hemp-derived consumer products must not contain or be coated with any perfluoroalkyl substance. (c) Edible cannabinoid products must not be packaged in a material that is not approved by the United States Food and Drug Administration for use in packaging food. Sec. 57. [342.64] LABELING. Subdivision 1. General. All cannabis flower, cannabinoid products, and hemp-derived consumer products sold to customers or patients must be labeled as required by this section and rules adopted under this chapter. Subd. 2. Content of label; cannabis. All cannabis flower and hemp-derived consumer products that consist of hemp plant parts sold to customers or patients must have affixed on the packaging or container of the cannabis flower or hemp-derived consumer products at a consist of hemp plant parts sold to customers or patients must have affixed on the packaging or container of the cannabis flower or hemp-derived consumer products at least the following information: (1) the name and license number of the cannabis flower or hemp plant parts in the package or container; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or container; (3) the batch number; 		serving size must appear on the edible cannabinoid product.
Subd. 3. Packaging prohibitions. (a) Cannabis flower, cannabinoid products, or nemp-derived consumer products sold to customers or patients must not be packaged in a manner that: (1) bears a reasonable resemblance to any commercially available product that does not contain cannabinoids, whether the manufacturer of the product holds a registered trademark or has registered the trade dress; or (2) is designed to appeal to persons under 21 years of age. (b) Packaging for cannabis flower, cannabinoid products, and hemp-derived consumer products must not contain or be coated with any perfluoroalkyl substance. (c) Edible cannabinoid products must not be packaged in a material that is not approved by the United States Food and Drug Administration for use in packaging food. Sec. 57. [342.64] LABELING. Subd. 2. Content of label; cannabis flower, cannabinoid products, and hemp-derived consumer products sold to customers or patients must be labeled as required by this section and rules adopted under this chapter. Subd. 2. Content of label; cannabis. All cannabis flower or hemp-derived consumer product a tabel that consist of hemp plant parts sold to customers or patients must have affixed on the packaging or container of the cannabis flower or hemp-derived consumer product a tabel that contains at least the following information: (1) the name and license number of the cannabis flower or hemp plant parts in the package or container; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or container;		(d) An edible cannabinoid product containing more than a single serving must be
 nemp-derived consumer products sold to customers or patients must not be packaged in a nanner that: (1) bears a reasonable resemblance to any commercially available product that does not contain cannabinoids, whether the manufacturer of the product holds a registered trademark or has registered the trade dress; or (2) is designed to appeal to persons under 21 years of age. (b) Packaging for cannabis flower, cannabinoid products, and hemp-derived consumer products must not contain or be coated with any perfluoroalkyl substance. (c) Edible cannabinoid products must not be packaged in a material that is not approved by the United States Food and Drug Administration for use in packaging food. Sec. 57. [342.64] LABELING. Subdivision 1. General. All cannabis flower, cannabinoid products, and hemp-derived consumer products sold to customers or patients must be labeled as required by this section and rules adopted under this chapter. Subd. 2. Content of label; cannabis. All cannabis flower and hemp-derived consumer products that consist of hemp plant parts sold to customers or patients must have affixed on the packaging or container of the cannabis flower or hemp-derived consumer product a abel that contains at least the following information: (1) the name and license number of the cannabis flower or hemp plant parts in the package or container; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or container; (3) the batch number; 	ľ	prepackaged or placed at the final point of sale in packaging or a container that is resealable.
namer that: (1) bears a reasonable resemblance to any commercially available product that does not contain cannabinoids, whether the manufacturer of the product holds a registered trademark or has registered the trade dress; or (2) is designed to appeal to persons under 21 years of age. (b) Packaging for cannabis flower, cannabinoid products, and hemp-derived consumer products must not contain or be coated with any perfluoroalkyl substance. (c) Edible cannabinoid products must not be packaged in a material that is not approved by the United States Food and Drug Administration for use in packaging food. Sec. 57. [342.64] LABELING. Subdivision 1. General, All cannabis flower, cannabinoid products, and hemp-derived consumer products sold to customers or patients must be labeled as required by this section and rules adopted under this chapter. Subd. 2. Content of label; cannabis, All cannabis flower or patients must have affixed on the packaging or container of the cannabis flower or hemp-derived consumer products (1) the name and license number of the cannabis cultivator, cannabis microbusiness, medical cannabis cultivator, or industrial hemp grower where the cannabis flower or hemp clant part was cultivated; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or container; (3) the batch number;		Subd. 3. Packaging prohibitions. (a) Cannabis flower, cannabinoid products, or
(1) bears a reasonable resemblance to any commercially available product that does not contain cannabinoids, whether the manufacturer of the product holds a registered trademark or has registered the trade dress; or (2) is designed to appeal to persons under 21 years of age. (b) Packaging for cannabis flower, cannabinoid products, and hemp-derived consumer products must not contain or be coated with any perfluoroalkyl substance. (c) Edible cannabinoid products must not be packaged in a material that is not approved by the United States Food and Drug Administration for use in packaging food. Sec. 57. [342.64] LABELING. Subdivision 1. General. All cannabis flower, cannabinoid products, and hemp-derived consumer products sold to customers or patients must be labeled as required by this section and rules adopted under this chapter. Subd. 2. Content of label; cannabis. All cannabis flower and hemp-derived consumer products that consist of them plant parts sold to customers or patients must have affixed on the packaging or container of the cannabis flower or hemp-derived consumer product a abel that contains at least the following information: (1) the name and license number of the cannabis cultivator, cannabis flower or hemp plant parts was cultivator, or industrial hemp grower where the cannabis flower or hemp plant parts was cultivated; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or container; (3) the batch number; 	ł	
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r has registered the trade dress; or (2) is designed to appeal to persons under 21 years of age. (b) Packaging for cannabis flower, cannabinoid products, and hemp-derived consumer roducts must not contain or be coated with any perfluoroalkyl substance. (c) Edible cannabinoid products must not be packaged in a material that is not approved y the United States Food and Drug Administration for use in packaging food. Sec. 57. [342.64] LABELING. Subdivision 1. General. All cannabis flower, cannabinoid products, and hemp-derived onsumer products sold to customers or patients must be labeled as required by this section nd rules adopted under this chapter. Subd. 2. Content of label; cannabis. All cannabis flower and hemp-derived consumer roducts that consist of hemp plant parts sold to customers or patients must have affixed n the packaging or container of the cannabis flower or hemp-derived consumer product a abel that contains at least the following information: (1) the name and license number of the cannabis cultivator, cannabis flower or hemp lant part was cultivated; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or ontainer; (3) the batch number;		(1) bears a reasonable resemblance to any commercially available product that does not
 (2) is designed to appeal to persons under 21 years of age. (b) Packaging for cannabis flower, cannabinoid products, and hemp-derived consumer roducts must not contain or be coated with any perfluoroalkyl substance. (c) Edible cannabinoid products must not be packaged in a material that is not approved by the United States Food and Drug Administration for use in packaging food. Sec. 57. [342.64] LABELING. Subdivision 1. General, All cannabis flower, cannabinoid products, and hemp-derived consumer products sold to customers or patients must be labeled as required by this section and rules adopted under this chapter. Subd. 2. Content of label; cannabis, All cannabis flower and hemp-derived consumer products that consist of hemp plant parts sold to customers or patients must have affixed in the packaging or container of the cannabis flower or hemp-derived consumer product a abel that contains at least the following information: (1) the name and license number of the cannabis cultivator, cannabis flower or hemp lant parts sold to react the cannabis flower or hemp plant parts in the package or container; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or container; (3) the batch number; 	c	ontain cannabinoids, whether the manufacturer of the product holds a registered trademark
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Subdivision 1. General. All cannabis flower, cannabinoid products, and hemp-derived consumer products sold to customers or patients must be labeled as required by this section and rules adopted under this chapter. Subd. 2. Content of label; cannabis. All cannabis flower and hemp-derived consumer products that consist of hemp plant parts sold to customers or patients must have affixed on the packaging or container of the cannabis flower or hemp-derived consumer product a abel that contains at least the following information: (1) the name and license number of the cannabis cultivator, cannabis microbusiness, medical cannabis cultivator, or industrial hemp grower where the cannabis flower or hemp- plant part was cultivated; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or container; (3) the batch number;	b	by the United States Food and Drug Administration for use in packaging food.
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roducts that consist of hemp plant parts sold to customers or patients must have affixed n the packaging or container of the cannabis flower or hemp-derived consumer product a ubel that contains at least the following information: (1) the name and license number of the cannabis cultivator, cannabis microbusiness, nedical cannabis cultivator, or industrial hemp grower where the cannabis flower or hemp lant part was cultivated; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or ontainer; (3) the batch number;	a	nd rules adopted under this chapter.
on the packaging or container of the cannabis flower or hemp-derived consumer product a abel that contains at least the following information: (1) the name and license number of the cannabis cultivator, cannabis microbusiness, medical cannabis cultivator, or industrial hemp grower where the cannabis flower or hemp plant part was cultivated; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or container; (3) the batch number;		Subd. 2. Content of label; cannabis. All cannabis flower and hemp-derived consumer
abel that contains at least the following information: (1) the name and license number of the cannabis cultivator, cannabis microbusiness, nedical cannabis cultivator, or industrial hemp grower where the cannabis flower or hemp elant part was cultivated; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or ontainer; (3) the batch number;	p	roducts that consist of hemp plant parts sold to customers or patients must have affixed
 (1) the name and license number of the cannabis cultivator, cannabis microbusiness, medical cannabis cultivator, or industrial hemp grower where the cannabis flower or hemp lant part was cultivated; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or ontainer; (3) the batch number; 	0	n the packaging or container of the cannabis flower or hemp-derived consumer product a
nedical cannabis cultivator, or industrial hemp grower where the cannabis flower or hemp lant part was cultivated; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or ontainer; (3) the batch number;	la	abel that contains at least the following information:
blant part was cultivated; (2) the net weight or volume of cannabis flower or hemp plant parts in the package or container; (3) the batch number;		(1) the name and license number of the cannabis cultivator, cannabis microbusiness,
(2) the net weight or volume of cannabis flower or hemp plant parts in the package or container; (3) the batch number;	r	nedical cannabis cultivator, or industrial hemp grower where the cannabis flower or hemp
<u>(3) the batch number;</u>	r	plant part was cultivated;
(3) the batch number;		(2) the net weight or volume of cannabis flower or hemp plant parts in the package or
	(container;
(4) the cannabinoid profile;		(3) the batch number;
		(4) the cannabinoid profile;

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107.1	(5) a unive	ersal symbol establi	shed by the office	e indicating that the p	backage or container
107.2	<u> </u>	-	-	hemp-derived consu	
107.3	(6) verific	ation that the canna	bis flower or hen	np plant part was tes	ted according to
107.4	section 342.6	0 and that the cannal	bis flower or hem	p plant part complies	s with the applicable
107.5	standards;				
107.6	(7) the ma	ximum dose, quanti	ty, or consumption	on that may be consid	lered medically safe
107.7	within a 24-h	our period <u>;</u>			
107.8	<u>(8) the fol</u>	lowing statement: "	Keep this produc	t out of reach of chil	dren."; and
107.9	<u>(9) any ot</u>	her statements or in	formation require	ed by the office.	
107.10	Subd. 3.	Content of label; ca	nnabinoid prod	ucts. (a) All cannabi	noid products and
107.11	hemp-derived	l consumer products	s other than produ	ucts subject to the re-	quirements under
107.12	subdivision 2	and hemp-derived	topical products	sold to customers or	patients must have
107.13	affixed to the	packaging or conta	iner of the canna	bis product a label th	hat contains at least
107.14	the following	information:			
107.15	(1) the nat	me and license num	ber of the cannab	ois cultivator, cannab	is microbusiness,
107.16	medical canna	abis cultivator, or in	dustrial hemp gr	ower that cultivated	the cannabis flower
107.17	or hemp plant	t parts used in the ca	annabinoid produ	<u>ict;</u>	
107.18	(2) the nar	ne and license numb	per of the cannabi	s manufacturer, canr	abis microbusiness,
107.19	or medical ca	nnabis business that	t manufactured th	ne cannabis concentr	ate or synthetically
107.20	derived canna	abinoid and if different	ent, the name and	l license number of t	he cannabis
107.21	manufacturer	, cannabis microbus	iness, or medical	cannabis business th	at manufactured the
107.22	cannabinoid p	product;			
107.23	(3) the net	t weight or volume	of the cannabinoi	d product or hemp-d	lerived consumer
107.24	product in the	e package or contain	ier;		
107.25	(4) the typ	e of cannabinoid pr	oduct or hemp-d	erived consumer pro	<u>duct;</u>
107.26	(5) the bat	tch number;			
107.27	(6) the ser	ving size;			
107.28	(7) the car	nnabinoid profile pe	r serving and in	total;	
107.29	<u>(8)</u> a list o	f ingredients;			
107.30	<u>(9) a unive</u>	ersal symbol establis	shed by the office	e indicating that the p	backage or container
107.31	contains cann	abis flower, a canna	abis product, or a	hemp-derived consu	ımer product;

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108.1	<u>(10)</u> a warni	ng symbol developed	by the office in	n consultation wit	h the commissioner	
108.2	of health and the Minnesota Poison Control System that:					
108.3	(i) is at least	(i) is at least three-quarters of an inch tall and six-tenths of an inch wide;				
108.4	(ii) is in a highly visible color;					
108.5	(iii) includes	s a visual element that	t is commonly u	understood to mea	an a person should	
108.6	stop;					
108.7	(iv) indicate	s that the product is n	ot for children;	and		
108.8	(v) includes	the phone number of	the Minnesota	Poison Control S	ystem;	
108.9	(11) verifica	tion that the cannabin	oid product or	hemp-derived con	nsumer product was	
108.10	tested according	g to section 342.60 an	d that the canna	abinoid product of	r hemp-derived	
108.11	consumer product complies with the applicable standards;					
108.12	(12) the max	kimum dose, quantity,	or consumptio	n that may be cor	nsidered medically	
108.13	safe within a 24	-hour period;				
108.14	(13) the following the foll	owing statement: "Ke	ep this product	out of reach of cl	nildren."; and	
108.15	<u>(14) any oth</u>	er statements or infor	mation required	d by the office.		
108.16	(b) The offic	e may by rule establis	sh alternative la	beling requirement	nts for lower potency	
108.17	edible products	that are imported into	the state provi	ided that those rec	uirements provide	
108.18	consumers with information that is substantially similar to the information described in					
108.19	paragraph (a).					
108.20	Subd. 4. Additional content of label; medical cannabis flower and medical					
108.21	cannabinoid p	roducts. In addition to	o the applicable	e requirements for	labeling under	
108.22	subdivision 2 or	3, all medical cannal	bis flower and i	medical cannabin	oid products must	
108.23	include at least	the following informa	tion on the labe	el affixed to the pa	ckaging or container	
108.24	of the medical c	annabis flower or me	dical cannabine	oid product:		
108.25	(1) the patie	nt's name and date of	birth;			
108.26	(2) the name	and date of birth of th	ne patient's regi	stered designated	caregiver or, if listed	
108.27	on the registry v	verification, the name	of the patient's	parent, legal gua	rdian, or spouse, if	
108.28	applicable; and					
108.29	(3) the patie	nt's registry identifica	tion number.			

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109.1	Subd. 5. Content of label	; hemp-derived to	pical products.	(a) All hem	p-derived	d topical

109.2 products sold to customers must have affixed to the packaging or container of the product

- 109.3 <u>a label that contains at least the following information:</u>
- 109.4 (1) the manufacturer name, location, phone number, and website;
- 109.5 (2) the name and address of the independent, accredited laboratory used by the
- 109.6 <u>manufacturer to test the product;</u>
- 109.7 (3) the net weight or volume of the product in the package or container;
- 109.8 (4) the type of topical product;
- 109.9 (5) the amount or percentage of cannabidiol, cannabigerol, or any other cannabinoid,
- 109.10 derivative, or extract of hemp, per serving and in total;
- 109.11 (6) a list of ingredients;
- 109.12 (7) a statement that the product does not claim to diagnose, treat, cure, or prevent any
- 109.13 disease and that the product has not been evaluated or approved by the United States Food

109.14 and Drug Administration, unless the product has been so approved; and

109.15 (8) any other statements or information required by the office.

109.16 (b) The information required in paragraph (a), clauses (1), (2), and (5), may be provided

109.17 through the use of a scannable barcode or matrix barcode that links to a page on a website

109.18 maintained by the manufacturer or distributor if that page contains all of the information

109.19 required by this subdivision.

109.20 <u>Subd. 6.</u> Additional information. A cannabis retailer, cannabis microbusiness, or

109.21 medical cannabis retailer must provide customers and patients with the following information

109.22 by including the information on the label affixed to the packaging or container of cannabis

109.23 flower, a cannabinoid product, or a hemp-derived consumer product; by posting the

109.24 information in the premises of the cannabis retailer, cannabis microbusiness, or medical

109.25 cannabis retailer; by providing the information on a separate document or pamphlet provided

109.26 to customers or patients when the customer purchases cannabis flower, a cannabinoid

- 109.27 product, or a hemp-derived consumer product:
- 109.28 (1) factual information about impairment effects and the expected timing of impairment
- 109.29 effects, side effects, adverse effects, and health risks of cannabis flower, cannabinoid
- 109.30 products, and hemp-derived consumer products;
- 109.31 (2) a statement that customers and patients must not operate a motor vehicle or heavy
- 109.32 machinery while under the influence of cannabis flower or a cannabinoid product;

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- 110.1 (3) resources customers and patients may consult to answer questions about cannabis
- 110.2 flower, cannabinoid products, hemp-derived consumer products, and any side effects and
- 110.3 <u>adverse effects;</u>
- 110.4 (4) contact information for the poison control center and a safety hotline or website for
- 110.5 customers to report and obtain advice about side effects and adverse effects of cannabis
- 110.6 <u>flower and cannabinoid products;</u>
- 110.7 (5) substance abuse disorder treatment options; and
- 110.8 (6) any other information specified by the office.
- 110.9 All labels affixed to the packaging of cannabis flower, cannabinoid products, and
- 110.10 hemp-derived consumer products sold to customers or patients must include the following
- 110.11 warning: "Cannabis can harm your health, and your baby's health if you are pregnant."
- 110.12 Sec. 58. [342.66] ADVERTISEMENT.
- 110.13 Subdivision 1. Limitations applicable to all advertisements. No cannabis business or
- 110.14 other person shall publish or cause to be published an advertisement for cannabis flower, a
- 110.15 cannabis business, a cannabinoid product, or a hemp-derived consumer product in a manner
- 110.16 **<u>that:</u>**
- 110.17 (1) contains false or misleading statements;
- 110.18 (2) contains unverified claims about the health or therapeutic benefits or effects of
- 110.19 consuming cannabis or a cannabis product;
- 110.20 (3) promotes the overconsumption of cannabis flower, cannabinoid products, or
- 110.21 hemp-derived consumer products;
- (4) depicts a person under 21 years of age consuming cannabis flower, cannabinoid
- 110.23 products, or hemp-derived consumer products;
- (5) includes an image designed or likely to appeal to individuals under 21 years of age,
- 110.25 including cartoons, toys, animals, or children, or any other likeness to images, characters,
- 110.26 or phrases that is designed to be appealing to individuals under 21 years of age or encourage
- 110.27 consumption by individuals under 21 years of age; or
- 110.28 (6) does not contain a warning as specified by the office regarding impairment and health

110.29 risks, including driving while impaired, side effects, adverse reactions, and pregnancy

110.30 complications.

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

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112.1	(2) the ow	mer of the device is 2	21 years of age	or older.	
112.2	<u>Subd. 7.</u>	Advertising restricti	ons for health	care practitioners un	der the medical
112.3	<u>cannabis pro</u>	gram. (a) A health c	are practitioner	shall not publish or ca	use to be published
112.4	an advertisem	nent that:			
112.5	(1) contain	ns false or misleading	g statements ab	out the registry progra	<u>m;</u>
112.6	(2) uses co	olloquial terms to ref	fer to medical ca	annabis flower or med	ical cannabinoid
112.7	products, sucl	h as pot, weed, or gra	ass;		
112.8	(3) states of	or implies that the hea	lth care practitio	oner is endorsed by the	office, the Division
112.9	of Medical Ca	annabis, or the regist	ry program;		
112.10	(4) include	es images of cannabi	s flower, hemp	plant parts, or images	of paraphernalia
112.11	commonly us	ed to smoke cannabi	s flower;		
112.12	(5) contain	ns medical symbols t	hat could reaso	nably be confused wit	h symbols of
112.13	established m	edical associations of	or groups; or		
112.14	<u>(6) does no</u>	ot contain a warning a	as specified by t	he office regarding imp	pairment and health
112.15	risks, includir	ng driving while imp	aired, side effec	ets, adverse reactions,	and pregnancy
112.16	complications	5.			
112.17	<u>(b) A heal</u>	th care practitioner f	ound by the off	ice to have violated th	is subdivision is
112.18	prohibited from	om certifying that pat	tients have a qu	alifying medical condi	tion for purposes
112.19	of patient par	ticipation in the regis	stry program. A	decision by the office	that a health care
112.20	practitioner ha	as violated this subdiv	vision is a final o	decision and is not subj	ect to the contested

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

112.22 Sec. 59. [342.68] INDUSTRIAL HEMP.

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

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

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

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

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

112.28 subdivision 5, and does not include the process of creating synthetically derived cannabinoids.

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

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

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113.1	Subd. 2. Approved cannabinoids. (a) Products manufactured, marketed, distributed,
113.2	and sold under this section may contain cannabidiol or cannabigerol. Except as provided
113.3	in paragraph (c), products may not contain any other cannabinoid unless approved by the
113.4	office.
113.5	(b) The office may approve any cannabinoid, other than any tetrahydrocannabinol, and
113.6	authorize its use in manufacturing, marketing, distribution, and sales under this section if
113.7	the office determines that the cannabinoid is a nonintoxicating cannabinoid.
113.8	(c) A product manufactured, marketed, distributed, and sold under this section may
113.9	contain cannabinoids other than cannabidiol, cannabigerol, or any other cannabinoid approved
113.10	by the office provided that the cannabinoids are naturally occurring in hemp plants or hemp
113.11	plant parts and the total of all other cannabinoids present in a product does not exceed one
113.12	milligram per package.
113.13	Subd. 3. Approved products. Products sold to consumers under this section may only
113.14	be manufactured, marketed, distributed, intended, or generally expected to be used by
113.15	applying the product externally to a part of the body of a human or animal.
113.16	Subd. 4. Prohibitions. (a) A product sold to consumers under this section must not be
113.17	manufactured, marketed, distributed, or intended:
113.18	(1) for external or internal use in the diagnosis, cure, mitigation, treatment, or prevention
113.19	of disease in humans or other animals;
113.20	(2) to affect the structure or any function of the bodies of humans or other animals;
113.21	(3) to be consumed by combustion or vaporization of the product and inhalation of
113.22	smoke, aerosol, or vapor from the product;
113.23	(4) to be consumed through chewing; or
113.24	(5) to be consumed through injection or application to a mucous membrane or nonintact
113.25	<u>skin.</u>
113.26	(b) A product manufactured, marketed, distributed, or sold to consumers under this
113.27	section must not:
113.28	(1) consist, in whole or in part, of any filthy, putrid, or decomposed substance;
113.29	(2) have been produced, prepared, packed, or held under unsanitary conditions where
113.30	the product may have been rendered injurious to health, or where the product may have
113.31	been contaminated with filth;

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1141	(2) here	alraged in a container	that is compared	ad in whale or in part	of any noisonous
114.1 114.2	<u> </u>			sed, in whole or in part, tents injurious to health	
117.2					
114.3				ave been found by the U	
114.4	and Drug A	dministration to be un	safe for humar	n or animal consumption	<u>a;</u>
114.5	<u>(5) conta</u>	ain a cannabinoid or an	n amount or pe	rcentage of cannabinoi	ds that is different
114.6	than the info	ormation stated on the	label;		
114.7	<u>(6) conta</u>	ain a cannabinoid, othe	er than cannabi	idiol, cannabigerol, or a	cannabinoid
114.8	approved by	y the office, in an amo	unt that exceed	ls the standard establish	ed in subdivision
114.9	2, paragraph	<u>n (c); or</u>			
114.10	(7) conta	ain any contaminants f	for which testin	ig is required by the offi	ice in amounts that
114.11	exceed the a	acceptable minimum s	tandards establ	lished by the office.	
114.12	<u>(c) No p</u>	roduct containing any	cannabinoid m	nay be sold to any indiv	idual who is under
114.13	21 years of	age.			
114.14	<u>Subd. 5.</u>	Enforcement. The of	fice may enforc	e this section under the	relevant provisions
114.15	of section 3	42.18.			
114.16	Sec. 61. [3	342.70] LEGAL ASS	ISTANCE TO	CANNABIS BUSINE	<u>ESSES.</u>
114.17	An attor	ney must not be subjec	et to disciplinat	ry action by the Minnes	ota Supreme Court
114.18	or professio	nal responsibility boar	d for providing	glegal assistance to pros	pective or licensed
114.19	<u>cannabis bu</u>	sinesses or others for	activities that c	lo not violate this chapt	er or chapter 152.
11100	S () [242 711 CANNADIG 1			
114.20	Sec. 02. <u>[</u>	542.71] CANNABIS I	INDUSIRY C	COMMUNITY RENEV	WAL GRANTS.
114.21	Subdivis	sion 1. Establishment	. The Office of	f Cannabis Managemen	t shall establish
114.22	CanRenew,	a program to award g	rants to eligible	e organizations for inve	stments in
114.23	<u>communitie</u>	s where long-term res	idents are eligi	ble to be social equity a	pplicants.
114.24	<u>Subd. 2.</u>	Definitions. (a) For the	he purposes of	this section, the follow	ing terms have the
114.25	meanings gi	iven.			
114.26	<u>(b) "Cor</u>	nmunity investment" 1	neans a projec	t or program designed t	o improve
114.27	community-	-wide outcomes or exp	periences and n	nay include efforts targe	eting economic
114.28	developmen	nt, violence prevention	, youth develo	pment, or civil legal aid	l, among others.
114.29	<u>(c) "Elig</u>	gible community" mean	ns a communit	y where long-term resid	ents are eligible to
114.30	be social eq	uity applicants.			

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5.1	(d) "Eligible organization"	means any organiza	ation able to ma	ike an investment	in a

- 115.2 community where long-term residents are eligible to be social equity applicants and may
- 115.3 <u>include educational institutions, nonprofit organizations, private businesses, community</u>
- 115.4 groups, units of local government, or partnerships between different types of organizations.
- 115.5 (e) "Program" means the CanRenew grant program.
- 115.6 (f) "Social equity applicant" means a person who meets the qualification requirements
- 115.7 in section 342.16.

- 115.8 Subd. 3. Grants to organizations. (a) The office must award grants to eligible
- 115.9 organizations through a competitive grant process.
- 115.10 (b) To receive grant money, an eligible organization must submit a written application
- 115.11 to the office, using a form developed by the office, explaining the community investment
- 115.12 the organization wants to make in an eligible community.
- 115.13 (c) An eligible organization's grant application must also include:
- 115.14 (1) an analysis of the community's need for the proposed investment;
- 115.15 (2) a description of the positive impact that the proposed investment is expected to
- 115.16 generate for that community;
- 115.17 (3) any evidence of the organization's ability to successfully achieve that positive impact;
- 115.18 (4) any evidence of the organization's past success in making similar community
- 115.19 investments;
- 115.20 (5) an estimate of the cost of the proposed investment;
- 115.21 (6) the sources and amounts of any nonstate funds or in-kind contributions that will
- 115.22 supplement grant money; and
- 115.23 (7) any additional information requested by the office.
- (d) In awarding grants under this subdivision, the office shall give weight to applications
- 115.25 from organizations that demonstrate a history of successful community investments,
- 115.26 particularly in geographic areas that are now eligible communities. The office shall also
- 115.27 give weight to applications where there is demonstrated community support for the proposed
- 115.28 investment. The office shall fund investments in eligible communities throughout the state.
- 115.29 Subd. 4. Program outreach. The office shall make extensive efforts to publicize these
- 115.30 grants, including through partnerships with community organizations, particularly those
- 115.31 located in eligible communities.

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116.1	Subd. 5.	Reports to the legisla	ature. By January	v 15, 2024, and each	January 15 thereafter,
116.2	the office mu	ist submit a report to t	he chairs and ran	king minority memb	ers of the committees
116.3	of the house	of representatives an	nd the senate hav	ing jurisdiction over	<u>community</u>
116.4	development	t that details awards g	given through the	CanRenew program	n and the use of grant
116.5	money, inclu	iding any measures o	of successful com	munity impact from	the grants.
116.6	-	42.72] SUBSTANCI	E USE TREAT	MENT, RECOVER	XY, AND
116.7	PREVENTI	ION GRANTS.			
116.8	Subdivisi	on 1. Account establ	ished; appropria	tion. <u>A substance us</u>	e treatment, recovery,
116.9	and preventi	on grant account is c	reated in the spec	cial revenue fund. M	loney in the account,
116.10	including int	terest earned, is appro-	opriated to the of	fice for the purpose	s specified in this
116.11	section.				
116.12	Subd. 2.	Acceptance of gifts a	nd grants. Notw	vithstanding sections	16A.013 to 16A.016,
116.13	the office ma	ay accept money con	tributed by indiv	iduals and may app	ly for grants from
116.14	charitable fo	oundations to be used	for the purposes	identified in this se	ction. The money
116.15	accepted und	ler this section must l	be deposited in th	ne substance use trea	atment, recovery, and
116.16	prevention g	grant account created	under subdivisio	o <u>n 1.</u>	
116.17	Subd. 3.	Disposition of mone	e y; grants. (a) M	oney in the substant	ce use treatment,
116.18	recovery, and	d prevention grant ac	count must be di	istributed as follows	<u>:</u>
116.19	<u>(1)</u> 75 pe	ercent of the money is	s for grants for re	ecovery programs ar	nd substance use
116.20	disorder trea	tment, as defined in s	section 245G.01	, subdivision 24, and	l may be used for
116.21	substance us	e disorder treatment	providers to ado	pt evidence-based, c	ulturally informed,
116.22	and responsi	ve treatment and serv	vices. Funds may	be used to support t	he expansion of peer
116.23	and recovery	specialists, cover ho	ousing costs in so	ber homes for person	ns with low incomes,
116.24	expand co-o	ccurring programmin	ng for persons wi	th mental illnesses a	and substance use
116.25	disorders, su	pport first episode ps	sychosis program	ns, provide harm red	luction services, and
116.26	provide start	-up funding for cultur	rally specific pro	viders of substance u	use disorder services.
116.27	The office sh	all consult with the c	commissioner of	human services to d	etermine appropriate
116.28	provider rate	e increases or modific	cations to existin	g payment methodo	logies;
116.29	<u>(2)</u> 20 pe	ercent of the money is	s for grants for su	ubstance use disorde	r prevention; and
116.30	(3) five p	percent of the money	is for grants to e	ducate pregnant wo	men, breastfeeding
116.31	women, and	women who may be	come pregnant o	n the adverse health	effects of substance
116.32	use.				

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(b) The office shall consult with the commissioner of human services and the 117.1 commissioner of health to develop an appropriate application process, establish grant 117.2 117.3 requirements, determine what organizations are eligible to receive grants, and establish reporting requirements for grant recipients. 117.4 Subd. 4. Reports to the legislature. By January 15, 2024, and each January 15 thereafter, 117.5 the office must submit a report to the chairs and ranking minority members of the committees 117.6 117.7 of the house of representatives and the senate having jurisdiction over health and human 117.8 services policy and finance that details grants awarded from the substance use treatment, recovery, and prevention grant account, including the total amount awarded, total number 117.9 of recipients, and geographic distribution of those recipients. 117.10 Sec. 64. [342.73] CANNABIS GROWER GRANTS. 117.11 Subdivision 1. Establishment. The office, in consultation with the commissioner of 117.12 agriculture, shall establish CanGrow, a program to award grants to (1) eligible organizations 117.13 to help farmers navigate the regulatory structure of the legal cannabis industry, and (2) 117.14 nonprofit corporations to fund loans to farmers for expansion into the legal cannabis industry. 117.15 117.16 Subd. 2. Definitions. (a) For the purposes of this section, the following terms have the meanings given. 117.17 117.18 (b) "Eligible organization" means any organization capable of helping farmers navigate the regulatory structure of the legal cannabis industry, particularly individuals facing barriers 117.19 to education or employment, and may include educational institutions, nonprofit 117.20 organizations, private businesses, community groups, units of local government, or 117.21 partnerships between different types of organizations. 117.22 117.23 (c) "Industry" means the legal cannabis industry in the state of Minnesota. (d) "Program" means the CanGrow grant program. 117.24 (e) "Social equity applicant" means a person who meets the qualification requirements 117.25 in section 342.16. 117.26 Subd. 3. Technical assistance grants. (a) Grant money awarded to eligible organizations 117.27 may be used for both developing technical assistance resources relevant to the regulatory 117.28 117.29 structure of the legal cannabis industry and for providing such technical assistance or navigation services to farmers. 117.30 117.31 (b) The office must award grants to eligible organizations through a competitive grant 117.32 process.

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- 118.1 (c) To receive grant money, an eligible organization must submit a written application
- 118.2 to the office, using a form developed by the office, explaining the organization's ability to
- 118.3 assist farmers in navigating the regulatory structure of the legal cannabis industry, particularly
- 118.4 farmers facing barriers to education or employment.
- 118.5 (d) An eligible organization's grant application must also include:
- 118.6 (1) a description of the proposed technical assistance or navigation services, including
- 118.7 <u>the types of farmers targeted for assistance;</u>
- 118.8 (2) any evidence of the organization's past success in providing technical assistance or
- 118.9 <u>navigation services to farmers, particularly farmers who live in areas where long-term</u>
- 118.10 residents are eligible to be social equity applicants;
- 118.11 (3) an estimate of the cost of providing the technical assistance;
- 118.12 (4) the sources and amounts of any nonstate funds or in-kind contributions that will
- 118.13 supplement grant money, including any amounts that farmers will be charged to receive
- 118.14 assistance; and
- 118.15 (5) any additional information requested by the office.
- 118.16 (e) In awarding grants under this subdivision, the office shall give weight to applications
- 118.17 from organizations that demonstrate a history of successful technical assistance or navigation
- 118.18 services, particularly for farmers facing barriers to education or employment. The office
- 118.19 shall also give weight to applications where the proposed technical assistance will serve
- 118.20 areas where long-term residents are eligible to be social equity applicants. The office shall
- 118.21 <u>fund technical assistance to farmers throughout the state.</u>
- 118.22 <u>Subd. 4.</u> Loan financing grants. (a) The office shall establish a revolving loan account
- 118.23 to make loan financing grants under the CanGrow program.
- (b) The office must award grants to nonprofit corporations through a competitive grant
 process.
- (c) To receive grant money, a nonprofit corporation must submit a written application
 to the office using a form developed by the office.
- 118.28 (d) In awarding grants under this subdivision, the office shall give weight to whether
- 118.29 <u>the nonprofit corporation:</u>
- 118.30 (1) has a board of directors that includes individuals experienced in agricultural business
- 118.31 development;
- 118.32 (2) has the technical skills to analyze projects;

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119.1	(3) is famil	iar with other avai	lable public and	private funding sour	ces and economic
119.2	development p				
119.3	<u>(4) can init</u>	iate and implemen	t economic deve	elopment projects;	
119.4	<u>(5) can esta</u>	ablish and adminis	ter a revolving l	oan account; and	
119.5	(6) has esta	blished relationship	os with commun	ities where long-term	residents are eligible
119.6	to be social eq	uity applicants.			
119.7	The office sha	ll make grants that	will help farme	rs enter the legal can	nabis industry
119.8	throughout the	e state.			
119.9	(e) A nonp	rofit corporation th	at receives grar	ts under the program	must:
119.10	(1) establis	h an office-certified	l revolving loan	account for the purpo	se of making eligible
119.11	loans; and				
119.12	(2) enter in	to an agreement w	ith the office the	at the office shall fun	d loans that the
119.13	nonprofit corp	oration makes to fa	rmers entering t	he legal cannabis indu	stry. The office shall
119.14	review existing	g agreements with	nonprofit corpo	rations every five yea	rs and may renew or
119.15	terminate an ag	greement based on t	hat review. In m	aking this review, the	office shall consider,
119.16	among other c	riteria, the criteria	in paragraph (d	<u>).</u>	
119.17	<u>Subd. 5.</u> Le	oans to farmers. (a) The criteria i	n this subdivision app	bly to loans made by
119.18	nonprofit corp	orations under the	program.		
119.19	(b) A loan	must be used to su	pport a farmer i	n entering the legal c	annabis industry.
119.20	Priority must b	be given to loans to	businesses own	ed by farmers who are	e eligible to be social
119.21	equity applicat	nts and businesses	located in comr	nunities where long-t	erm residents are
119.22	eligible to be s	social equity applic	ants.		
119.23	(c) Loans r	nust be made to bu	sinesses that are	e not likely to underta	ake the project for
119.24	which loans ar	e sought without a	ssistance from t	he program.	
119.25	(d) The min	nimum state contri	bution to a loan	is \$2,500 and the ma	ximum is either:
119.26	(1) \$50,000	<u>); or</u>			
119.27	(2) \$150,00	00, if state contribu	tions are match	ed by an equal or gre	ater amount of new
119.28	private investr	nent.			
119.29	(e) Loan ap	oplications given p	reliminary appro	oval by the nonprofit	corporation must be
119.30	forwarded to the	ne office for approv	al. The office m	ust give final approva	al for each loan made
119.31	by the nonprof	fit corporation und	er the program.		

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(f) If the borrower has met lender criteria, including being current with all payments for
 a minimum of three years, the office may approve either full or partial forgiveness of interest
 or principal amounts.

Subd. 6. <u>Revolving loan account administration.</u> (a) The office shall establish a
 minimum interest rate for loans or guarantees to ensure that necessary loan administration

120.6 costs are covered. The interest rate charged by a nonprofit corporation for a loan under this

120.7 section must not exceed the Wall Street Journal prime rate. For a loan under this section,

120.8 the nonprofit corporation may charge a loan origination fee equal to or less than one percent

120.9 of the loan value. The nonprofit corporation may retain the amount of the origination fee.

120.10 (b) Loan repayment of principal must be paid to the office for deposit in the revolving

120.11 loan account. Loan interest payments must be deposited in a revolving loan account created

120.12 by the nonprofit corporation originating the loan being repaid for further distribution or use,

120.13 consistent with the criteria of this section.

120.14 (c) Administrative expenses of the nonprofit corporations with whom the office enters

120.15 into agreements, including expenses incurred by a nonprofit corporation in providing

120.16 financial, technical, managerial, and marketing assistance to a business receiving a loan

120.17 under this section, are eligible program expenses that the office may agree to pay under the

120.18 grant agreement.

Subd. 7. Program outreach. The office shall make extensive efforts to publicize these
 grants, including through partnerships with community organizations, particularly those
 located in areas where long-term residents are eligible to be social equity applicants.

120.22 <u>Subd. 8.</u> <u>Reporting requirements.</u> (a) A nonprofit corporation that receives a grant 120.23 under subdivision 4 shall:

(1) submit an annual report to the office by January 15 of each year that the nonprofit
 corporation participates in the program that includes a description of agricultural businesses
 supported by the grant program, an account of loans made during the calendar year, the

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

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

120.29 liabilities, and an explanation of administrative expenses; and

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

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

120.32 <u>audit report to the office.</u>

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

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

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

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

success toward helping farmers enter the legal cannabis industry. The report must include

121.6 geographic information regarding the issuance of grants and loans under this section, the

121.7 repayment rate of loans issued under subdivision 5, and a summary of the amount of loans

121.8 forgiven.

121.2

121.9 Sec. 65. [342.80] LAWFUL ACTIVITIES.

121.10 (a) Notwithstanding any law to the contrary, the cultivation, manufacturing, possessing,

121.11 and selling of cannabis flower, cannabinoid products, synthetically derived cannabinoids,

121.12 and hemp-derived consumer products by a licensed cannabis business in conformity with

121.13 the rights granted by a cannabis business license is lawful and may not be the grounds for

121.14 the seizure or forfeiture of property, arrest or prosecution, or search or inspections except

- 121.15 as provided by this chapter.
- 121.16 (b) A person acting as an agent of a licensed cannabis retailer or licensed cannabis

121.17 microbusiness who sells or otherwise transfers cannabis flower, cannabinoid products, or

121.18 hemp-derived consumer products to a person under 21 years of age is not subject to arrest,

121.19 prosecution, or forfeiture of property if the person complied with section 342.27, subdivision

121.20 3, and any rules promulgated pursuant to this chapter.

121.21 Sec. 66. [342.81] CIVIL ACTIONS.

121.22 Subdivision 1. Right of action. A spouse, child, parent, guardian, employer, or other

121.23 person injured in person, property, or means of support or who incurs other pecuniary loss

121.24 by an intoxicated person or by the intoxication of another person, has a right of action in

121.25 the person's own name for all damages sustained against a person who caused the intoxication

121.26 of that person by illegally selling cannabis flower or cannabinoid products. All damages

121.27 recovered by a minor under this section must be paid either to the minor or to the minor's

121.28 parent, guardian, or next friend as the court directs.

- Subd. 2. Actions. All suits for damages under this section must be by civil action in a
 court of this state having jurisdiction.
- Subd. 3. Comparative negligence. Actions under this section are governed by section
 604.01.

122.1	Subd. 4. Defense. It is a defense for the defendant to prove by a preponderance of the
122.2	evidence that the defendant reasonably and in good faith relied upon representations of
122.3	proof of age in selling, bartering, furnishing, or giving the cannabis or cannabis product.
122.4	Subd. 5. Common law claims. Nothing in this chapter precludes common law tort claims
122.5	against any person 21 years old or older who knowingly provides or furnishes cannabis
122.6	flower or cannabinoid products to a person under the age of 21 years.
122.7	Sec. 67. REPORT; TRAFFIC AND TRANSPORTATION ISSUES.
122.8	By January 31, 2024, the Office of Cannabis Management must submit a report to the
122.9	chairs and ranking minority members of the legislative committees with jurisdiction over
122.10	transportation policy and finance. At a minimum, the report must include:
122.11	(1) a description of all rules adopted that relate to traffic and transportation laws and
122.12	cannabis transporter licensing and operations;
122.13	(2) recommendations on changes to statutes that would codify the rules; and
122.14	(3) recommendations on how to improve any aspects of this act. The recommendations
122.15	must be developed in consultation with the commissioner of transportation, the commissioner
122.16	of public safety, the colonel of the State Patrol, and the director of the Office of Traffic
122.17	Safety in the Department of Public Safety.
122.18	Sec. 68. TRANSPORTER LICENSE ESTABLISHMENT.
122.19	When establishing the process for issuing transporter licenses and the requirements for
122.20	obtaining a transporter license, the Office of Cannabis Management must consult with the
122.21	Commissioner of Transportation about best practices for issuing licenses.
122.22	Sec. 69. EFFECTIVE DATE.
122.23	Except as otherwise provided, each section of this article is effective July 1, 2023.
122.24	ARTICLE 2
122.25	TAXES
122.26	Section 1. Minnesota Statutes 2022, section 273.13, subdivision 24, is amended to read:
122.27	Subd. 24. Class 3. Commercial and industrial property and utility real and personal
122.28	property is class 3a.

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(1) Except as otherwise provided, each parcel of commercial, industrial, or utility real 123.1 property has a classification rate of 1.5 percent of the first tier of market value, and 2.0 123.2 percent of the remaining market value. In the case of contiguous parcels of property owned 123.3 by the same person or entity, only the value equal to the first-tier value of the contiguous 123.4 parcels qualifies for the reduced classification rate, except that contiguous parcels owned 123.5 by the same person or entity shall be eligible for the first-tier value classification rate on 123.6 each separate business operated by the owner of the property, provided the business is 123.7 123.8 housed in a separate structure. For the purposes of this subdivision, the first tier means the 123.9 first \$150,000 of market value. Real property owned in fee by a utility for transmission line right-of-way shall be classified at the classification rate for the higher tier. 123.10

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

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

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

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

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

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

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

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

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124.1	product" ha	s the meaning given in	section 342.01,	subdivision 12; and "l	ower potency edible
124.2	product" ha	as the meaning given in	n section 342.01	, subdivision 45.	
124.3	EFFEC	TIVE DATE. This se	ection is effectiv	e beginning with prop	perty taxes payable

in 2024 and thereafter.

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

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

124.7 "commercial-industrial tax capacity" means the tax capacity of all taxable property classified
124.8 as class 3 or class 5(1) under section 273.13, excluding:

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

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

124.13 (3) property described in section 473.625.

124.14 County commercial-industrial tax capacity amounts are not adjusted for the captured 124.15 net tax capacity of a tax increment financing district under section 469.177, subdivision 2, the net tax capacity of transmission lines deducted from a local government's total net tax 124.16 capacity under section 273.425, or fiscal disparities contribution and distribution net tax 124.17 capacities under chapter 276A or 473F. For purposes of this subdivision, the procedures 124.18 for determining eligibility for tier 1 under section 273.13, subdivision 24, clauses (1) and 124.19 (2), shall apply in determining the portion of a property eligible to be considered within the 124.20 first \$150,000 of market value. 124.21

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

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

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

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

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

- 124.28 file returns and remit taxes lawfully due in the form and manner prescribed by the
- 124.29 commissioner of revenue.
- 124.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

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Sec. 4. Minnesota Statutes 2022, section 290.0132, subdivision 29, is amended to read: 125.1

Subd. 29. Disallowed section 280E expenses; medical cannabis manufacturers 125.2

licensees. The amount of expenses of a medical cannabis manufacturer business, as defined 125.3 under section 152.22, subdivision 7 342.01, subdivision 48, related to the business of medical 125.4 cannabis under sections 152.21 to 152.37 342.42 to 342.56, or a license holder under chapter 125.5 342, related to the business of nonmedical cannabis under that chapter, and not allowed for 125.6 federal income tax purposes under section 280E of the Internal Revenue Code is a subtraction.

EFFECTIVE DATE. This section is effective for taxable years beginning after December 125.8 31, 2022. 125.9

Sec. 5. Minnesota Statutes 2022, section 290.0134, subdivision 19, is amended to read: 125.10

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

licensees. The amount of expenses of a medical cannabis manufacturer business, as defined 125.12

under section 152.22, subdivision 7 342.01, subdivision 48, related to the business of medical 125.13

cannabis under sections 152.21 to 152.37 342.42 to 342.56, or a license holder under chapter 125.14

342, related to the business of nonmedical cannabis under that chapter, and not allowed for 125.15

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

EFFECTIVE DATE. This section is effective for taxable years beginning after December 125.17 125.18 31, 2022.

125.19 Sec. 6. [295.81] ADULT-USE CANNABIS FLOWER AND ADULT-USE CANNABINOID PRODUCTS GROSS RECEIPTS TAX. 125.20

Subdivision 1. Definitions. (a) For purposes of this section, the following terms have 125.21 125.22 the meanings given.

(b) "Adult-use cannabis flower" has the meaning given in section 342.01, subdivision 125.23 125.24 **4**.

(c) "Adult-use cannabinoid product" has the meaning given in section 342.01, subdivision 125.25 2, and includes adult-use cannabis concentrate as defined in section 342.01, subdivision 3. 125.26

(d) "Adult-use cannabis solution product" means any cartridge, bottle, or other package 125.27

that contains adult-use cannabis flower or an adult-use cannabinoid product in a solution 125.28

- that is consumed or meant to be consumed through the use of a heating element, power 125.29
- source, electronic circuit, or other electronic, chemical, or mechanical means that produces 125.30
- vapor or aerosol. An adult-use cannabis solution product includes any electronic adult-use 125.31
- cannabis concentrate delivery system, electronic vaping device, electronic vape pen, 125.32

125.7

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126.1	electronic oral device, electronic delivery device, or similar product or device, and any
126.2	batteries, heating elements, or other components, parts, or accessories sold with and meant
126.3	to be used in the consumption of a solution containing adult-use cannabis or an adult-use
126.4	cannabis product.
126.5	(e) "Cannabis microbusiness" means a cannabis business licensed under section 342.34.
126.6	(f) "Cannabis retailer" means a retailer that sells adult-use cannabis flower, adult-use
126.7	cannabinoid products, adult-use cannabis solution products, or lower potency edible products.
126.8	Cannabis retailer includes a:
126.9	(1) retailer maintaining a place of business in this state;
126.10	(2) marketplace provider maintaining a place of business in this state, as defined in
126.11	section 297A.66, subdivision 1, paragraph (a);
126.12	(3) retailer not maintaining a place of business in this state; and
126.13	(4) marketplace provider not maintaining a place of business in this state, as defined in
126.14	section 297A.66, subdivision 1, paragraph (b).
126.15	(g) "Commissioner" means the commissioner of revenue.
126.16	(h) "Gross receipts" means the total amount received, in money or by barter or exchange,
126.17	for all adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis solution
126.18	products, or lower potency edible product sales at retail as measured by the sales price.
126.19	Gross receipts include but are not limited to delivery charges and packaging costs. Gross
126.20	receipts do not include:
126.21	(1) any taxes imposed directly on the customer that are separately stated on the invoice,
126.22	bill of sale, or similar document given to the purchaser; and
126.23	(2) discounts, including cash, terms, or coupons, that are not reimbursed by a third party
126.24	and that are allowed by the seller and taken by a purchaser on a sale.
126.25	(i) "lower potency edible product" has the meaning given in section 342.01, subdivision
126.26	<u>45.</u>
126.27	(j) "On-site sale" means the sale of adult-use cannabis or adult-use cannabinoid products
126.28	for consumption on the premises of a cannabis microbusiness or the sale of lower potency
126.29	edible products for consumption on the premises of a lower potency edible product retailer.
126.30	

Subd. 2. Gross receipts tax imposed. (a) A tax equal to eight percent of gross receipts 127.1 from retail and on-site sales in Minnesota of adult-use cannabis flower, adult-use cannabinoid 127.2 127.3 products, adult-use cannabis solution products, and lower potency edible products is imposed on any cannabis retailer, cannabis microbusiness, or lower potency edible product retailer 127.4 that sells these products to customers. A cannabis retailer, cannabis microbusiness, or lower 127.5 potency edible product retailer may but is not required to collect the tax imposed by this 127.6 section from the purchaser as long as the tax is separately stated on the receipt, invoice, bill 127.7 127.8 of sale, or similar document given to the purchaser. (b) If a product subject to the tax imposed by this section is bundled in a single transaction 127.9 with a product or service that is not subject to the tax imposed by this section, the entire 127.10 sales price of the transaction is subject to the tax imposed by this section. 127.11 (c) The tax imposed under this section is in addition to any other tax imposed on the 127.12 sale or use of adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis 127.13 solution products, and lower potency edible products. 127.14

Subd. 3. Use tax imposed; credit for taxes paid. (a) A person that receives adult-use 127.15 cannabis flower, adult-use cannabinoid products, adult-use cannabis solution products, or 127.16 lower potency edible products for use or storage in Minnesota, other than from a cannabis 127.17 127.18 retailer, cannabis microbusiness, or lower potency edible product retailer that paid the tax under subdivision 2, is subject to tax at the rate imposed under subdivision 2. Liability for 127.19 the tax is incurred when the person has possession of the adult-use cannabis flower, adult-use 127.20 cannabinoid product, or lower potency edible product in Minnesota. The tax must be remitted 127.21 to the commissioner in the same manner prescribed for taxes imposed under chapter 297A. 127.22 (b) A person that has paid taxes to another state or any subdivision thereof on the same 127.23 transaction and is subject to tax under this section is entitled to a credit for the tax legally 127.24 due and paid to another state or subdivision thereof to the extent of the lesser of (1) the tax 127.25 127.26 actually paid to the other state or subdivision thereof, or (2) the amount of tax imposed by Minnesota on the transaction subject to tax in the other state or subdivision thereof. 127.27 127.28 Subd. 4. Exemptions. (a) The use tax imposed under subdivision 2, paragraph (b), does not apply to the possession, use, or storage of adult-use cannabis flower, adult-use 127.29 cannabinoid products, adult-use cannabis solution products, or lower potency edible products 127.30 if (1) the adult-use cannabis flower, adult-use cannabinoid products, adult-use cannabis 127.31 solution products, or lower potency edible products have an aggregate cost in any calendar 127.32 month to the customer of \$100 or less, and (2) the adult-use cannabis flower, adult-use 127.33

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128.1	cannabinoid pi	oducts, adult-use ca	nnabis solution	products, or lower pote	ency edible products
128.2		nto this state by the		•	
128.3	(b) The tax	imposed under this	section does no	t apply to sales of med	ical cannabis flower
128.4	<u>· · /</u>	•		or for the patients enro	
128.5	program.		purchased of		
		.1	· .1 ·	1 1. 1	
128.6	<u> </u>	-		he exemptions applical	
128.7	under chapter	297A are not applic	cable to the tax	es imposed under this	section.
128.8	<u>Subd. 5.</u> Ta	ax collection requir	ed. <u>A cannabis</u>	retailer, cannabis mici	robusiness, or lower
128.9	potency edible	retailer with nexus	in Minnesota,	who is not subject to ta	x under subdivision
128.10	2, is required t	to collect the tax imp	posed under su	bdivision 3 from the p	ourchaser of the
128.11	adult-use cann	abis flower, adult-u	se cannabinoic	l product, adult-use car	nnabis solution
128.12	product, or lov	ver potency edible p	product and give	e the purchaser a rece	ipt for the tax paid.
128.13	The tax collec	ted must be remitted	d to the commi	ssioner in the same ma	anner prescribed for
128.14	the taxes impo	osed under chapter 2	207A.		
128.15	<u>Subd. 6.</u> Ta	axes paid to anothe	er state or any	subdivision thereof;	credit. A cannabis
128.16	retailer, canna	bis microbusiness, c	or lower potent	y edible retailer that h	as paid taxes to
128.17	another state c	or any subdivision th	nereof measure	d by gross receipts and	d is subject to tax
128.18	under this sect	tion on the same gro	oss receipts is e	ntitled to a credit for t	he tax legally due
128.19	and paid to an	other state or any su	bdivision there	eof to the extent of the	lesser of (1) the tax
128.20	actually paid t	o the other state or a	ny subdivision	thereof, or (2) the amo	ount of tax imposed
128.21	by Minnesota	on the gross receipts	s subject to tax	in the other taxing state	e or any subdivision
128.22	thereof.				
128.23	<u>Subd. 7.</u>	ourcing of sales. Se	ection 297A.66	8 applies to the taxes i	mposed by this
128.24	section.				
128.25	<u>Subd. 8.</u> A	dministration. Unl	ess specifically	provided otherwise, th	e audit, assessment,
128.26	refund, penalt	y, interest, enforcem	nent, collection	remedies, appeal, and	administrative
128.27	provisions of o	chapters 270C and 2	289A that are a	pplicable to taxes imp	osed under chapter
128.28	297A, except	the requirement to fi	ile returns and	remit taxes due electro	nically, apply to the
128.29	tax imposed u	nder this section.			
128.30	<u>Subd. 9.</u> R	eturns; payment o	f tax. (a) A car	nabis retailer, cannabi	is microbusiness, or
128.31	lower potency	edible product reta	iler must repor	t the tax on a return pr	escribed by the
128.32	commissioner	and must remit the t	ax in a form an	d manner prescribed by	y the commissioner.
128.33	The return and	I the tax must be file	ed and paid usi	ng the filing cycle and	due dates provided
128.34	for taxes impo	sed under section 2	89A.20, subdiv	vision 4, and chapter 2	<u>97A.</u>

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(b) Interest must be paid on an overpayment refunded or credited to the taxpayer from
the date of payment of the tax until the date the refund is paid or credited. For purposes of
this subdivision, the date of payment is the due date of the return or the date of actual
payment of the tax, whichever is later.
Subd. 10. Deposit of revenues. The commissioner must deposit all revenues, including
penalties and interest, derived from the tax imposed by this section in the general fund.
Subd. 11. Personal debt. The tax imposed by this section, and interest and penalties

129.9 the time that the liability for it arises, irrespective of when the time for payment of the

imposed with respect to it, are a personal debt of the person required to file a return from

129.10 liability occurs. The debt must, in the case of the executor or administrator of the estate of

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

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

129.13 capacity without reserving sufficient assets to pay the tax, interest, and penalties, in which

129.14 event the person is personally liable for any deficiency.

129.8

129.15 EFFECTIVE DATE. This section is effective for gross receipts received after December 129.16 31, 2023.

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

129.18 Subd. 3. Sale and purchase. (a) "Sale" and "purchase" include, but are not limited to, each of the transactions listed in this subdivision. In applying the provisions of this chapter, 129.19 the terms "tangible personal property" and "retail sale" include the taxable services listed 129.20 in paragraph (g), clause (6), items (i) to (vi) and (viii), and the provision of these taxable 129.21 services, unless specifically provided otherwise. Services performed by an employee for 129.22 an employer are not taxable. Services performed by a partnership or association for another 129.23 partnership or association are not taxable if one of the entities owns or controls more than 129.24 80 percent of the voting power of the equity interest in the other entity. Services performed 129.25 between members of an affiliated group of corporations are not taxable. For purposes of 129.26 the preceding sentence, "affiliated group of corporations" means those entities that would 129.27 be classified as members of an affiliated group as defined under United States Code, title 129.28 26, section 1504, disregarding the exclusions in section 1504(b). 129.29

129.30 (b) Sale and purchase include:

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

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

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

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

130.9 (1) prepared food sold by the retailer;

130.10 (2) soft drinks;

130.11 (3) candy; and

130.12 (4) dietary supplements.

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

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

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

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

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

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

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

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

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

131.6 Granting of membership means both onetime initiation fees and periodic membership dues.

131.7 Sports and athletic facilities include golf courses; tennis, racquetball, handball, and squash

131.8 courts; basketball and volleyball facilities; running tracks; exercise equipment; swimming

131.9 pools; and other similar athletic or sports facilities;

(5) delivery of aggregate materials by a third party, excluding delivery of aggregatematerial used in road construction; and delivery of concrete block by a third party if the

131.12 delivery would be subject to the sales tax if provided by the seller of the concrete block.

131.13 For purposes of this clause, "road construction" means construction of:

131.14 (i) public roads;

131.15 (ii) cartways; and

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

131.18 (6) services as provided in this clause:

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

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

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

131.22 include services provided by coin operated facilities operated by the customer;

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

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

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

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

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132.3 (v) pet grooming services;

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

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

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

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

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

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

wireless calling service, and private communication services. The services in this paragraphare taxed to the extent allowed under federal law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

134.8 than tobacco, intended to supplement the diet that:

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

134.11 (ii) a mineral;

134.12 (iii) an herb or other botanical;

134.13 (iv) an amino acid;

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

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

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

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

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

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

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

- 134.29 (1) drugs, including over-the-counter drugs;
- 134.30 (2) single-use finger-pricking devices for the extraction of blood and other single-use
- 134.31 devices and single-use diagnostic agents used in diagnosing, monitoring, or treating diabetes;

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

135.3 (4) prosthetic devices;

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

135.5 (6) mobility enhancing equipment;

135.6 (7) prescription corrective eyeglasses; and

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

135.8 (b) Items purchased in transactions covered by:

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

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

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

135.12 title 42, section 1396, et seq.

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

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

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

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

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

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

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

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

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

135.27 (i) can withstand repeated use;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

136.26 Prosthetic device does not include corrective eyeglasses.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

139.30 defined in section 342.01, subdivision 45; and

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

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

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

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

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

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

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

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

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

140.15 potency edible products.

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

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

140.18 **297D.01 DEFINITIONS.**

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

140.25 or Minnesota criminal laws.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

141.18 **297D.06 PHARMACEUTICALS.**

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

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

141.21 required under this chapter.

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

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

141.24 **297D.07 MEASUREMENT.**

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

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

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

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

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

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

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142.1	Sec. 17. Minnesota Statutes 2022, section 297D.08, is amended to read:							
142.2	297D.08 TAX RATE.							
142.3	A tax is imposed on marijuana illegal cannabis and controlled substances as defined in							
142.4	section 297D.01 at the following rates:							
142.5	(1) on each gram of marijuana illegal cannabis, or each portion of a gram, \$3.50; and							
142.6	(2) on each	gram of controlled	substance, or p	portion of a gram, \$20	0; or			

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

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

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

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

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

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

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

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

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

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

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144.1	(d) "New bus	siness" means a leg	gal cannabis b	usiness that has been in	n existence for three		
144.2	years or less.						
144.3	(e) "Program" means the CanStartup grant program.						
144.4	(f) "Social equity applicant" means a person who meets the qualification requirements						
144.5	in section 342.16.						
144.6	Subd. 3. Gra	ants. (a) The comm	nissioner shall	establish a revolving le	oan account to make		
144.7	grants under the	CanStartup progra	am.				
144.8	(b) The com	nissioner must awa	ord grants to no	onprofit corporations th	rough a competitive		
144.9	grant process.						
144.10	(c) To receiv	e grant money, a n	onprofit corp	oration must submit a	written application		
144.11	to the commission	oner using a form o	developed by	the commissioner.			
144.12	(d) In award	ing grants under th	is subdivision	n, the commissioner sh	all give weight to		
144.13	whether the non	profit corporation:					
144.14	<u>(1) has a boan</u>	rd of directors that	includes citize	ens experienced in busin	ness and community		
144.15	development, ne	w business enterp	rises, and crea	ating jobs for people fa	cing barriers to		
144.16	education or em	ployment;					
144.17	(2) has the te	echnical skills to ar	nalyze project	<u>s;</u>			
144.18	(3) is familia	r with other availa	ble public and	d private funding source	es and economic		
144.19	development pro	ograms;					
144.20	(4) can initia	te and implement	economic dev	velopment projects;			
144.21	(5) can estab	lish and administe	r a revolving	loan account;			
144.22	<u>(6) can work</u>	with job referral r	networks that	assist people facing ba	rriers to education		
144.23	or employment;	and					
144.24	(7) has establ	lished relationships	with commu	nities where long-term	residents are eligible		
144.25	to be social equi	ty applicants.					
144.26	The commission	ier shall make gran	ts that will as	sist a broad range of bu	sinesses in the legal		
144.27	cannabis industr	ry, including the pr	ocessing and	retail sectors.			
144.28	(e) A nonpro	ofit corporation that	t receives a g	rant under the program	<u>must:</u>		
144.29	(1) establish	a commissioner-ce	ertified revolv	ing loan account for the	e purpose of making		
144.30	eligible loans; a	nd					

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

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

Article 3 Section 1.

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

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

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147.1	creating jobs in	n communities where	long-term resi	lents are eligible to l	be social equity
147.2	applicants.			0	
147.3	Sec. 2. [116]	.6595] CANNABIS I	INDUSTRY N	AVIGATION GRA	<u>.NTS.</u>
147.4	Subdivision	n 1. Establishment. T	The commission	ner of employment a	nd economic
147.5	development sl	nall establish CanNavig	gate, a program	to award grants to el	igible organizations
147.6	to help individ	uals navigate the regu	latory structur	e of the legal cannab	is industry.
147.7	<u>Subd. 2.</u> D	efinitions. (a) For the	purposes of th	is section, the follow	ving terms have the
147.8	meanings give	<u>n.</u>			
147.9	<u>(b) "Comm</u>	issioner" means the con	mmissioner of e	employment and ecor	nomic development.
147.10	(c) "Eligible	e organization" means	any organizatio	n capable of helping i	individuals navigate
147.11	the regulatory s	structure of the legal ca	annabis industr	y, particularly individ	luals facing barriers
147.12	to education of	employment, and ma	y include educ	ational institutions,	nonprofit
147.13	organizations,	private businesses, co	mmunity grou	ps, units of local gov	vernment, or
147.14	partnerships be	etween different types	of organizatio	ns.	
147.15	(d) "Indust	ry" means the legal ca	nnabis industr	y in the state of Mini	nesota.
147.16	<u>(e)</u> "Progra	m" means the CanNav	vigate grant pro	ogram.	
147.17	(f) "Social	equity applicant" mea	ns a person wł	o meets the qualific	ation requirements
147.18	in section 342.	<u>16.</u>			
147.19	<u>Subd. 3.</u> G	rants to organization	1s. (a) Grant m	oney awarded to elig	gible organizations
147.20	may be used for	or both developing tec	hnical assistan	ce resources relevan	t to the regulatory
147.21	structure of the	e legal cannabis indust	ry and for prov	riding technical assis	tance or navigation
147.22	services to ind	ividuals.			
147.23	(b) The con	nmissioner must award	d grants to eligi	ble organizations thr	ough a competitive
147.24	grant process.				
147.25	(c) To receive	ive grant money, an el	igible organiza	tion must submit a v	written application
147.26	to the commiss	sioner, using a form de	eveloped by th	e commissioner, exp	laining the
147.27	organization's	ability to assist individ	duals in naviga	ting the regulatory st	ructure of the legal
147.28	cannabis indus	try, particularly indivi	iduals facing b	arriers to education of	or employment.
147.29	(d) An elig	ible organization's gra	nt application	must also include:	
147.30	(1) a descri	ption of the proposed	technical assis	tance or navigation	services, including
147.31	the types of ine	dividuals targeted for	assistance;		

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148.1	(2) any evide	ence of the organi	zation's past suc	ccess in providing tec	chnical assistance or
148.2	<u>···</u>		-		reas where long-term
148.3		gible to be social			
140.4					
148.4	(3) an estimation	ite of the cost of p	broviding the tec	chnical assistance;	
148.5	(4) the source	es and amounts o	f any nonstate n	noney or in-kind con	tributions that will
148.6	supplement grar	<u>it money, includin</u>	ng any amounts t	that individuals will b	be charged to receive
148.7	assistance; and				
148.8	(5) any addit	tional information	requested by th	ne commissioner.	
148.9	(e) In awardi	ing grants under t	his subdivision,	the commissioner sh	all give weight to
148.10	applications from	n organizations th	at demonstrate a	history of successfu	l technical assistance
148.11	or navigation ser	vices, particularly	for individuals f	acing barriers to educ	ation or employment.
148.12	The commission	ner shall also give	weight to appli	cations where the pro	oposed technical
148.13	assistance will s	erve areas where	long-term resid	ents are eligible to be	e social equity
148.14	applicants. To the	ne extent practical	ble, the commis	sioner shall fund tech	nnical assistance for
148.15	a variety of sect	ors in the legal ca	nnabis industry	including both proc	essing and retail
148.16	sectors.				
148.17	Subd. 4. Pro	gram outreach. 🛛	The commission	er shall make extensiv	ve efforts to publicize
148.18	these grants, inc	luding through pa	artnerships with	community organiza	tions, particularly
148.19	those organization	ons located in area	s where long-ter	m residents are eligit	ble to be social equity
148.20	applicants.				
148.21	Subd. 5. Rep	orts to the legisla	iture. By Januar	y 15, 2024, and each.	January 15 thereafter,
148.22	the commission	er must submit a 1	report to the cha	irs and ranking minc	ority members of the
148.23	committees of the	e house of represe	entatives and the	senate having jurisd	iction over economic
148.24	development that	at details awards g	given through th	e CanNavigate prog	ram and the use of
148.25	grant money, inc	cluding any measu	ures of success	toward helping indiv	iduals navigate the
148.26	regulatory struct	ture of the legal c	annabis industry	<u>/.</u>	
148.27	Sec. 3. [116L.	90] CANNABIS	INDUSTRY T	RAINING GRANT	<u>s.</u>
148.28	Subdivision	1. Establishment	t. The commissi	oner of employment	and economic

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

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

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149.1	<u>(b)</u> "Co	ommissioner" means the	commissioner of	femployment and eco	nomic development.
149.2	<u>(c)</u> "Eli	gible organization" mea	ns any organizat	tion capable of provid	ing training relevant
149.3	to the lega	l cannabis industry, par	ticularly for ind	ividuals facing barrie	rs to education or
149.4	employme	ent, and may include edu	ucational institu	tions, nonprofit orgar	nizations, private
149.5	businesses	, community groups, un	its of local gove	rnment, or partnershi	os between different
149.6	types of or	ganizations.			
149.7	<u>(d) "El</u>	igible individual" mean	s a Minnesota r	esident who is 21 yea	rs old or older.
149.8	<u>(e) "Inc</u>	dustry" means the legal	cannabis indust	ry in Minnesota.	
149.9	<u>(f)</u> "Pro	ogram" means the CanT	rain grant prog	<u>am.</u>	
149.10	(g) "So	ocial equity applicant" n	neans a person v	vho meets the qualified	cation requirements
149.11	in section	342.16.			
149.12	Subd. 3	3. Grants to organizati	i ons. (a) Grant r	noney awarded to elig	gible organizations
149.13	may be use	ed for both developing a	a training progra	m relevant to the lega	al cannabis industry
149.14	and for pro	oviding such training to	individuals.		
149.15	<u>(b)</u> The	e commissioner must aw	ard grants to elig	gible organizations th	rough a competitive
149.16	grant proc	ess.			
149.17	<u>(c)</u> To 1	receive grant money, an	eligible organiz	zation must submit a	written application
149.18	to the com	missioner, using a form	developed by t	he commissioner, exp	plaining the
149.19	organizatio	on's ability to train indivi	iduals for succes	sful careers in the leg	al cannabis industry,
149.20	particularl	y individuals facing bar	riers to education	on or employment.	
149.21	<u>(d)</u> An	eligible organization's g	grant application	n must also include:	
149.22	<u>(1)</u> a de	escription of the propos	ed training;		
149.23	<u>(2)</u> an a	analysis of the degree of	demand in the le	gal cannabis industry	for the skills gained
149.24	through th	e proposed training;			
149.25	<u>(3) any</u>	vevidence of the organiz	zation's past suc	cess in training indivi	duals for successful
149.26	careers, pa	articularly in new or emo	erging industrie	<u>s;</u>	
149.27	<u>(4) an e</u>	estimate of the cost of p	roviding the pro	pposed training;	
149.28	(5) the	sources and amounts of	f any nonstate fu	unds or in-kind contri	butions that will
149.29	supplemen	nt grant money, includin	g any amounts	that individuals will b	be charged to
149.30	participate	in the training; and			
149.31	<u>(6)</u> any	additional information	requested by th	e commissioner.	

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

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151.1	(3) seek	ting to enroll in a traini	ng program th	at includes opportuniti	es for hands-on or
151.2		erience in the industry.			
151.3	(d) Gran	nt money awarded to eli	gible individua	ls shall be used to pay t	he costs of enrolling
151.4	in a trainin	g program relevant to t	he legal canna	bis industry, including	tuition, fees, and
151.5	materials c	osts. Grant money may	also be used to	remove external barrie	ers to attending such
151.6	a training p	rogram, such as the cos	t of child care,	transportation, or other	expenses approved
151.7	by the com	missioner.			
151.8	Subd. 5	. Program outreach. T	The commissior	ner shall make extensiv	e efforts to publicize
151.9		s, including through pa			•
151.10		izations located in area	•	¥	
151.11	applicants.			8	<u></u>
151.12	Subd. 6	. Reports to the legisla	ture. By Janua	ry 15, 2024, and each Ja	anuary 15 thereafter,
151.13	the commis	ssioner must submit a r	report to the ch	airs and ranking minor	rity members of the
151.14	committees	s of the house of represe	entatives and the	e senate having jurisdic	tion over workforce
151.15	developme	nt that describes award	ls given throug	h the CanTrain program	m and the use of
151.16	grant mone	ey, including any measu	ares of success	toward training people	e for successful
151.17	careers in t	he legal cannabis indus	stry.		
151.18			ARTICL		
151.19		CI	RIMINAL PE	NALIIES	
151.20	Section 1	. Minnesota Statutes 20	022, section 15	2.01, is amended by a	dding a subdivision
151.21	to read:				
151.22	Subd. 2	<u>5. Cannabinoid produ</u>	uct. "Cannabin	oid product" has the m	neaning given in
151.23	section 342	2.01, subdivision 12.			
151.24	Sec. 2. M	linnesota Statutes 2022	, section 152.0	1, is amended by addit	ng a subdivision to
151.25	read:				
151.26	Subd. 2	6. Cannabis concentr	ate. "Cannabis	concentrate" has the 1	neaning given in
151.27	section 342	2.01, subdivision 15.			
151.28	Sec. 3. M	linnesota Statutes 2022	, section 152.0	1, is amended by addit	ng a subdivision to
151.29	read:				
151.30	<u>Subd. 2</u>	7. Cannabis flower. "(Cannabis flowe	r" has the meaning give	en in section 342.01,
151.31	subdivisior	<u>n 16.</u>			

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

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

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

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

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

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

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

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

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

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

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

152.23 (ii) the offense involves two aggravating factors;

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

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

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

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

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

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

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

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

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

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

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

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

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

153.21 (ii) the offense involves three aggravating factors;

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

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

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

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

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

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

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

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

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

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

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

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

154.23 (ii) the offense involves three aggravating factors;

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

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

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

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

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

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

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

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

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

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

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

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

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

155.24 Tetrahydrocannabinols.

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

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

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

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

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

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

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

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

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

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

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

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

156.20 tetrahydrocannabinol; or

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

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

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

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

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

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

(2) the person unlawfully sells one or more mixtures containing a controlled substance
classified in Schedule IV or V to a person under the age of 18; or

(3) the person conspires with or employs a person under the age of 18 to unlawfully sell
a controlled substance classified in Schedule IV or V; or.

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

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

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

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

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

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

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

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

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

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

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

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

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

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159.1	(1) more that	n four ounces but n	ot more than	one pound of cannabi	s flower in any place
159.2	other than the p	erson's residence;			
159.3	(2) more that	n 16 grams but not	more than 80	grams of cannabis co	oncentrate; or
159.4	(3) edible ca	nnabinoid products	s infused with	more than 1,600 mill	igrams but not more
159.5	than eight gram	s of tetrahydrocanr	nabinol.		
159.6	Subd. 4. Pos	ssession of cannab	is in the four	th degree. A person i	s guilty of a petty
159.7	misdemeanor if	the person unlawf	ully possesses	any of the following:	
159.8	(1) more that	n two ounces but no	ot more than f	our ounces of cannabi	s flower in any place
159.9	other than the p	erson's residence;			
159.10	(2) more that	n eight grams but r	not more than	16 grams of cannabis	concentrate; or
159.11	(3) edible ca	nnabinoid product	s infused with	more than 800 millig	rams but not more
159.12	than 1,600 milli	grams of tetrahydr	ocannabinol.		
159.13	Subd. 5. Use	e of cannabis in a 1	motor vehicle	(a) A person is guilt	y of a crime and may
159.14	be sentenced to	imprisonment of no	ot more than 9	0 days or to payment	of a fine of not more
159.15	<u>than \$1,000, or </u>	both, if the person u	inlawfully use	es cannabis flower or c	annabinoid products
159.16	while driving, o	perating, or being	in physical co	ntrol of any motor vel	nicle, as defined in
159.17	section 169A.03	3, subdivision 15.			
159.18	(b) The State	e Patrol must increa	ase enforceme	ent of this subdivision	annually on April
159.19	20. Other law en	nforcement agencie	es are encoura	ged to increase enforce	cement of this
159.20	subdivision ann	ually on April 20.			
159.21	Subd. 6. Use	e of cannabis in pu	blic. A local u	init of government ma	y adopt an ordinance
159.22	establishing a pe	etty misdemeanor o	offense for a pe	erson who unlawfully	uses cannabis flower
159.23	or cannabinoid	products in a public	c place provid	ed that the definition	of public place does
159.24	not include the	following:			
159.25	(1) a private	residence, includir	ng the person'	s curtilage or yard;	
159.26	(2) private pr	roperty not general	ly accessible b	y the public, unless th	e person is explicitly
159.27	prohibited from	consuming cannab	is flower or ca	annabinoid products o	n the property by the
159.28	owner of the pro	operty; or			
159.29	(3) the prem	ises of an establish	ment or event	licensed to permit on	-site consumption.
159.30	EFFECTIV	E DATE. This sec	tion is effecti	ve August 1, 2023, an	d applies to crimes
159.31	committed on or	r after that date.			

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160.1	Sec. 16. [152.0264] CANNABIS SALE CRIMES.
160.2	Subdivision 1. Sale of cannabis in the first degree. A person is guilty of the sale of
160.3	cannabis in the first degree and may be sentenced to imprisonment of not more than five
160.4	years or to payment of a fine of not more than \$10,000, or both, if the person unlawfully
160.5	sells more than two ounces of cannabis flower, more than eight grams of cannabis
160.6	concentrate, or edible cannabinoid products infused with more than 800 milligrams of
160.7	tetrahydrocannabinol:
160.8	(1) to a minor and the defendant is an adult who is more than 36 months older than the
160.9	minor;
160.10	(2) within ten years of two or more convictions for the unlawful sale of more than two
160.11	ounces of cannabis flower, more than eight grams of cannabis concentrate, or edible
160.12	cannabinoid products infused with more than 800 milligrams of tetrahydrocannabinol; or
160.13	(3) within ten years of a conviction under this subdivision.
160.14	Subd. 2. Sale of cannabis in the second degree. A person is guilty of sale of cannabis
160.15	in the second degree and may be sentenced to imprisonment of not more than one year or
160.16	to payment of a fine of not more than \$3,000, or both, if the person unlawfully sells more
160.17	than two ounces of cannabis flower, more than eight grams of cannabis concentrate, or
160.18	edible cannabinoid products infused with more than 800 milligrams of tetrahydrocannabinol:
160.19	(1) to a minor and the defendant is an adult who is not more than 36 months older than
160.20	the minor;
160.21	(2) in a school zone, a park zone, a public housing zone, or a drug treatment facility; or
160.22	(3) within ten years of a conviction for the unlawful sale of more than two ounces of $\frac{1}{2}$
160.23	cannabis flower, more than eight grams of cannabis concentrate, or edible cannabinoid
160.24	products infused with more than 800 milligrams of tetrahydrocannabinol.
160.25	Subd. 3. Sale of cannabis in the third degree. A person is guilty of sale of cannabis in
160.26	the third degree and may be sentenced to imprisonment of not more than 90 days or to
160.27	payment of a fine of not more than \$1,000, or both, if the person unlawfully sells:
160.28	(1) more than two ounces of cannabis flower;
160.29	(2) more than eight grams of cannabis concentrate; or
160.30	(3) edible cannabinoid products infused with more than 800 milligrams of
160.31	tetrahydrocannabinol.

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- 161.1 Subd. 4. Sale of cannabis in the fourth degree. (a) A person is guilty of a petty
- 161.2 <u>misdemeanor if the person unlawfully sells:</u>
- 161.3 (1) not more than two ounces of cannabis flower;
- 161.4 (2) not more than eight grams of cannabis concentrate; or
- 161.5 (3) edible cannabinoid products infused with not more than 800 milligrams of
- 161.6 tetrahydrocannabinol.
- 161.7 (b) A sale for no remuneration by an individual over the age of 21 to another individual
- 161.8 over the age of 21 is not an unlawful sale under this subdivision.
- 161.9 Subd. 5. Sale of cannabis by a minor. (a) A minor is guilty of a petty misdemeanor if:
- 161.10 (1) the minor unlawfully sells cannabis flower, cannabis concentrate, or cannabinoid
- 161.11 products; and
- 161.12 (2) the minor has not previously received a petty misdemeanor disposition or been
- 161.13 adjudicated delinquent for committing an act in violation of this section.
- 161.14 (b) A minor sentenced under this subdivision is required to participate in a drug education
- 161.15 program unless the court enters a written finding that a drug education program is
- 161.16 inappropriate. The program must be approved by an area mental health board with a
- 161.17 curriculum approved by the state alcohol and drug abuse authority.
- 161.18 (c) A minor who receives a disposition pursuant to this subdivision is required to perform
 161.19 community service.
- 161.20 EFFECTIVE DATE. This section is effective January 1, 2024, and applies to crimes
 161.21 committed on or after that date.

161.22 Sec. 17. [152.0265] CANNABIS CULTIVATION CRIMES.

- 161.23 Subdivision 1. Cultivation of cannabis in the first degree. A person is guilty of
- 161.24 cultivation of cannabis in the first degree and may be sentenced to imprisonment of not
- 161.25 more than five years or to payment of a fine of not more than \$10,000, or both, if the person
- 161.26 unlawfully cultivates more than 23 cannabis plants.
- 161.27 Subd. 2. Cultivation of cannabis in the second degree. A person is guilty of cultivation
- 161.28 of cannabis in the second degree and may be sentenced to imprisonment of not more than
- 161.29 one year or to payment of a fine of not more than \$3,000, or both, if the person unlawfully
- 161.30 cultivates more than 16 cannabis plants but not more than 23 cannabis plants.

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162.1	EFFECT	IVE DATE. This sec	tion is effecti	ve August 1, 2023, and	l applies to crimes
162.2		n or after that date.		.	
162.3	Sec. 18. [10	69A.36] OPEN PACH	KAGE LAW.		
162.4	<u>Subdivisi</u>	on 1. Definitions. As	used in this s	ection:	
162.5	<u>(1)</u> "synth	etically derived canna	abinoid" has t	he meaning given in se	ection 342.01,
162.6	subdivision 6	<u>;</u>			
162.7	<u>(2) "canna</u>	abinoid product" has t	the meaning g	iven in section 342.01	, subdivision 12;
162.8	<u>(3) "canna</u>	abis flower" has the m	neaning given	in section 342.01, sub	division 16;
162.9	<u>(4)</u> "moto	r vehicle" does not in	clude motorb	oats in operation or off	-road recreational
162.10	vehicles exce	pt while operated on	a roadway or	shoulder of a roadway	that is not part of a
162.11	grant-in-aid t	rail or trail designated	for that vehicl	e by the commissioner	of natural resources;
162.12	and				
162.13	<u>(5)</u> "posse	ession" means either t	hat the person	had actual possession	of the package or
162.14	that the perso	on consciously exercis	sed dominion	and control over the pa	ackage.
162.15	Subd. 2.	Use; crime described	. It is a crime	for a person to use car	inabis flower, a
162.16	cannabinoid	product, or any produ-	ct containing	a synthetically derived	cannabinoid in a
162.17	motor vehicle	e when the vehicle is a	on a street or	highway.	
162.18	<u>Subd. 3.</u>	Possession; crime des	scribed. It is a	a crime for a person to	have in possession,
162.19	while in a pri	vate motor vehicle on	a street or hig	ghway, any cannabis flo	ower, a cannabinoid
162.20	product, or a	ny product containing	a synthetical	ly derived cannabinoid	that:
162.21	<u>(1) is in pa</u>	ackaging or another co	ontainer that de	oes not comply with the	relevant packaging
162.22	requirements	in chapter 152 or 342	2;		
162.23	<u>(2) has be</u>	een removed from the	packaging in	which it was sold;	
162.24	<u>(3) is in p</u>	ackaging that has bee	n opened or t	he seal has been broker	<u>n; or</u>
162.25	<u>(4) is in p</u>	ackaging of which the	e contents hav	ve been partially remov	red.
162.26	<u>Subd. 4.</u>	Liability of nonprese	nt owner; cri	ime described. It is a c	rime for the owner
162.27	of any private	e motor vehicle or the	driver, if the	owner is not present ir	the motor vehicle,
162.28	to keep or all	ow to be kept in a mo	otor vehicle w	hen the vehicle is on a	street or highway
162.29			d product, or a	any product containing	a synthetically
162.30	derived cann	abinoid that:			

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163.1	(1) is in pa	ackaging or another	container that do	es not comply with th	he relevant packaging
163.2	requirements	in chapter 152 or 34	42;		
163.3	<u>(2) has be</u>	een removed from th	e packaging in	which it was sold;	
163.4	<u>(3) is in p</u>	ackaging that has be	een opened or th	e seal has been brok	en; or
163.5	<u>(4) is in p</u>	ackaging of which t	he contents hav	e been partially remo	oved.
163.6	<u>Subd. 5.</u>	Criminal penalty. A	person who vi	olates subdivision 2,	3, or 4 is guilty of a
163.7	misdemeanor	<u>r.</u>			
163.8	<u>Subd. 6.</u>	Exceptions. (a) This	section does no	ot prohibit the posses	ssion or consumption
163.9	of cannabis f	lower or a cannabing	oid product or an	y other product cont	aining a synthetically
163.10	derived cann	abinoid by passenge	ers in:		
163.11	<u>(1) a bus t</u>	that is operated by a	motor carrier of	passengers as define	ed in section 221.012,
163.12	subdivision 2	26;			
163.13	<u>(2) a vehi</u>	cle that is operated f	for commercial	purposes in a manne	r similar to a bicycle
163.14	as defined in	section 169.011, su	bdivision 4, with	n five or more passer	ngers who provide
163.15	pedal power	to the drive train of	the vehicle; or		
163.16	<u>(3) a vehi</u>	cle providing limou	sine service as c	lefined in section 22	1.84, subdivision 1.
163.17	(b) Subdi	visions 3 and 4 do no	ot apply to: (1) a	package that is in th	e trunk of the vehicle
163.18	if the vehicle	is equipped with a tr	runk; or (2) a pa	ckage that is in anoth	her area of the vehicle
163.19	not normally	occupied by the driv	ver and passeng	ers if the vehicle is r	ot equipped with a
163.20	trunk. A utilit	ty compartment or gl	ove compartment	nt is deemed to be wit	thin the area occupied
163.21	by the driver	and passengers.			
163.22	EFFECT	IVE DATE. This se	ection is effectiv	ve August 1, 2023, an	nd applies to crimes
163.23	committed or	n or after that date.			
					1 1 . 1
163.24	Sec. 19. Mi	nnesota Statutes 202	22, section 244.	05, subdivision 2, is	amended to read:
163.25	Subd. 2. I	Rules. <u>(a)</u> The comm	nissioner of corr	rections shall adopt b	y rule standards and
163.26	procedures for	or the establishment	of conditions of	f release and the revo	ocation of supervised
163.27	or conditiona	l release, and shall sp	becify the period	of revocation for eac	h violation of release.
163.28	Procedures for	or the revocation of	release shall pro	ovide due process of	law for the inmate.
163.29	<u>(b)</u> The co	ommissioner may pi	ohibit an inmat	e placed on parole, s	upervised release, or
163.30	conditional re	elease from using ad	lult-use cannabi	s flower as defined in	n section 342.01,

163.31 subdivision 4, or adult-use cannabinoid products as defined in section 342.01, subdivision

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<u>2, if the inmate undergoes a chemical use assessment and abstinence is consistent with a</u>
 <u>recommended level of care for the defendant in accordance with the criteria in rules adopted</u>
 by the commissioner of human services under section 254A.03, subdivision 3.

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

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

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

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

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

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

164.10 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to supervised 164.11 release granted on or after that date.

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

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

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

164.17 (2) may place the defendant on probation with or without supervision and on the terms the court prescribes, including intermediate sanctions when practicable. The court may order 164.18 the supervision to be under the probation officer of the court, or, if there is none and the 164.19 conviction is for a felony or gross misdemeanor, by the commissioner of corrections, or in 164.20 any case by some other suitable and consenting person. Unless the court directs otherwise, 164.21 state parole and probation agents and probation officers may impose community work 164.22 service or probation violation sanctions, consistent with section 243.05, subdivision 1; 164.23 sections 244.196 to 244.199; or 401.02, subdivision 5. 164.24

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

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

165.1 justice program, work in lieu of or to work off fines and, with the victim's consent, work in165.2 lieu of or to work off restitution.

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

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

165.8 (e) The court may prohibit a defendant from using adult-use cannabis flower as defined in section 342.01, subdivision 4, or adult-use cannabinoid products as defined in section 165.9 342.01, subdivision 2, if the defendant undergoes a chemical use assessment and abstinence 165.10 is consistent with a recommended level of care for the defendant in accordance with the 165.11 criteria in rules adopted by the commissioner of human services under section 254A.03, 165.12 subdivision 3. The assessment must be conducted by an assessor qualified under rules 165.13 adopted by the commissioner of human services under section 254A.03, subdivision 3. An 165.14 assessor providing a chemical use assessment may not have any direct or shared financial 165.15 interest or referral relationship resulting in shared financial gain with a treatment provider, 165.16 except as authorized under section 254A.19, subdivision 3. If an independent assessor is 165.17 not available, the probation officer may use the services of an assessor authorized to perform 165.18 assessments for the county social services agency under a variance granted under rules 165.19 adopted by the commissioner of human services under section 254A.03, subdivision 3. 165.20 (f) A court shall not impose an intermediate sanction that has the effect of prohibiting 165.21 a person from participating in the registry program as defined in section 342.01, subdivision 165.22 165.23 58. EFFECTIVE DATE. This section is effective August 1, 2023, and applies to sentences 165.24 ordered on or after that date. 165.25

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

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

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

166.1 Sec. 22. Minnesota Statutes 2022, section 609.5314, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

166.21 (c) Money is the property of an appropriate agency and may be seized and recovered by166.22 the appropriate agency if:

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

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

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

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

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

167.6 Sec. 23. Minnesota Statutes 2022, section 609.5316, subdivision 2, is amended to read:

167.7 Subd. 2. **Controlled substances.** (a) Controlled substances listed in Schedule I that are 167.8 possessed, transferred, sold, or offered for sale in violation of chapter 152 or 342, are 167.9 contraband and must be seized and summarily forfeited. Controlled substances listed in 167.10 Schedule I that are seized or come into the possession of peace officers, the owners of which 167.11 are unknown, are contraband and must be summarily forfeited.

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

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

167.21 Sec. 24. <u>DWI CONTROLLED SUBSTANCE ROADSIDE TESTING INSTRUMENT</u> 167.22 PILOT PROJECT; REPORT REQUIRED.

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

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

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

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

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

167.28 <u>or instruments to pursue in the future.</u>

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

168.1	(c) The commissioner must consult with law enforcement officials, prosecutors, criminal
168.2	defense attorneys, and other interested and knowledgeable parties when designing,
168.3	implementing, and evaluating the pilot project.
168.4	(d) All oral fluid samples obtained for the purpose of this pilot project must be obtained
168.5	by a certified drug recognition evaluator and may only be collected with the express voluntary
168.6	consent of the person stopped or arrested for suspicion of driving while impaired. Results
168.7	of tests conducted under the pilot project are to be used for the purpose of analyzing the
168.8	practicality, accuracy, and efficacy of the instrument. Results may not be used to decide
168.9	whether an arrest should be made and are not admissible in any legal proceeding.
168.10	(e) By February 1, 2025, the commissioner must report to the chairs and ranking minority
168.11	members of the legislative committees with jurisdiction over public safety on the results of
168.12	the pilot project. At a minimum, the report must include information on how accurate the
168.13	instruments were when tested against laboratory results, how often participants were found
168.14	to have controlled substances or intoxicating substances in their systems, how often there
168.15	was commingling of controlled substances or intoxicating substances with alcohol, the types
168.16	of controlled substances or intoxicating substances found in participants' systems and which
168.17	types were most common, and the number of participants in the project. In addition, the
168.18	report must assess the practicality and reliability of using the instruments in the field and
168.19	make recommendations on continuing the project permanently.
168.20	EFFECTIVE DATE. This section is effective the day following final enactment.
	EFFECTIVE DATE. This section is effective the day following final enactment.
168.20 168.21 168.22	
168.21	EFFECTIVE DATE. This section is effective the day following final enactment. ARTICLE 5
168.21	EFFECTIVE DATE. This section is effective the day following final enactment. ARTICLE 5
168.21 168.22	EFFECTIVE DATE. This section is effective the day following final enactment. ARTICLE 5 EXPUNGEMENT
168.21 168.22 168.23	EFFECTIVE DATE. This section is effective the day following final enactment. ARTICLE 5 EXPUNGEMENT Section 1. Minnesota Statutes 2022, section 609A.01, is amended to read:
168.21 168.22 168.23 168.24	EFFECTIVE DATE. This section is effective the day following final enactment. ARTICLE 5 EXPUNGEMENT Section 1. Minnesota Statutes 2022, section 609A.01, is amended to read: 609A.01 EXPUNGEMENT OF CRIMINAL RECORDS.
168.21 168.22 168.23 168.24 168.25	EFFECTIVE DATE. This section is effective the day following final enactment. ARTICLE 5 EXPUNGEMENT Section 1. Minnesota Statutes 2022, section 609A.01, is amended to read: 609A.01 EXPUNGEMENT OF CRIMINAL RECORDS. This chapter provides the grounds and procedures for expungement of criminal records
168.21 168.22 168.23 168.24 168.25 168.26	EFFECTIVE DATE. This section is effective the day following final enactment. ARTICLE 5 EXPUNGEMENT Section 1. Minnesota Statutes 2022, section 609A.01, is amended to read: 609A.01 EXPUNGEMENT OF CRIMINAL RECORDS. This chapter provides the grounds and procedures for expungement of criminal records under section 13.82; 152.18, subdivision 1; 299C.11, where a petition is authorized under
168.21 168.22 168.23 168.24 168.25 168.26 168.27	EFFECTIVE DATE. This section is effective the day following final enactment. ARTICLE 5 EXPUNGEMENT Section 1. Minnesota Statutes 2022, section 609A.01, is amended to read: 609A.01 EXPUNGEMENT OF CRIMINAL RECORDS. This chapter provides the grounds and procedures for expungement of criminal records under section 13.82; 152.18, subdivision 1; 299C.11, where a petition is authorized under section 609A.02, subdivision 3; expungement is automatic under section 609A.05;
168.21 168.22 168.23 168.24 168.25 168.26 168.27 168.28	EFFECTIVE DATE. This section is effective the day following final enactment. ARTICLE 5 EXPUNGEMENT Section 1. Minnesota Statutes 2022, section 609A.01, is amended to read: 609A.01 EXPUNGEMENT OF CRIMINAL RECORDS. This chapter provides the grounds and procedures for expungement of criminal records under section 13.82; 152.18, subdivision 1; 299C.11, where a petition is authorized under section 609A.02, subdivision 3; expungement is automatic under section 609A.05; expungement is considered by a panel under section 609A.06; or other applicable law. The
168.21 168.22 168.23 168.24 168.25 168.26 168.27 168.28 168.29	EFFECTIVE DATE. This section is effective the day following final enactment. ARTICLE 5 EXPUNGEMENT Section 1. Minnesota Statutes 2022, section 609A.01, is amended to read: 609A.01 EXPUNGEMENT OF CRIMINAL RECORDS. This chapter provides the grounds and procedures for expungement of criminal records under section 13.82; 152.18, subdivision 1; 299C.11, where a petition is authorized under section 609A.02, subdivision 3; expungement is automatic under section 609A.05; expungement is considered by a panel under section 609A.06; or other applicable law. The remedy available is limited to a court order sealing the records and prohibiting the disclosure

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

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

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

169.6 (1) sealing the record; and

169.7 (2) burdening the court and public authorities to issue, enforce, and monitor an169.8 expungement order.

(b) Except as otherwise provided by this paragraph, if the petitioner is petitioning for the sealing of a criminal record under section 609A.02, subdivision 3, paragraph (a), clause (1) or (2), the court shall grant the petition to seal the record unless the agency or jurisdiction whose records would be affected establishes by clear and convincing evidence that the interests of the public and public safety outweigh the disadvantages to the petitioner of not sealing the record.

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

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

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

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

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

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

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

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

169.24 (7) the petitioner's criminal record;

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

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

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

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

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

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

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

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

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

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

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

170.24 Sec. 4. [609A.05] AUTOMATIC EXPUNGEMENT OF CERTAIN CANNABIS 170.25 OFFENSES.

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

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

170.29 152.18, subdivision 1, for violation of section 152.024, 152.025, or 152.027 for possession

170.30 of marijuana or tetrahydrocannabinols;

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171.1	(2) if the	e person was convicted	l of or received a	stayed sentence for a	violation of section
171.2	<u> </u>	bdivision 3 or 4;			
171.3	(3) if the	e person was arrested	for possession of	f marijuana or tetrahvo	drocannabinols and
171.4	<u> </u>	were dismissed prior t	•		
171.5	(4) if all	pending actions or pr	oceedings invol	ving the possession of	_ f marijuana or
171.5	<u> </u>	annabinols were resol			
				<u>F</u>	
171.7	<u>(b) For</u>	purposes of this sectio	<u>n:</u>		
171.8	<u>(1) a ver</u>	rdict of not guilty by r	eason of mental	illness is not a resolu-	tion in favor of the
171.9	person; and	-			
171.10	<u>(2)</u> an ac	ction or proceeding is	resolved in favo	r of the person if the	person received an
171.11	order under	section 590.11 determ	nining that the p	erson is eligible for co	ompensation based
171.12	on exonerat	tion.			
171.13	<u>Subd. 2</u> .	Bureau of Criminal	Apprehension	to identify eligible in	idividuals. (a) The
171.14	Bureau of C	Criminal Apprehension	n shall identify r	ecords that qualify for	r an order of
171.15	expungeme	ent pursuant to subdivi	sion 1.		
171.16	<u>(b)</u> The	Bureau of Criminal A	pprehension sha	ll notify the judicial b	oranch of:
171.17	(1) the r	name and date of birth	of an individual	whose record is eligi	ble for an order of
171.18	expungeme	nt; and			
171.19	(2) the c	case number of the elig	gible record.		
171.20	(c) The]	Bureau of Criminal Ap	prehension shall	grant an expungemen	nt to each qualifying
171.21	person who	se records the bureau	possesses and sl	nall seal the bureau's r	ecords without
171.22	requiring an	n application, petition,	or motion. The	bureau shall seal reco	ords related to an
171.23	expungeme	nt within 60 days after	the bureau sent	notice of the expunge	ment to the judicial
171.24	branch purs	suant to paragraph (b)	unless an order o	f the judicial branch p	prohibits sealing the
171.25	records or a	dditional information e	stablishes that th	e records are not eligib	le for expungement.
171.26	<u>(d) Non</u>	public criminal record	s maintained by	the bureau and subject	ct to a grant of
171.27	expungeme	nt relief must display	a notation statin	g "expungement relie	f granted pursuant
171.28	to section 6	09A.05."			
171.29	<u>(e)</u> The l	bureau shall inform eac	ch arresting or ci	ting law enforcement a	agency with records
171.30	affected by	the grant of expungeme	ent relief issued p	ursuant to paragraph (c) that expungement
171.31	has been gr	anted. The bureau sha	ll notify each ar	resting or citing law e	nforcement agency
171.32	of an expun	gement within 60 day	s after the burea	u sent notice of the ex	xpungement to the

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^{172.1} judicial branch. The bureau may notify each law enforcement agency using electronic means.

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

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

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

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

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

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

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

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

172.10 any background check or study performed in Minnesota.

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

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

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

172.14 received a grant of expungement.

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

any notice sent pursuant to paragraph (e), (f), or (g), are private data on individuals as defined
in section 13.02, subdivision 12.

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

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

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

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

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

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

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

(c) The limitations under section 609A.03, subdivision 7a, paragraph (b), do not apply
 to an order issued under this section.

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

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

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

172.31 identifying each agency to which the order was sent.

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

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173.1	Professiona	ll Educator Licensing a	and Standards Bo	oard a list identifying	g the name and case
173.2	number or i	f no case number is av	vailable, the citati	on number of each p	person who received
173.3	an expunge	ment order issued und	er this section.		
173.4	(f) Data	on the person whose o	offense has been	expunged contained	in a letter or other
173.5	notification	sent under this subdiv	vision are private	data on individuals a	as defined in section
173.6	13.02.				
173.7	<u>EFFEC</u>	TIVE DATE. This se	ection is effective	August 1, 2023.	
173.8	Sec. 5. [6	09A.06] EXPUNGEN	MENT AND RE	SENTENCING OF	FELONY
173.9	<u>CANNABI</u>	S OFFENSES.			
173.10	Subdivis	sion 1. <mark>Cannabis Exp</mark>	ungement Boar	d. (a) The Cannabis I	Expungement Board
173.11	is created w	with the powers and du	ties established b	oy law.	
173.12	<u>(b) The</u>	Cannabis Expungeme	nt Board is comp	oosed of the followin	ng members:
173.13	(1) the c	chief justice of the sup	reme court or a d	lesignee;	
173.14	<u>(2) the a</u>	attorney general or a de	esignee;		
173.15	(3) one	public defender, appoi	nted by the gove	rnor upon recomme	ndation of the state
173.16	public defer	nder;			
173.17	(4) the c	commissioner of one d	epartment of the	state government as	defined in section
173.18	<u>15.01, appo</u>	binted by the governor	; and		
173.19	<u>(5) one </u>	public member with ex	xperience as an a	dvocate for victim's	rights, appointed by
173.20	the governo	<u>or.</u>			
173.21	(c) The	Cannabis Expungeme	nt Board shall ha	ve the following pov	wers and duties:
173.22	<u>(1) to ob</u>	otain and review the re	cords, including	but not limited to al	l matters, files,
173.23	documents,	and papers incident to	o the arrest, indic	tment, information,	trial, appeal, or
173.24	dismissal ar	nd discharge, which re	late to a charge f	for possession of a co	ontrolled substance;
173.25	<u>(2) to de</u>	termine whether a pers	son committed an	act involving the po	ssession of cannabis
173.26	flower or ca	annabinoid products th	at would either b	e a lesser offense or	no longer be a crime
173.27	after Augus	ut 1, 2023;			
173.28	<u>(3) to de</u>	etermine whether a per	rson's conviction	should be vacated, o	charges should be
173.29	dismissed, a	and records should be	expunged, or wh	ether the person sho	ould be resentenced
173.30	to a lesser o	offense: and			

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174.1	(4) to notify the judic	cial branch of individuals	eligible for an expunger	ment or resentencing
174.2	to a lesser offense.			
174.3	(d) The Cannabis Ex	pungement Board shall c	omplete the board's wo	rk by June 30, 2028.
174.4	Subd. 2. Eligibility;	possession of cannabis.	(a) A person is eligible	for an expungement
174.5	or resentencing to a less	ser offense if:		
174.6	(1) the person was c	onvicted of, or adjudicati	on was stayed for, a vie	olation of any of the
174.7	following involving the	possession of marijuana	or tetrahydrocannabin	nols:
174.8	(i) section 152.021,	subdivision 2, clause (6)	2	
174.9	(ii) section 152.022	, subdivision 2, clause (6	<u>);</u>	
174.10	(iii) section 152.023	s, subdivision 2, clause (5	<u>;; or</u>	
174.11	(iv) section 152.025	, subdivision 2, clause (1	<u>).</u>	
174.12	(2) the offense did r	not involve a dangerous w	veapon, the intentional	infliction of bodily
174.13	harm on another, an atte	empt to inflict bodily har	n on another, or an act	committed with the
174.14	intent to cause fear in a	nother of immediate bod	ily harm or death;	
174.15	(3) the act on which	the charge was based we	ould either be a lesser of	offense or no longer
174.16	be a crime after August	: 1, 2023; and		
174.17	(4) the person did no	ot appeal the sentence, an	y appeal was denied, or	r the deadline to file
174.18	an appeal has expired.			
174.19	(b) For purposes of	this subdivision, a "lesser	offense" means a nont	felony offense if the
174.20	person was charged wit	h a felony.		
174.21	Subd. 3. Bureau of	Criminal Apprehension	n to identify eligible r	ecords. (a) The
174.22	Bureau of Criminal App	rehension shall identify co	provictions and sentences	s where adjudication
174.23	was stayed that qualify	for review under subdivi	sion 2, paragraph (a), o	clause (1).
174.24	(b) The Bureau of C	riminal Apprehension sha	ll notify the Cannabis I	Expungement Board
174.25	<u>of:</u>			
174.26	(1) the name and da	te of birth of a person wh	ose record is eligible f	for review; and
174.27	(2) the case number	of the eligible conviction	n or stay of adjudicatio	on.
174.28	Subd. 4. Access to	r ecords. The Cannabis E	xpungement Board sha	all have free access
174.29	to records, including bu	it not limited to all matter	s, files, documents, an	d papers incident to
174.30	the arrest, indictment, i	nformation, trial, appeal,	or dismissal and disch	arge that relate to a
174.31	charge and conviction of	or stay of adjudication for	possession of a contro	olled substance held

by law enforcement agencies, prosecuting authorities, and court administrators. The Cannabis 175.1 Expungement Board may issue subpoenas for and compel the production of books, records, 175.2 175.3 accounts, documents, and papers. If any person fails or refuses to produce any books, records, accounts, documents, or papers material in the matter under consideration after having been 175.4 lawfully required by order or subpoena, any judge of the district court in any county of the 175.5 state where the order or subpoena was made returnable, on application of the commissioner 175.6 of management and budget or commissioner of administration, as the case may be, shall 175.7 175.8 compel obedience or punish disobedience as for contempt, as in the case of disobedience of a similar order or subpoena issued by such court. 175.9 Subd. 5. Meetings; anonymous identifier. (a) The Cannabis Expungement Board shall 175.10

<u>Subu. 5.</u> <u>Incetings</u>, anonymous identifier. (a) The Califabilis Expangement Board share

175.11 hold meetings at least monthly and shall hold a meeting whenever the board takes formal

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

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

175.14 public and subject to chapter 13D.

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

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

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

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

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

175.21 13.02, subdivision 8a, discussed at open meetings of the board. Notwithstanding section

175.22 13.03, subdivision 11, the board shall assign an anonymous, unique identifier to each victim

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

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

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

175.26 considered.

Subd. 6. Review and determination. (a) The Cannabis Expungement Board shall review
all available records to determine whether the conviction or stay of adjudication is eligible
for an expungement or resentencing to a lesser offense. An expungement under this section
is presumed to be in the public interest unless there is clear and convincing evidence that
an expungement or resentencing to a lesser offense would create a risk to public safety.

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

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

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176.1	(c) If the	Cannabis Expungem	ent Board deterr	nines that an expung	ement is in the public
176.2	interest, the b	ooard shall determine	whether the limi	tations under section	609A.03, subdivision
176.3	5a, apply.				
176.4	(d) If the	Cannabis Expungem	ent Board deterr	nines that an expung	ement is in the public
176.5	interest, the b	ooard shall determine	whether the limi	tations under section	609A.03, subdivision
176.6	7a, paragrap	h (b), clause (4) or (:	5), apply.		
176.7	<u>(e)</u> If the	Cannabis Expungen	nent Board deter	mines that an expun	gement is not in the
176.8	public intere	st, the board shall de	etermine whether	the person is eligible	le for resentencing to
176.9	a lesser offer	nse.			
176.10	<u>(f)</u> In mal	king a determination	under this subdi	vision, the Cannabis	Expungement Board
176.11	shall conside	er:			
176.12	(1) the na	ture and severity of	the underlying c	rime, including but n	ot limited to the total
176.13	amount of m	arijuana or tetrahydı	ocannabinols po	ossessed by the perso	on and whether the
176.14	offense invo	lved a dangerous we	apon, the intenti	onal infliction of boo	dily harm on another,
176.15	an attempt to	o inflict bodily harm	on another, or a	n act committed with	the intent to cause
176.16	fear in anoth	er of immediate bod	ily harm or deat	<u>h;</u>	
176.17	(2) wheth	ner an expungement	or resentencing t	he person a lesser of	fense would increase
176.18	the risk, if an	ny, the person poses	to other individu	als or society;	
176.19	(3) if the	person is under sent	ence, whether ar	n expungement or res	sentencing to a lesser
176.20	offense woul	ld result in the releas	e of the person a	and whether release of	earlier than the date
176.21	that the perso	on would be released	l under the sente	nce currently being s	served would present
176.22	a danger to t	he public or would b	e compatible wi	th the welfare of soc	iety;
176.23	(4) aggra	vating or mitigating	factors relating	to the underlying cri	me, including the
176.24	person's leve	el of participation and	d the context and	d circumstances of th	e underlying crime;
176.25	(5) statem	nents from victims a	nd law enforcem	nent, if any;	
176.26	<u>(6) if an e</u>	expungement or rese	ntencing the per	son to a lesser offens	se is considered,
176.27	whether ther	e is good cause to res	tore the person's	right to possess firea	rms and ammunition;
176.28	<u>(7) if an e</u>	expungement is consi	dered, whether a	an expunged record o	of a conviction or stay
176.29	of adjudicati	on may be opened fo	or purposes of a l	background study un	der section 245C.08;
176.30	<u>(8) if an e</u>	expungement is consi	dered, whether a	an expunged record o	of a conviction or stay
176.31	of adjudicati	on may be opened fo	or purposes of a	background check re	equired under section
176.32	<u>122A.18, sul</u>	bdivision 8; and			

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177.1	(9) other fact	ors deemed relevan	nt by the Canna	ibis Expungement Boar	<u>d.</u>
177.2	(g) The affirm	native vote of three	e members is re	equired for action taken	at any meeting.
177.3	Subd. 7. Not	ice to judicial bra	nch and offen	ders. (a) The Cannabis I	Expungement
177.4	Board shall iden	tify any conviction	or stay of adju	dication that qualifies f	or an order of
177.5	expungement or	resentencing to a l	esser offense a	nd notify the judicial br	anch of:
177.6	(1) the name	and date of birth o	f a person who	se conviction or stay of	adjudication is
177.7	eligible for an or	der of expungemen	nt or resentenci	ng to a lesser offense;	
177.8	(2) the case r	number of the eligit	ole conviction of	or stay of adjudication;	
177.9	(3) whether t	he person is eligibl	e for an expun	gement;	
177.10	(4) if the pers	son is eligible for a	n expungement	, whether the person's c	onviction should
177.11	be vacated and c	harges should be d	ismissed;		
177.12	(5) if the per-	son is eligible for a	n expungemen	t, whether there is good	cause to restore
177.13	the offender's rig	ght to possess firear	rms and ammu	nition;	
177.14	(6) if the per-	son is eligible for a	n expungemen	t, whether the limitation	is under section
177.15	609A.03, subdiv	vision 7a, clause (4)	or (5), apply;	and	
177.16	(7) if the per-	son is eligible for re	esentencing to a	a lesser offense, the less	er sentence to be
177.17	imposed.				
177.18	(b) The Canr	abis Expungement	Board shall m	ake a reasonable and go	od faith effort to
177.19	notify any perso	n whose conviction	n or stay of adju	udication qualifies for a	n order of
177.20	expungement the	at the offense qualif	ies and notice is	s being sent to the judici	al branch. Notice
177.21	sent pursuant to	this paragraph shal	l inform the pe	rson that, following the	order of
177.22	expungement, an	ny records of an arr	est, conviction	, or incarceration should	1 not appear on
177.23	any background	check or study.			
177.24	Subd. 8. Dat	a classification. A	ll data collected	l, created, received, mai	intained, or
177.25	disseminated by	the Cannabis Expu	ingement Boar	d in which each victim	of a crime and
177.26	person whose co	onviction or stay of	adjudication th	at the Cannabis Expung	gement Board
177.27	reviews is or car	n be identified as th	e subject of the	e data is classified as pri	vate data on
177.28	individuals, as d	efined by section 1	3.02, subdivisi	<u>on 12.</u>	
177.29	Subd. 9. Ord	ler of expungemer	nt. (a) Upon rec	ceiving notice that an of	fense qualifies
177.30	for expungemen	t, the court shall iss	sue an order sea	aling all records relating	g to an arrest,
177.31	indictment or inf	formation, trial, ver	dict, or dismiss	al and discharge for an o	offense described
177.32	in subdivision 1.	If the Cannabis Exp	oungement Boar	rd determined that the pe	rson's conviction

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178.1	should be va	acated and charges sh	ould be dismisse	ed, the order shall vac	ate and dismiss the
178.2	charges.				
178.3	<u>(b) If the</u>	e Cannabis Expungen	nent Board deter	mined that there is go	od cause to restore
178.4	the person's	right to possess firear	ms and ammunit	ion, the court shall issu	ie an order pursuant
178.5	to section 60	09.165, subdivision 1	<u>d.</u>		
178.6	<u>(c) If the</u>	cannabis Expungem	ent Board deter	mined that an expunge	ed record of a
178.7	conviction c	or stay of adjudication	n may not be ope	ened for purposes of a	background study
178.8	under sectio	n 245C.08, the court	shall direct the c	order specifically to th	e commissioner of
178.9	human servi	ices.			
178.10	(d) If the	e Cannabis Expungem	nent Board deter	mined that an expung	ed record of a
178.11	conviction of	or stay of adjudication	n may not be ope	ened for purposes of a	background check
178.12	required und	der section 122A.18,	subdivision 8, th	e court shall direct the	e order specifically
178.13	to the Profes	ssional Educator Lice	nsing and Stand	ards Board.	
178.14	<u>(e) The c</u>	court administrator sha	all send a copy o	f an expungement ord	er issued under this
178.15	section to ea	ich agency and jurisdi	ction whose reco	ords are affected by th	e terms of the order
178.16	and send a le	etter to the last known	n address of the	person whose offense	has been expunged
178.17	identifying of	each agency to which	the order was so	ent.	
178.18	(f) Data	on the person whose	offense has beer	expunged in a letter	sent under this
178.19	subdivision	are private data on in	dividuals as def	ined in section 13.02.	
178.20	Subd. 10). Resentencing. (a) I	f the Cannabis H	Expungement Board d	etermined that a
178.21	person is eli	gible for resentencing	g to a lesser offer	nse and the person is o	currently under
178.22	sentence, the	e court shall proceed as	s if the appellate	court directed a reducti	on of the conviction
178.23	to an offense	e of lesser degree purs	uant to rule 28.0	2, subdivision 12 of th	e Rules of Criminal
178.24	Procedure.				
178.25	<u>(b)</u> If the	e Cannabis Expungem	nent Board deter	mined that a person is	eligible for
178.26	resentencing	g to a lesser offense an	nd the person co	mpleted or has been d	lischarged from the
178.27	sentence, the	e court may issue an o	rder amending th	e conviction to an offe	nse of lesser degree
178.28	without hold	ling a hearing.			
178.29	(c) If the	Cannabis Expungem	ent Board deter	mined that there is go	od cause to restore
178.30	the person's	right to possess firea	rms and ammun	ition, the court shall, a	as necessary, issue
178.31	an order pur	suant to section 609.	165, subdivision	<u>1d.</u>	
178.32	EFFEC	TIVE DATE. This se	ection is effective	e August 1, 2023.	

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179.1			ARTICLE 6		
179.2		MISCELLA	ANEOUS PR	OVISIONS	
179.3	Section 1. [3.9224] M	EDICAL CA	NNABIS; CO	MPACTS TO BE	NEGOTIATED.
179.4	Subdivision 1. Defin	nitions. (a) As	used in this se	ection, the followin	g terms have the
179.5	meanings given.				
179.6	(b) "Indian Tribe" m	eans a Tribe, b	and, nation, o	r other federally re	cognized group or
179.7	community of Indians lo	ocated within th	e geographica	l boundaries of the	state of Minnesota.
179.8	(c) "Medical cannab	inoid product"	has the meaning	ng given in section	342.01, subdivision
179.9	<u>47.</u>				
179.10	(d) "Medical cannab	is flower" has t	he meaning g	iven in section 342.	.01, subdivision 49.
179.11	Subd. 2. Negotiation	ns authorized.	Following a	public hearing, the	governor or the
179.12	governor's designated re	epresentatives a	are authorized	to negotiate in goo	od faith a compact
179.13	with an Indian Tribe reg	ulating medica	l cannabis flov	ver and medical car	nnabinoid products.
179.14	The attorney general is	the legal couns	el for the gove	ernor or the govern	or's representatives
179.15	in regard to negotiating	a compact und	er this section	. If the governor ap	points designees to
179.16	negotiate under this sub	division, the de	esignees must	include at least tw	o members of the
179.17	senate and two member	s of the house	of representati	ives, two of whom	must be the chairs
179.18	of the senate and house	of representativ	ves standing co	mmittees with juri	sdiction over health
179.19	policy.				
179.20	Subd. 3. Terms of c	ompact; right	s of parties. (a) A compact agree	ed to under this
179.21	section may address any	issues related	to medical car	mabis flower and m	nedical cannabinoid
179.22	products that affect the	interests of bot	h the state and	l Indian Tribe or ot	therwise have an
179.23	impact on Tribal-state r	elations. At a n	ninimum, a co	mpact agreed to or	n behalf of the state
179.24	under this section must	address:			
179.25	(1) the enforcement	of criminal and	d civil laws;		
179.26	(2) the regulation of	the commercia	al production,	processing, sale or	distribution, and
179.27	possession of medical c	annabis flower	and medical	cannabinoid produ	cts;
179.28	(3) medical and phar	maceutical rese	earch involving	g medical cannabis	flower and medical
179.29	cannabinoid products;				
179.30	(4) the taxation of me	edical cannabis	flower and m	edical cannabinoid	products, including
179.31	establishing an appropri	ate amount and	d method of re	evenue sharing;	

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(5) the ir	nmunities of an Indian	Tribe or preemp	tion of state law regard	ding the production,
<u> </u>				
(6) the n	nethod of resolution for	or disputes invol	ving the compact, inc	cluding the use of
mediation o	r other alternative dis	pute resolution p	processes and procedu	ires.
<u>(b)</u> In ad	dressing the issues ide	ntified under par	agraph (a), the govern	nor or the governor's
designated 1	representatives shall o	nly enter into ag	reements that:	
<u>(1) prov</u>	ide for the preservatio	n of public heal	th and safety;	
<u>(2) ensu</u>	re the security of prod	uction, processir	ng, retail, and research	n facilities on Tribal
land; and				
<u>(3)</u> estab	olish provisions regula	ting business in	volving medical cann	abis flower and
medical can	nabinoid products that	t pass between Tr	ribal land and non-Tri	bal land in the state.
<u>Subd. 4.</u>	Assessments and ch	arges. <u>Notwiths</u>	tanding any law to th	e contrary, any
compact age	reed to under this sect	ion shall establis	sh all taxes, fees, asse	essments, and other
charges rela	ted to the production,	processing, sale	or distribution, and po	ossession of medical
cannabis flo	ower and medical can	nabinoid product	<u>'S.</u>	
<u>Subd. 5.</u>	Civil and criminal in	mmunities. The	following acts, when	1 performed by a
validly licer	nsed medical cannabis	retailer or an er	nployee of a medical	cannabis retailer
operated by	an Indian Tribe pursu	ant to a compac	t entered into under t	his section, do not
constitute a	criminal or civil offer	nse under state la	NW:	
<u>(1) the c</u>	ultivation of cannabis	flower, as defin	ed in section 342.01,	subdivision 16;
<u>(2)</u> the p	ossession, purchase, a	and receipt of me	edical cannabis flowe	r and medical
cannabinoic	l products that are prop	perly packaged a	nd labeled as authoriz	zed under a compact
entered into	pursuant to this section	on; and		
(3) the de	elivery, distribution, an	d sale of medical	cannabis flower and r	nedical cannabinoid
products as	authorized under a co	mpact entered ir	nto pursuant to this se	ction and that takes
place on the	e premises of a medica	al cannabis retail	er on Tribal land to a	ny person 21 years
of age or old	der.			
Subd. 6.	Publication; report.	(a) The governo	or shall post any com	pact entered into
under this se	ection on a publicly a	ccessible website	<u>e.</u>	
<u>(b)</u> The	governor, the attorney	general, and the	e governor's designate	ed representatives
shall report	to the legislative com	mittees having j	urisdiction over healt	h, taxation, and
	(5) the in processing, products; an (6) the m mediation of (b) In ad designated in (1) prov (2) ensur land; and (3) estab medical can (3) estab medical can Subd. 4. compact ag charges rela cannabis flo Subd. 5. validly licen operated by constitute a (1) the c (2) the p cannabinoid entered into (3) the du products as place on the of age or ol Subd. 6. under this s	(5) the immunities of an Indian processing, or sale or distribution products; and (6) the method of resolution for mediation or other alternative dist (b) In addressing the issues ide designated representatives shall of (1) provide for the preservation (2) ensure the security of prod land; and (3) establish provisions regular medical cannabinoid products that Subd. 4. Assessments and ch compact agreed to under this sect charges related to the production, j cannabis flower and medical cannabis operated by an Indian Tribe pursu constitute a criminal or civil offer (1) the cultivation of cannabis (2) the possession, purchase, a cannabinoid products that are prop entered into pursuant to this section (3) the delivery, distribution, an products as authorized under a co place on the premises of a medical of age or older. Subd. 6. Publication; report. under this section on a publicly ag (b) The governor, the attorney	 (5) the immunities of an Indian Tribe or preemp processing, or sale or distribution of medical canniproducts; and (6) the method of resolution for disputes involued in the method of resolution for dispute resolution prediction or other alternative dispute resolution prediction or other alternative dispute resolution prediction or other alternatives shall only enter into age (1) provide for the preservation of public healt (2) ensure the security of production, processing land; and (3) establish provisions regulating business intermedical cannabinoid products that pass between The Subd. 4. Assessments and charges. Notwiths compact agreed to under this section shall establise charges related to the production, processing, sale of cannabis flower and medical cannabinoid product Subd. 5. Civil and criminal immunities. The validly licensed medical cannabis retailer or an erroperated by an Indian Tribe pursuant to a compact constitute a criminal or civil offense under state late (1) the cultivation of cannabis flower, as defined (2) the possession, purchase, and receipt of medical products as authorized under a compact entered into pursuant to this section; and (3) the delivery, distribution, and sale of medical products as authorized under a compact entered into pursuant to this section; and (3) the delivery distribution, and sale of medical products as authorized under a compact entered in place on the premises of a medical cannabis retail of age or older. Subd. 6. Publication; report. (a) The governed under this section on a publicly accessible website (b) The governor, the attorney general, and the product of the section of an endical cannabis retail of age or older. 	 (5) the immunities of an Indian Tribe or preemption of state law regars processing, or sale or distribution of medical cannabis flower and medic products; and (6) the method of resolution for disputes involving the compact, incomediation or other alternative dispute resolution processes and procedut (b) In addressing the issues identified under paragraph (a), the govern designated representatives shall only enter into agreements that: (1) provide for the preservation of public health and safety; (2) ensure the security of production, processing, retail, and researed land; and (3) establish provisions regulating business involving medical cannabinoid products that pass between Tribal land and non-Trissubd. 4. Assessments and charges, Notwithstanding any law to the compact agreed to under this section shall establish all taxes, fees, assee charges related to the production, processing, sale or distribution, and precentables flower and medical cannabinoid products. Subd. 5. Civil and criminal immunities, The following acts, where validly licensed medical cannabis retailer or an employee of a medical operated by an Indian Tribe pursuant to a compact entered into under the constitute a criminal or civil offense under state law: (1) the cultivation of cannabis flower, as defined in section 342.01, (2) the possession, purchase, and receipt of medical cannabis flower cannabis flower and receipt of medical cannabis flower cannabis flower and receipt of medical cannabis flower and receipt of

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181.1	commerce a	nnually. This report s	hall contain info	ormation on compacts	negotiated and an
181.2		rospective negotiatior		•	
181.3	Sec. 2. [3.	9228] ADULT-USE	CANNABIS; C	OMPACTS TO BE N	NEGOTIATED.
181.4	Subdivis	sion 1. Definitions. (a) As used in this	s section, the following	g terms have the
181.5	meanings gi	iven.			
181.6	<u>(b)</u> "Indi	ian Tribe" means a Tr	ibe, band, natior	n, or other federally red	cognized group or
181.7	community	of Indians located wit	hin the geograph	nical boundaries of the	state of Minnesota.
181.8	<u>(c)</u> "Adu	lt-use cannabinoid pro	duct" has the me	aning given in section	342.01, subdivision
181.9	<u>2.</u>				
181.10	<u>(d)</u> "Adı	ult-use cannabis flowe	er" has the mean	ing given in section 34	42.01, subdivision
181.11	<u>4.</u>				
181.12	<u>Subd. 2.</u>	Negotiations author	ized. Following	a public hearing, the	governor or the
181.13	governor's c	lesignated representat	ives are authoriz	zed to negotiate in goo	d faith a compact
181.14	with an India	an Tribe regulating adu	ılt-use cannabis f	lower and adult-use car	nnabinoid products.
181.15	The attorney	y general is the legal of	counsel for the g	overnor or the governor	or's representatives
181.16	in regard to	negotiating a compac	t under this sect	ion. If the governor ap	points designees to
181.17	negotiate ur	nder this subdivision,	the designees m	ust include at least two	o members of the
181.18	senate and t	wo members of the h	ouse of represen	tatives, two of whom	must be the chairs
181.19	of the senate	e and house of represe	ntatives standing	g committees with juris	diction over health
181.20	policy.				
181.21	<u>Subd. 3.</u>	Terms of compact;	rights of parties	s. (a) A compact agree	d to under this
181.22	section may	address any issues rela	ated to adult-use	cannabis flower and ad	ult-use cannabinoid
181.23	products that	at affect the interests of	of both the state	and Indian Tribe or ot	herwise have an
181.24	impact on T	ribal-state relations. A	At a minimum, a	compact agreed to on	behalf of the state
181.25	under this se	ection must address:			
181.26	<u>(1) the e</u>	nforcement of crimin	al and civil laws		
181.27	(2) the r	egulation of the comm	nercial production	on, processing, sale or	distribution, and
181.28	possession of	of adult-use cannabis	flower and adult	t-use cannabinoid proc	lucts;
181.29	<u>(3) medi</u>	cal and pharmaceutic	al research invo	lving adult-use cannab	ois flower and
181.30	adult-use ca	nnabinoid products;			
181.31	(4) the ta	axation of adult-use c	annabis flower a	nd adult-use cannabin	oid products,
181.32	including es	stablishing an appropr	iate amount and	method of revenue sh	laring;

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(5) the ir	nmunities of an Indian	Tribe or preen	nption of state law rega	rding the production,
processing,	or sale or distribution	of adult-use c	annabis flower and ad	ult-use cannabinoid
products; ar	nd			
(6) the n	nethod of resolution fo	or disputes inv	olving the compact, in	cluding the use of
mediation o	or other alternative disp	oute resolution	processes and proced	lures.
<u>(b) In ad</u>	dressing the issues ider	ntified under p	aragraph (a), the gover	mor or the governor's
designee sh	all only enter into agre	ements that:		
<u>(1) prov</u>	ide for the preservation	n of public hea	alth and safety;	
<u>(2) ensu</u>	re the security of produ	action, process	sing, retail, and researc	ch facilities on Tribal
land; and				
<u>(3) estab</u>	olish provisions regula	ting business i	nvolving adult-use ca	nnabis flower and
adult-use ca	unnabinoid products th	at pass betwee	en Tribal land and non	-Tribal land in the
state.				
Subd. 4.	Assessments and cha	arges. Notwith	nstanding any law to th	he contrary, any
compact ag	reed to under this section	on shall estab	lish all taxes, fees, ass	essments, and other
charges rela	ted to the production, p	rocessing, sale	e or distribution, and po	ssession of adult-use
cannabis flo	ower and adult-use can	nabinoid prod	ucts.	
<u>Subd. 5.</u>	Civil and criminal in	nmunities. <u>Th</u>	ne following acts, whe	n performed by a
validly licer	nsed cannabis retailer o	r an employee	of a cannabis retailer of	operated by an Indian
Tribe pursu	ant to a compact enter	ed into under	this section, do not con	nstitute a criminal or
civil offense	e under state law:			
<u>(1) the c</u>	ultivation of cannabis	flower, as def	ined in section 342.01	, subdivision 16;
<u>(2) the p</u>	oossession, purchase, a	nd receipt of a	adult-use cannabis flow	wer and adult-use
cannabinoic	l products that are prop	erly packaged	and labeled as authori	zed under a compact
entered into	pursuant to this section	on; and		
(3) the d	lelivery, distribution, a	nd sale of adu	lt-use cannabis flower	and adult-use
cannabinoic	l products as authorize	ed under a com	pact entered into purs	suant to this section
and that tak	es place on the premis	es of a medica	al cannabis retailer on	Tribal land to any
person 21 y	ears of age or older.			
<u>Subd. 6.</u>	Publication; report.	(a) The gover	nor shall post any com	pact entered into
under this s	ection on a publicly ac	cessible webs	ite.	
	(5) the in processing, products; an (6) the r mediation of (b) In ad designee sh (1) prov (2) ensu (1) prov (2) ensu (3) estab adult-use ca state. Subd. 4. compact ag charges rela cannabis flo Subd. 5. validly licer Tribe pursu civil offenso (1) the c (2) the p cannabinoid entered into (3) the d cannabinoid and that tak person 21 y	(5) the immunities of an Indian processing, or sale or distribution products; and (6) the method of resolution for mediation or other alternative disp (b) In addressing the issues idea designee shall only enter into agree (1) provide for the preservation (2) ensure the security of produ- land; and (3) establish provisions regular adult-use cannabinoid products the state. Subd. 4. Assessments and char compact agreed to under this section charges related to the production, pre- cannabis flower and adult-use can Subd. 5. Civil and criminal in validly licensed cannabis retailer of Tribe pursuant to a compact enter- civil offense under state law: (1) the cultivation of cannabis (2) the possession, purchase, a cannabinoid products that are prop- entered into pursuant to this section (3) the delivery, distribution, a cannabinoid products as authorized and that takes place on the premiss person 21 years of age or older.	(5) the immunities of an Indian Tribe or preem processing, or sale or distribution of adult-use or products; and (6) the method of resolution for disputes invi- mediation or other alternative dispute resolution (b) In addressing the issues identified under pro- designee shall only enter into agreements that: (1) provide for the preservation of public hear (2) ensure the security of production, process land; and (3) establish provisions regulating business if adult-use cannabinoid products that pass between state. Subd. 4. Assessments and charges. Notwith compact agreed to under this section shall estab charges related to the production, processing, sale cannabis flower and adult-use cannabinoid prod Subd. 5. Civil and criminal immunities. The validly licensed cannabis retailer or an employee Tribe pursuant to a compact entered into under the civil offense under state law: (1) the cultivation of cannabis flower, as def (2) the possession, purchase, and receipt of a cannabinoid products that are properly packaged entered into pursuant to this section; and (3) the delivery, distribution, and sale of adult cannabinoid products as authorized under a corr and that takes place on the premises of a medicar person 21 years of age or older. Subd. 6. Publication; report. (a) The gover	 (5) the immunities of an Indian Tribe or preemption of state law regaprocessing, or sale or distribution of adult-use cannabis flower and ad products; and (6) the method of resolution for disputes involving the compact, in mediation or other alternative dispute resolution processes and proceed (b) In addressing the issues identified under paragraph (a), the gover designee shall only enter into agreements that: (1) provide for the preservation of public health and safety; (2) ensure the security of production, processing, retail, and researce land; and (3) establish provisions regulating business involving adult-use can adult-use cannabinoid products that pass between Tribal land and non state. Subd. 4. Assessments and charges. Notwithstanding any law to the compact agreed to under this section shall establish all taxes, fees, asse charges related to the production, processing, sale or distribution, and per cannabis flower and adult-use cannabinoid products. Subd. 5. Civil and criminal immunities. The following acts, whe validly licensed cannabis retailer or an employee of a cannabis retailer or tribe pursuant to a compact entered into under this section, do not correcivil offense under state law: (1) the cultivation of cannabis flower, as defined in section 342.01 (2) the possession, purchase, and receipt of adult-use cannabis flower cannabis flower and sale of adult-use cannabis flower cannabis flower and balbeled as authorientered into pursuant to this section; and (3) the delivery, distribution, and sale of adult-use cannabis flower cannabis flower acompact entered into pursuant to this section; and

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

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

183.3 This report shall contain information on compacts negotiated and an outline of prospective
183.4 negotiations.

183.5 Sec. 3. Minnesota Statutes 2022, section 13.411, is amended by adding a subdivision to183.6 read:

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

183.11 Sec. 4. Minnesota Statutes 2022, section 13.871, is amended by adding a subdivision to183.12 read:

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

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

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

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

183.25 Sec. 6. Minnesota Statutes 2022, section 34A.01, subdivision 4, is amended to read:

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

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

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184.1	Sec. 7. [120B.215] EDUCATION ON CANNABIS USE AND SUBSTANCE USE.
184.2	Subdivision 1. Model program. The commissioner of education, in consultation with
184.3	the commissioners of health and human services, local district and school health education
184.4	specialists, and other qualified experts, shall identify one or more model programs that may
184.5	be used to educate middle school and high school students on the health effects on children
184.6	and adolescents of cannabis use and substance use consistent with local standards as required
184.7	in section 120B.021, subdivision 1, paragraph (a), clause (6), for elementary and secondary
184.8	school students. The commissioner must publish a list of model programs that include
184.9	written materials, curriculum resources, and training for instructors by June 1, 2025. A
184.10	model program identified by the commissioner must be medically accurate, age and
184.11	developmentally appropriate, culturally inclusive, and grounded in science, and must address:
184.12	(1) the physical and mental health effects of cannabis use and substance use by children,
184.13	adolescents, and persons under 25 years of age, including effects on the developing brains
184.14	of children, adolescents, and persons under 25 years of age;
184.15	(2) unsafe or unhealthy behaviors associated with cannabis use and substance use;
184.16	(3) signs of substance use disorders;
184.17	(4) treatment options; and
184.17 184.18	(4) treatment options; and(5) healthy coping strategies for children and adolescents.
184.18	(5) healthy coping strategies for children and adolescents.
184.18 184.19	 (5) healthy coping strategies for children and adolescents. Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district
184.18 184.19 184.20	 (5) healthy coping strategies for children and adolescents. Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district or charter school must implement a comprehensive education program on cannabis use and
184.18 184.19 184.20 184.21	(5) healthy coping strategies for children and adolescents. <u>Subd. 2.</u> <u>School programs.</u> (a) Starting in the 2026-2027 school year, a school district or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include
184.18 184.19 184.20 184.21 184.22	(5) healthy coping strategies for children and adolescents. Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must:
184.18 184.19 184.20 184.21 184.22 184.23	(5) healthy coping strategies for children and adolescents. Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents,
184.18 184.19 184.20 184.21 184.22 184.23 184.24	 (5) healthy coping strategies for children and adolescents. Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and
184.18 184.19 184.20 184.21 184.22 184.23 184.24 184.25	 (5) healthy coping strategies for children and adolescents. Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate
 184.18 184.19 184.20 184.21 184.22 184.23 184.24 184.25 184.26 	 (5) healthy coping strategies for children and adolescents. Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, and treatment for a substance use disorder.
 184.18 184.19 184.20 184.21 184.22 184.23 184.24 184.25 184.26 184.27 	 (5) healthy coping strategies for children and adolescents. Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, and treatment for a substance use disorder. (b) District efforts to develop, implement, or improve instruction or curriculum as a
184.18 184.19 184.20 184.21 184.22 184.23 184.24 184.25 184.26 184.27 184.28	 (5) healthy coping strategies for children and adolescents. Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, and treatment for a substance use disorder. (b) District efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with sections 120B.10 and 120B.11.
 184.18 184.19 184.20 184.21 184.22 184.23 184.24 184.25 184.26 184.27 184.28 184.29 	 (5) healthy coping strategies for children and adolescents. Subd. 2. School programs. (a) Starting in the 2026-2027 school year, a school district or charter school must implement a comprehensive education program on cannabis use and substance use for students in middle school and high school. The program must include instruction on the topics listed in subdivision 1 and must: (1) respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use; and (2) refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, and treatment for a substance use disorder. (b) District efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with sections 120B.10 and 120B.11.

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adult student to opt out of instruction under this section with no academic or other penalty
for the student and must inform parents and adult students of this right to opt out.
Subd. 4. Youth council. A school district or charter school may establish one or more
youth councils in which student members of the council receive education and training on
cannabis use and substance use and provide peer-to-peer education on these topics.
Sec. 8. [144.196] CANNABIS DATA COLLECTION AND BIENNIAL REPORTS.
Subdivision 1. General. The commissioner of health shall engage in research and data
collection activities to measure the prevalence of cannabis flower use and the use of
cannabinoid products in the state by persons under 21 years of age and by persons 21 years
of age or older, and the trends in hospital-treated cannabis poisoning and adverse events.
In order to collect data, the commissioner may modify existing data collection tools used
by the department or other state agencies or may establish one or more new data collection
tools.
Subd. 2. Statewide assessment; baseline data; updates. (a) The commissioner shall
conduct a statewide assessment to establish a baseline for the prevalence of cannabis flower
use and the use of cannabinoid products in the state, and the trends in hospital-treated
cannabis poisoning and adverse events broken out by:
(1) the current age of the customer;
(2) the age at which the customer began consuming cannabis flower or cannabinoid
products;
(3) whether the customer consumes cannabis flower or cannabinoid products, and by
type of cannabinoid product that the customer consumes, if applicable;
(4) the amount of cannabis flower or cannabinoid product typically consumed at one
<u>time;</u>
(5) the typical frequency of consumption; and
(6) other criteria specified by the commissioner.
(b) The initial assessment must be completed by July 1, 2024. The commissioner shall
collect updated data under this subdivision at least every two years thereafter.
Subd. 3. Reports. Beginning January 1, 2025, and every two years thereafter, the
commissioner shall issue a public report on the prevalence of cannabis flower use and the
use of cannabinoid products in the state by persons under age 21 and by persons age 21 or
older, and the trends in hospital-treated cannabis poisoning and adverse events. The report

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186.1 may include recommendations from the commissioner for changes to this chapter that would

186.2 discourage or prevent personal use of cannabis flower or cannabinoid products by persons

186.3 <u>under age 21, that would discourage personal use of cannabis flower or cannabinoid products</u>

186.4 by pregnant or breastfeeding women, that would prevent access to cannabis flower or

186.5 cannabinoid products by young children, or that would otherwise promote public health.

186.6 Sec. 9. [144.197] CANNABIS EDUCATION PROGRAMS.

186.7Subdivision 1. Youth education. The commissioner of health shall conduct a long-term,186.8coordinated education program to raise public awareness about and address the top three186.9adverse health effects, as determined by the commissioner, associated with the use of186.10cannabis flower or cannabinoid products by persons under age 25. In conducting this186.11education program, the commissioner shall engage and consult with youth around the state186.12on program content and on methods to effectively disseminate program information to youth186.13around the state.

186.14 Subd. 2. Education for pregnant and breastfeeding women; women who may become pregnant. The commissioner of health, in consultation with the commissioners of human 186.15 186.16 services and education, shall conduct a long-term, coordinated program to educate pregnant women, breastfeeding women, and women who may become pregnant on the adverse health 186.17 effects of prenatal exposure to cannabis flower or cannabinoid products and on the adverse 186.18 health effects experienced by infants and children who are exposed to cannabis flower or 186.19 cannabinoid products in breast milk, from secondhand smoke, or by ingesting cannabinoid 186.20 186.21 products. This education program must also educate women on what constitutes a substance use disorder, signs of a substance use disorder, and treatment options for persons with a 186.22 186.23 substance use disorder.

Subd. 3. Home visiting programs. The commissioner of health shall provide training, 186.24 technical assistance, and education materials to local public health home visiting programs, 186.25 Tribal home visiting programs, and child welfare workers regarding the safe and unsafe use 186.26 of cannabis flower or cannabinoid products in homes with infants and young children. 186.27 186.28 Training, technical assistance, and education materials shall address substance use, the signs of a substance use disorder, treatment options for persons with a substance use disorder, 186.29 the dangers of driving under the influence of cannabis flower or cannabinoid products, how 186.30 to safely consume cannabis flower or cannabinoid products in homes with infants and young 186.31 children, and how to prevent infants and young children from being exposed to cannabis 186.32 186.33 flower or cannabinoid products by ingesting cannabinoid products or through secondhand

186.34 smoke.

Sec. 10. Minnesota Statutes 2022, section 181.938, subdivision 2, is amended to read:
Subd. 2. Prohibited practice. (a) An employer may not refuse to hire a job applicant
or discipline or discharge an employee because the applicant or employee engages in or has
engaged in the use or enjoyment of lawful consumable products, if the use or enjoyment
takes place off the premises of the employer during nonworking hours. For purposes of this

187.6 section, "lawful consumable products" means products whose use or enjoyment is lawful

- 187.7 and which are consumed during use or enjoyment, and includes food, alcoholic or
 - 187.8 nonalcoholic beverages, and tobacco, cannabis flower, as defined in section 342.01,
- 187.9 subdivision 16, and cannabinoid products, as defined in section 342.01, subdivision 12.
- 187.10 (b) Cannabis flower and cannabinoid products are lawful consumable products for the
- 187.11 purpose of Minnesota law, regardless of whether federal or other state law considers cannabis
- 187.12 <u>use</u>, possession, impairment, sale, or transfer to be unlawful. Nothing in this section shall
- 187.13 <u>be construed to limit an employer's ability to discipline or discharge an employee for cannabis</u>

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

- 187.15 hours, on work premises, or while operating an employer's vehicle, machinery, or equipment.
- 187.16 Sec. 11. Minnesota Statutes 2022, section 181.950, subdivision 2, is amended to read:

187.17 Subd. 2. **Confirmatory test; confirmatory retest.** "Confirmatory test" and "confirmatory 187.18 retest" mean a drug or alcohol test <u>or cannabis test</u> that uses a method of analysis allowed 187.19 under one of the programs listed in section 181.953, subdivision 1.

187.20 Sec. 12. Minnesota Statutes 2022, section 181.950, subdivision 4, is amended to read:

187.21 Subd. 4. **Drug.** "Drug" means a controlled substance as defined in section 152.01,

subdivision 4, but does not include marijuana, tetrahydrocannabinols, cannabis flower as
defined in section 342.01, subdivision 16, or cannabinoid products as defined in section

187.24 <u>342.01, subdivision 1</u>2.

187.25 Sec. 13. Minnesota Statutes 2022, section 181.950, subdivision 5, is amended to read:

187.26Subd. 5. Drug and alcohol testing. "Drug and alcohol testing," "drug or alcohol testing,"187.27and "drug or alcohol test" mean analysis of a body component sample according to the187.28standards established under one of the programs listed in section 181.953, subdivision 1,187.29for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites187.30in the sample tested. "Drug and alcohol testing," "drug or alcohol testing," and "drug or187.31alcohol test" do not include cannabis or cannabis testing, unless stated otherwise.

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188.3Subd. 5a. Cannabis testing. "Cannabis testing" means the analysis of a body component188.4sample according to the standards established under one of the programs listed in section188.5181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis188.6flower, as defined in section 342.01, subdivision 16, cannabinoid products, as defined in188.7section 342.01, subdivision 12, or cannabis metabolites in the sample tested. The definitions188.8in this section apply to cannabis testing unless stated otherwise.

188.9 Sec. 15. Minnesota Statutes 2022, section 181.950, subdivision 8, is amended to read:

Subd. 8. Initial screening test. "Initial screening test" means a drug or alcohol test or
 <u>cannabis test</u> which uses a method of analysis under one of the programs listed in section
 188.12 181.953, subdivision 1.

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

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

188.17 Sec. 17. Minnesota Statutes 2022, section 181.951, is amended by adding a subdivision188.18 to read:

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

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

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

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

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

188.31 <u>181.953</u>, subdivision 1, if the employer has a reasonable suspicion that while the employee

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189.1	is working o	or while the employee	is on the employ	er's premises or oper	ating the employer's
189.2	vehicle, mac	chinery, or equipment	, the employee:		
189.3	(1) as the	e result of consuming of	cannabis flower o	r a cannabinoid prod	uct, does not possess
189.4	that clearnes	ss of intellect and con	trol of self that t	he employee otherwi	ise would have;
189.5	(2) has v	iolated the employer's	s written work ru	les prohibiting canna	abis use, possession,
189.6	impairment,	sale, or transfer, prov	vided that the wor	rk rules for cannabis	and cannabis testing
189.7	are in writin	g and in a written pol	licy that contains	the minimum inform	mation required in
189.8	section 181.	952; or			
189.9	(3) has s	ustained a personal ir	njury or has a cau	used a work-related a	accident as provided
189.10	in subdivisio	on 5, clauses (3) and	(4).		
189.11	(e) Cann	abis testing authorize	ed under paragrap	oh (d) must comply v	with the safeguards
189.12	for testing e	mployees provided in	sections 181.95	3 and 181.954.	
189.13	Sec. 18. M	linnesota Statutes 202	2. section 181.9	51, is amended by a	dding a subdivision
189.14	to read:		 , , , - , - , - , - , -		
189.15	Subd. 9.	Cannabis testing ex	centions. For the	e following positions	s, cannabis and its
189.16		are considered a drug			
189.17		.950 to 181.957:	2 3	8	
189.18	<u>(1) a safe</u>	ety-sensitive position	, as defined in se	ction 181.950, subdi	vision 13;
189.19	<u>(2)</u> a pea	ce officer position, as	s defined in secti	on 626.84, subdivisi	<u>on 1;</u>
189.20	<u>(3)</u> a fire	fighter position, as de	efined in section	299N.01, subdivisio	<u>on 3;</u>
189.21	<u>(4)</u> a pos	sition requiring face-to	o-face care, train	ing, education, super	rvision, counseling,
189.22	consultation	, or medical assistance	e to:		
189.23	(i) childr	<u>·en;</u>			
189.24	<u>(ii) vulne</u>	erable adults, as defin	ed in section 626	5.5572, subdivision 2	21; or
189.25	(iii) patie	ents who receive heal	th care services t	from a provider for t	he treatment,
189.26	examination	a, or emergency care of	of a medical, psy	chiatric, or mental co	ondition;
189.27	(5) a post	ition requiring a comr	nercial driver's lie	cense or requiring an	employee to operate
189.28	a motor veh	icle for which state or	r federal law requ	uires drug or alcohol	testing of a job
189.29	applicant or	an employee;			
189.30	<u>(6)</u> a pos	sition of employment	funded by a fede	eral grant; or	

190.1	(7) any other position for which state or federal law requires testing of a job applicant
190.2	or an employee for cannabis.

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190.3 Sec. 19. Minnesota Statutes 2022, section 181.952, is amended by adding a subdivision
190.4 to read:

Subd. 3. Cannabis policy. (a) Unless otherwise provided by state or federal law, an
employer is not required to permit or accommodate cannabis flower or cannabinoid product
use, possession, impairment, sale, or transfer while an employee is working or while an
employee is on the employer's premises or operating the employer's vehicle, machinery, or
equipment.

(b) An employer may enact and enforce written work rules prohibiting cannabis flower
 and cannabinoid product use, possession, impairment, sale, or transfer while an employee

190.12 is working or while an employee is on the employer's premises or operating the employer's

190.13 vehicle, machinery, or equipment in a written policy that contains the minimum information

190.14 required by this section.

190.15 Sec. 20. Minnesota Statutes 2022, section 181.953, is amended to read:

190.16 **181.953 RELIABILITY AND FAIRNESS SAFEGUARDS.**

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

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

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

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

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

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

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

Subd. 3. Laboratory testing, reporting, and sample retention requirements. A testing 191.3 laboratory that is not certified by the National Institute on Drug Abuse according to 191.4 subdivision 1 shall follow the chain-of-custody procedures prescribed for employers in 191.5 subdivision 5. A testing laboratory shall conduct a confirmatory test on all samples that 191.6 produced a positive test result on an initial screening test. A laboratory shall disclose to the 191.7 191.8 employer a written test result report for each sample tested within three working days after a negative test result on an initial screening test or, when the initial screening test produced 191.9 a positive test result, within three working days after a confirmatory test. A test report must 191.10 indicate the drugs, alcohol, or drug or alcohol metabolites, or cannabis or cannabis 191.11 metabolites tested for and whether the test produced negative or positive test results. A 191.12 laboratory shall retain and properly store for at least six months all samples that produced 191.13

191.14 a positive test result.

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

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

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

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

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

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

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

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

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

Subd. 7. Notice of test results. Within three working days after receipt of a test result 192.16 report from the testing laboratory, an employer shall inform in writing an employee or job 192.17 applicant who has undergone drug or alcohol testing or cannabis testing of (1) a negative 192.18 test result on an initial screening test or of a negative or positive test result on a confirmatory 192.19 test and (2) the right provided in subdivision 8. In the case of a positive test result on a 192.20 confirmatory test, the employer shall also, at the time of this notice, inform the employee 192.21 or job applicant in writing of the rights provided in subdivisions 6, paragraph (b), 9, and 192.22 either subdivision 10 or 11, whichever applies. 192.23

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

Subd. 9. Confirmatory retests. An employee or job applicant may request a confirmatory 192.27 retest of the original sample at the employee's or job applicant's own expense after notice 192.28 of a positive test result on a confirmatory test. Within five working days after notice of the 192.29 confirmatory test result, the employee or job applicant shall notify the employer in writing 192.30 of the employee's or job applicant's intention to obtain a confirmatory retest. Within three 192.31 working days after receipt of the notice, the employer shall notify the original testing 192.32 laboratory that the employee or job applicant has requested the laboratory to conduct the 192.33 confirmatory retest or transfer the sample to another laboratory licensed under subdivision 192.34

193.1 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that the 193.2 chain-of-custody procedures in subdivision 3 are followed during transfer of the sample to 193.3 the other laboratory. The confirmatory retest must use the same drug or, alcohol, or cannabis 193.4 threshold detection levels as used in the original confirmatory test. If the confirmatory retest 193.5 does not confirm the original positive test result, no adverse personnel action based on the 193.6 original confirmatory test may be taken against the employee or job applicant.

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

(b) In addition to the limitation under paragraph (a), an employer may not discharge an
employee for whom a positive test result on a confirmatory test was the first such result for
the employee on a drug or alcohol test <u>or cannabis test</u> requested by the employer unless
the following conditions have been met:

(1) the employer has first given the employee an opportunity to participate in, at the
employee's own expense or pursuant to coverage under an employee benefit plan, either a
drug or, alcohol, or cannabis counseling or rehabilitation program, whichever is more
appropriate, as determined by the employer after consultation with a certified chemical use
counselor or a physician trained in the diagnosis and treatment of substance use disorder;
and

(2) the employee has either refused to participate in the counseling or rehabilitation
program or has failed to successfully complete the program, as evidenced by withdrawal
from the program before its completion or by a positive test result on a confirmatory test
after completion of the program.

(c) Notwithstanding paragraph (a), an employer may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the employer believes that it is reasonably necessary to protect the health or safety of the employee, coemployees, or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.

(d) An employer may not discharge, discipline, discriminate against, or request or requirerehabilitation of an employee on the basis of medical history information revealed to the

employer pursuant to subdivision 6 unless the employee was under an affirmative duty to 194.1 provide the information before, upon, or after hire. 194.2 194.3 (e) An employee must be given access to information in the employee's personnel file relating to positive test result reports and other information acquired in the drug and alcohol 194.4 194.5 testing process or cannabis testing process and conclusions drawn from and actions taken based on the reports or other acquired information. 194.6 Subd. 10a. Additional limitations for cannabis. An employer may discipline, discharge, 194.7 or take other adverse personnel action against an employee for cannabis flower or 194.8 cannabinoid product use, possession, impairment, sale, or transfer while an employee is 194.9 working, on the employer's premises, or operating the employer's vehicle, machinery, or 194.10 equipment as follows: 194.11 194.12 (1) if, as the result of consuming cannabis flower or a cannabinoid product, the employee does not possess that clearness of intellect and control of self that the employee otherwise 194.13 would have; 194.14 (2) if cannabis testing that the employer requested or required pursuant to section 181.951, 194.15 subdivision 8, paragraphs (d) and (e), verifies the presence of cannabis following a 194.16 confirmatory test; 194.17 (3) as provided in the employer's written work rules for cannabis and cannabis testing, 194 18 provided that the rules are in writing and in a written policy that contains the minimum 194.19 information required by section 181.952; or 194.20 (4) as otherwise authorized under state or federal law. 194.21 Subd. 11. Limitation on withdrawal of job offer. If a job applicant has received a job 194.22 offer made contingent on the applicant passing drug and alcohol testing, the employer may 194.23 not withdraw the offer based on a positive test result from an initial screening test that has 194.24 194.25 not been verified by a confirmatory test.

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

194.27 **181.954 PRIVACY, CONFIDENTIALITY, AND PRIVILEGE SAFEGUARDS.**

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

Subd. 2. Confidentiality limitations. Test result reports and other information acquired
in the drug or alcohol testing <u>or cannabis testing</u> process are, with respect to private sector

employees and job applicants, private and confidential information, and, with respect to public sector employees and job applicants, private data on individuals as that phrase is defined in chapter 13, and may not be disclosed by an employer or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee or job applicant tested.

195.6 Subd. 3. Exceptions to privacy and confidentiality disclosure

limitations. Notwithstanding subdivisions 1 and 2, evidence of a positive test result on a 195.7 195.8 confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under chapter 43A or other applicable state 195.9 or local law, or a judicial proceeding, provided that information is relevant to the hearing 195.10 or proceeding; (2) disclosed to any federal agency or other unit of the United States 195.11 government as required under federal law, regulation, or order, or in accordance with 195.12 compliance requirements of a federal government contract; and (3) disclosed to a substance 195.13 abuse treatment facility for the purpose of evaluation or treatment of the employee. 195.14

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

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

195.19 **181.955 CONSTRUCTION.**

Subdivision 1. Freedom to collectively bargain. Sections 181.950 to 181.954 shall not be construed to limit the parties to a collective bargaining agreement from bargaining and agreeing with respect to a drug and alcohol testing <u>or a cannabis testing</u> policy that meets or exceeds, and does not otherwise conflict with, the minimum standards and requirements for employee protection provided in those sections.

195.25 Subd. 2. Employee protections under existing collective bargaining

agreements. Sections 181.950 to 181.954 shall not be construed to interfere with or diminish
any employee protections relating to drug and alcohol testing or cannabis testing already
provided under collective bargaining agreements in effect on the effective date of those
sections that exceed the minimum standards and requirements for employee protection
provided in those sections.

Subd. 3. Professional athletes. Sections 181.950 to 181.954 shall not be construed to
interfere with the operation of a drug and alcohol testing <u>or cannabis testing</u> program if:

(1) the drug and alcohol testing program is permitted under a contract between theemployer and employees; and

196.3 (2) the covered employees are employed as professional athletes.

Upon request of the commissioner of labor and industry, the exclusive representative of the employees and the employer shall certify to the commissioner of labor and industry that the drug and alcohol testing <u>or cannabis testing</u> program permitted under the contract should operate without interference from the sections specified in this subdivision. This subdivision must not be construed to create an exemption from controlled substance crimes in chapter 152.

196.10 Sec. 23. Minnesota Statutes 2022, section 181.957, subdivision 1, is amended to read:

Subdivision 1. Excluded employees and job applicants. Except as provided under
subdivision 2, the employee and job applicant protections provided under sections 181.950
to 181.956 do not apply to employees and job applicants where the specific work performed
requires those employees and job applicants to be subject to drug and alcohol testing pursuant
to:

(1) federal regulations that specifically preempt state regulation of drug and alcohol
 testing or cannabis testing with respect to those employees and job applicants;

196.18 (2) federal regulations or requirements necessary to operate federally regulated facilities;

(3) federal contracts where the drug and alcohol testing <u>or cannabis testing</u> is conducted
for security, safety, or protection of sensitive or proprietary data; or

(4) state agency rules that adopt federal regulations applicable to the interstate component
of a federally regulated industry, and the adoption of those rules is for the purpose of
conforming the nonfederally regulated intrastate component of the industry to identical
regulation.

196.25 Sec. 24. Minnesota Statutes 2022, section 245C.08, subdivision 1, is amended to read:

Subdivision 1. Background studies conducted by Department of Human Services. (a)
For a background study conducted by the Department of Human Services, the commissioner
shall review:

(1) information related to names of substantiated perpetrators of maltreatment of
vulnerable adults that has been received by the commissioner as required under section
626.557, subdivision 9c, paragraph (j);

197.1 (2) the commissioner's records relating to the maltreatment of minors in licensed
197.2 programs, and from findings of maltreatment of minors as indicated through the social
197.3 service information system;

(3) information from juvenile courts as required in subdivision 4 for individuals listed
in section 245C.03, subdivision 1, paragraph (a), when there is reasonable cause;

(4) information from the Bureau of Criminal Apprehension, including information
regarding a background study subject's registration in Minnesota as a predatory offender
under section 243.166;

(5) except as provided in clause (6), information received as a result of submission of
fingerprints for a national criminal history record check, as defined in section 245C.02,
subdivision 13c, when the commissioner has reasonable cause for a national criminal history
record check as defined under section 245C.02, subdivision 15a, or as required under section
144.057, subdivision 1, clause (2);

(6) for a background study related to a child foster family setting application for licensure,
foster residence settings, children's residential facilities, a transfer of permanent legal and
physical custody of a child under sections 260C.503 to 260C.515, or adoptions, and for a
background study required for family child care, certified license-exempt child care, child
care centers, and legal nonlicensed child care authorized under chapter 119B, the
commissioner shall also review:

(i) information from the child abuse and neglect registry for any state in which thebackground study subject has resided for the past five years;

(ii) when the background study subject is 18 years of age or older, or a minor under
section 245C.05, subdivision 5a, paragraph (c), information received following submission
of fingerprints for a national criminal history record check; and

(iii) when the background study subject is 18 years of age or older or a minor under
section 245C.05, subdivision 5a, paragraph (d), for licensed family child care, certified
license-exempt child care, licensed child care centers, and legal nonlicensed child care
authorized under chapter 119B, information obtained using non-fingerprint-based data
including information from the criminal and sex offender registries for any state in which
the background study subject resided for the past five years and information from the national
crime information database and the national sex offender registry; and

(7) for a background study required for family child care, certified license-exempt childcare centers, licensed child care centers, and legal nonlicensed child care authorized under

chapter 119B, the background study shall also include, to the extent practicable, a nameand date-of-birth search of the National Sex Offender Public website.

198.3 (b) Except as otherwise provided in this paragraph, notwithstanding expungement by a court, the commissioner may consider information obtained under paragraph (a), clauses 198.4 (3) and (4), unless the commissioner received notice of the petition for expungement and 198.5 the court order for expungement is directed specifically to the commissioner. The 198.6 commissioner may not consider information obtained under paragraph (a), clauses (3) and 198.7 198.8 (4), or from any other source that identifies a violation of chapter 152 without determining if the offense involved the possession of marijuana or tetrahydrocannabinol and, if so, 198.9 whether the person received a grant of expungement or order of expungement, or the person 198.10 was resentenced to a lesser offense. If the person received a grant of expungement or order 198.11 of expungement, the commissioner may not consider information related to that violation 198.12 but may consider any other relevant information arising out of the same incident. 198.13

(c) The commissioner shall also review criminal case information received according
to section 245C.04, subdivision 4a, from the Minnesota court information system that relates
to individuals who have already been studied under this chapter and who remain affiliated
with the agency that initiated the background study.

(d) When the commissioner has reasonable cause to believe that the identity of a
background study subject is uncertain, the commissioner may require the subject to provide
a set of classifiable fingerprints for purposes of completing a fingerprint-based record check
with the Bureau of Criminal Apprehension. Fingerprints collected under this paragraph
shall not be saved by the commissioner after they have been used to verify the identity of
the background study subject against the particular criminal record in question.

(e) The commissioner may inform the entity that initiated a background study under
NETStudy 2.0 of the status of processing of the subject's fingerprints.

198.26 Sec. 25. Minnesota Statutes 2022, section 256.01, subdivision 18c, is amended to read:

Subd. 18c. **Drug convictions.** (a) The state court administrator shall provide a report every six months by electronic means to the commissioner of human services, including the name, address, date of birth, and, if available, driver's license or state identification card number, date of the sentence, effective date of the sentence, and county in which the conviction occurred, of each person convicted of a felony under chapter 152, except for convictions under section 152.0263 or 152.0264, during the previous six months. (b) The commissioner shall determine whether the individuals who are the subject of
the data reported under paragraph (a) are receiving public assistance under chapter 256D
or 256J, and if the <u>an</u> individual is receiving assistance under chapter 256D or 256J, the
commissioner shall instruct the county to proceed under section 256D.024 or 256J.26,
whichever is applicable, for this individual.

(c) The commissioner shall not retain any data received under paragraph (a) or (d) that
does not relate to an individual receiving publicly funded assistance under chapter 256D or
256J.

(d) In addition to the routine data transfer under paragraph (a), the state court
administrator shall provide a onetime report of the data fields under paragraph (a) for
individuals with a felony drug conviction under chapter 152 dated from July 1, 1997, until
the date of the data transfer. The commissioner shall perform the tasks identified under
paragraph (b) related to this data and shall retain the data according to paragraph (c).

199.14 Sec. 26. Minnesota Statutes 2022, section 256B.0625, subdivision 13d, is amended to199.15 read:

Subd. 13d. Drug formulary. (a) The commissioner shall establish a drug formulary. Its
establishment and publication shall not be subject to the requirements of the Administrative
Procedure Act, but the Formulary Committee shall review and comment on the formulary
contents.

199.20 (b) The formulary shall not include:

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

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

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

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

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

200.1 (6) medical cannabis <u>flower</u> as defined in section <u>152.22</u>, <u>subdivision 6</u> <u>342.01</u>,
 200.2 <u>subdivision 49</u>, or medical cannabinoid products as defined in section 342.01, subdivision
 200.3 47.

(c) If a single-source drug used by at least two percent of the fee-for-service medical
assistance recipients is removed from the formulary due to the failure of the manufacturer
to sign a rebate agreement with the Department of Health and Human Services, the
commissioner shall notify prescribing practitioners within 30 days of receiving notification
from the Centers for Medicare and Medicaid Services (CMS) that a rebate agreement was
not signed.

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

200.11 Subdivision 1. Person convicted of drug offenses. (a) If an applicant or recipient has been convicted of a drug offense after July 1, 1997, except for convictions related to cannabis, 200.12 marijuana, or tetrahydrocannabinols, the assistance unit is ineligible for benefits under this 200.13 chapter until five years after the applicant has completed terms of the court-ordered sentence, 200.14 unless the person is participating in a drug treatment program, has successfully completed 200.15 200.16 a drug treatment program, or has been assessed by the county and determined not to be in need of a drug treatment program. Persons subject to the limitations of this subdivision who 200.17 become eligible for assistance under this chapter shall be subject to random drug testing as 200.18 a condition of continued eligibility and shall lose eligibility for benefits for five years 200.19 beginning the month following: 200.20

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

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

(b) For the purposes of this subdivision, "drug offense" means a conviction that occurred
after July 1, 1997, of sections 152.021 to 152.025, 152.0261, 152.0262, or 152.096. Drug
offense also means a conviction in another jurisdiction of the possession, use, or distribution
of a controlled substance, or conspiracy to commit any of these offenses, if the offense
occurred after July 1, 1997, and the conviction is a felony offense in that jurisdiction, or in
the case of New Jersey, a high misdemeanor for a crime that would be a felony if committed
in Minnesota.

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

200.31 Subd. 3. Fleeing felons. An individual who is fleeing to avoid prosecution, or custody, 200.32 or confinement after conviction for a crime that is a felony under the laws of the jurisdiction 201.1 from which the individual flees, or in the case of New Jersey, is a high misdemeanor, would
201.2 be a felony if committed in Minnesota, is ineligible to receive benefits under this chapter.

201.3 Sec. 29. Minnesota Statutes 2022, section 256J.26, subdivision 1, is amended to read:

Subdivision 1. **Person convicted of drug offenses.** (a) An individual who has been convicted of a felony level drug offense committed during the previous ten years from the date of application or recertification, except for convictions related to cannabis, marijuana, <u>or tetrahydrocannabinols</u>, is subject to the following:

(1) Benefits for the entire assistance unit must be paid in vendor form for shelter andutilities during any time the applicant is part of the assistance unit.

201.10 (2) The convicted applicant or participant shall be subject to random drug testing as a 201.11 condition of continued eligibility and following any positive test for an illegal controlled 201.12 substance under chapter 152 is subject to the following sanctions:

201.13 (i) for failing a drug test the first time, the residual amount of the participant's grant after making vendor payments for shelter and utility costs, if any, must be reduced by an amount 201 14 equal to 30 percent of the MFIP standard of need for an assistance unit of the same size. 201.15 When a sanction under this subdivision is in effect, the job counselor must attempt to meet 201.16 with the person face-to-face. During the face-to-face meeting, the job counselor must explain 201.17 201.18 the consequences of a subsequent drug test failure and inform the participant of the right to appeal the sanction under section 256J.40. If a face-to-face meeting is not possible, the 201.19 county agency must send the participant a notice of adverse action as provided in section 201.20 256J.31, subdivisions 4 and 5, and must include the information required in the face-to-face 201.21 meeting; or 201.22

(ii) for failing a drug test two times, the participant is permanently disqualified from 201.23 receiving MFIP assistance, both the cash and food portions. The assistance unit's MFIP 201.24 grant must be reduced by the amount which would have otherwise been made available to 201.25 the disqualified participant. Disqualification under this item does not make a participant 201.26 ineligible for the Supplemental Nutrition Assistance Program (SNAP). Before a 201.27 disqualification under this provision is imposed, the job counselor must attempt to meet 201.28 with the participant face-to-face. During the face-to-face meeting, the job counselor must 201.29 201.30 identify other resources that may be available to the participant to meet the needs of the family and inform the participant of the right to appeal the disqualification under section 201.31 256J.40. If a face-to-face meeting is not possible, the county agency must send the participant 201.32 a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must 201.33 include the information required in the face-to-face meeting. 201.34

(3) A participant who fails a drug test the first time and is under a sanction due to other
MFIP program requirements is considered to have more than one occurrence of
noncompliance and is subject to the applicable level of sanction as specified under section
202.4 256J.46, subdivision 1, paragraph (d).

(b) Applicants requesting only SNAP benefits or participants receiving only SNAP
benefits, who have been convicted of a drug offense that occurred after July 1, 1997, except
for convictions related to cannabis, marijuana, or tetrahydrocannabinols, may, if otherwise
eligible, receive SNAP benefits if the convicted applicant or participant is subject to random
drug testing as a condition of continued eligibility. Following a positive test for an illegal
controlled substance under chapter 152, the applicant is subject to the following sanctions:

202.11 (1) for failing a drug test the first time, SNAP benefits shall be reduced by an amount equal to 30 percent of the applicable SNAP benefit allotment. When a sanction under this 202.12 clause is in effect, a job counselor must attempt to meet with the person face-to-face. During 202.13 the face-to-face meeting, a job counselor must explain the consequences of a subsequent 202.14 drug test failure and inform the participant of the right to appeal the sanction under section 202.15 256J.40. If a face-to-face meeting is not possible, a county agency must send the participant 202.16 a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must 202.17 include the information required in the face-to-face meeting; and 202.18

(2) for failing a drug test two times, the participant is permanently disqualified from 202.19 receiving SNAP benefits. Before a disqualification under this provision is imposed, a job 202.20 counselor must attempt to meet with the participant face-to-face. During the face-to-face 202.21 meeting, the job counselor must identify other resources that may be available to the 202.22 participant to meet the needs of the family and inform the participant of the right to appeal 202.23 the disqualification under section 256J.40. If a face-to-face meeting is not possible, a county 202.24 agency must send the participant a notice of adverse action as provided in section 256J.31, 202.25 subdivisions 4 and 5, and must include the information required in the face-to-face meeting. 202.26

(c) For the purposes of this subdivision, "drug offense" means an offense that occurred 202.27 during the previous ten years from the date of application or recertification of sections 202.28 152.021 to 152.025, 152.0261, 152.0262, 152.096, or 152.137. Drug offense also means a 202.29 conviction in another jurisdiction of the possession, use, or distribution of a controlled 202.30 substance, or conspiracy to commit any of these offenses, if the offense occurred during 202.31 the previous ten years from the date of application or recertification and the conviction is 202.32 a felony offense in that jurisdiction, or in the case of New Jersey, a high misdemeanor for 202.33 a crime that would be a felony if committed in Minnesota. 202.34

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Sec. 30. Minnesota Statutes 2022, section 256J.26, subdivision 3, is amended to read: 203.1

Subd. 3. Fleeing felons. An individual who is fleeing to avoid prosecution, or custody, 203.2 or confinement after conviction for a crime that is a felony under the laws of the jurisdiction 203.3 from which the individual flees, or in the case of New Jersey, is a high misdemeanor, would 203.4 203.5 be a felony if committed in Minnesota, is disqualified from receiving MFIP.

Sec. 31. [340A.4022] RETAIL LICENSE NOT PROHIBITED; LOWER POTENCY 203.6 **EDIBLE PRODUCTS.** 203.7

- (a) Nothing in this chapter: 203.8
- (1) prohibits the issuance of a retail license or permit to a person also holding a lower 203.9 potency edible product retailer license; 203.10
- (2) allows any agreement between a licensing authority and retail license or permit holder 203.11

that prohibits the license or permit holder from also holding a lower potency edible product 203.12

- 203.13 retailer license; or
- (3) allows the revocation or suspension of a retail license or permit, or the imposition 203.14
- 203.15 of a penalty on a retail license or permit holder, due to the retail license or permit holder
- also holding a lower potency edible product retailer license. 203.16
- (b) For purposes of this section, "lower potency edible product retailer license" means 203.17 a license issued by the Office of Cannabis Management under section 342.40. 203.18
- Sec. 32. Minnesota Statutes 2022, section 340A.412, subdivision 14, is amended to read: 203.19
- Subd. 14. Exclusive liquor stores. (a) Except as otherwise provided in this subdivision, 203.20 an exclusive liquor store may sell only the following items: 203.21
- 203.22 (1) alcoholic beverages;
- (2) tobacco products;
- (3) ice; 203.24

203.23

(4) beverages, either liquid or powder, specifically designated for mixing with intoxicating 203.25 liquor; 203.26

- (5) soft drinks; 203.27
- (6) liqueur-filled candies; 203.28
- (7) food products that contain more than one-half of one percent alcohol by volume; 203.29

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204.1	(8) cork extr	action devices;							
204.2	(9) books and videos on the use of alcoholic beverages;								
204.3	(10) magazir	nes and other public	cations publishe	d primarily for inform	ation and education				
204.4	on alcoholic bev	verages;							
204.5	(11) multiple	e-use bags designe	d to carry purcl	nased items;					
204.6		C	C	nd monitoring of alco	hol in the home, to				
204.7	-	y underage drinke							
204.8	(13) home by	rewing equipment	;						
204.9	(14) clothing	g marked with the s	specific name, b	orand, or identifying lo	ogo of the exclusive				
204.10	liquor store, and	l bearing no other	name, brand, or	identifying logo;					
204.11	(15) citrus fr	uit; and							
204.12	(16) glasswa	re-; and							
204.13	<u>(17) lower p</u>	otency edible proc	lucts as defined	in section 342.01, su	bdivision 45.				
204.14	(b) An exclu	sive liquor store tl	hat has an on-sa	le, or combination on	-sale and off-sale				
204.15	license may sell	license may sell food for on-premise consumption when authorized by the municipality							
204.16	issuing the licen	se.							
204.17	(c) An exclu	sive liquor store n	nay offer live or	recorded entertainme	ent.				
204.18	EFFECTIV	E DATE. This see	ction is effective	e July 1, 2024.					
204.19	Sec. 33. Minne	esota Statutes 202	2, section 609B	.425, subdivision 2, i	s amended to read:				
204.20	Subd. 2. Ben	nefit eligibility. (a)) A person conv	icted of a drug offens	e after July 1, 1997,				
204.21	except for convi	ctions related to ca	nnabis, marijua	na, or tetrahydrocanna	abinols, is ineligible				
204.22	for general assis	tance benefits and	Supplemental S	ecurity Income under	chapter 256D until:				
204.23	(1) five year	s after completing	the terms of a o	court-ordered sentenc	e; or				
204.24	(2) unless the	e person is particij	pating in a drug	treatment program, h	as successfully				
204.25	completed a prog	gram, or has been o	determined not	to be in need of a drug	treatment program.				
204.26	(b) A person	who becomes elig	gible for assista	nce under chapter 250	6D is subject to				
204.27	random drug tes	ting and shall lose	eligibility for b	enefits for five years b	eginning the month				
204.28	following:								
204.29	(1) any posit	ive test for an ille	gal controlled s	ubstance <u>under chapte</u>	er 152; or				
	Article 6 Sec. 33.		204						

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

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

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

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

205.10 benefits. Following any positive test for a controlled substance <u>under chapter 152</u>, the
205.11 convicted applicant or participant is subject to the following sanctions:

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

205.14 (2) a second time drug test failure results in permanent disqualification from receiving205.15 MFIP assistance.

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

205.18 Sec. 35. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 205.19 to read:

205.20 <u>Subd. 13.</u> Adult-use cannabis flower. "Adult-use cannabis flower" has the meaning 205.21 given in section 342.01, subdivision 4.

205.22 Sec. 36. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 205.23 to read:

205.24 <u>Subd. 14.</u> Adult-use cannabinoid product. "Adult-use cannabis product" has the 205.25 meaning given in section 342.01, subdivision 2.

205.26 Sec. 37. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 205.27 to read:

205.28 <u>Subd. 15.</u> <u>Medical cannabis flower.</u> "Medical cannabis flower" has the meaning given 205.29 in section 342.01, subdivision 49.

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

206.3 <u>Subd. 16.</u> <u>Medical cannabinoid product.</u> "Medical cannabinoid product" has the 206.4 meaning given in section 342.01, subdivision 47.

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

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

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

206.10 <u>Subd. 18.</u> **Qualifying medical condition.** "Qualifying medical condition" has the meaning 206.11 given in section 342.01, subdivision 56.

206.12 Sec. 41. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision 206.13 to read:

206.14 <u>Subd. 19.</u> **Registry or registry program.** "Registry" or "registry program" has the 206.15 meaning given in section 342.01, subdivision 58.

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

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

(1) a person under the age of 18 years except that a person under 18 may possess 206.20 ammunition designed for use in a firearm that the person may lawfully possess and may 206.21 206.22 carry or possess a pistol or semiautomatic military-style assault weapon (i) in the actual presence or under the direct supervision of the person's parent or guardian, (ii) for the 206.23 purpose of military drill under the auspices of a legally recognized military organization 206.24 and under competent supervision, (iii) for the purpose of instruction, competition, or target 206.25 practice on a firing range approved by the chief of police or county sheriff in whose 206.26 jurisdiction the range is located and under direct supervision; or (iv) if the person has 206.27 successfully completed a course designed to teach marksmanship and safety with a pistol 206.28 or semiautomatic military-style assault weapon and approved by the commissioner of natural 206.29 206.30 resources;

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207.1 (2) except as otherwise provided in clause (9), a person who has been convicted of, or 207.2 adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, in 207.3 this state or elsewhere, a crime of violence. For purposes of this section, crime of violence 207.4 includes crimes in other states or jurisdictions which would have been crimes of violence 207.5 as herein defined if they had been committed in this state;

(3) a person who is or has ever been committed in Minnesota or elsewhere by a judicial
determination that the person is mentally ill, developmentally disabled, or mentally ill and
dangerous to the public, as defined in section 253B.02, to a treatment facility, or who has
ever been found incompetent to stand trial or not guilty by reason of mental illness, unless
the person's ability to possess a firearm and ammunition has been restored under subdivision
4;

(4) a person who has been convicted in Minnesota or elsewhere of a misdemeanor or
gross misdemeanor violation of chapter 152, unless three years have elapsed since the date
of conviction and, during that time, the person has not been convicted of any other such
violation of chapter 152 or a similar law of another state; or a person who is or has ever
been committed by a judicial determination for treatment for the habitual use of a controlled
substance or marijuana, as defined in sections 152.01 and 152.02, unless the person's ability
to possess a firearm and ammunition has been restored under subdivision 4;

(5) a person who has been committed to a treatment facility in Minnesota or elsewhere
by a judicial determination that the person is chemically dependent as defined in section
253B.02, unless the person has completed treatment or the person's ability to possess a
firearm and ammunition has been restored under subdivision 4. Property rights may not be
abated but access may be restricted by the courts;

(6) a peace officer who is informally admitted to a treatment facility pursuant to section
207.25 253B.04 for chemical dependency, unless the officer possesses a certificate from the head
of the treatment facility discharging or provisionally discharging the officer from the
treatment facility. Property rights may not be abated but access may be restricted by the
courts;

(7) a person, including a person under the jurisdiction of the juvenile court, who has
been charged with committing a crime of violence and has been placed in a pretrial diversion
program by the court before disposition, until the person has completed the diversion program
and the charge of committing the crime of violence has been dismissed;

207.33 (8) except as otherwise provided in clause (9), a person who has been convicted in
207.34 another state of committing an offense similar to the offense described in section 609.224,

subdivision 3, against a family or household member or section 609.2242, subdivision 3,
unless three years have elapsed since the date of conviction and, during that time, the person
has not been convicted of any other violation of section 609.224, subdivision 3, or 609.2242,
subdivision 3, or a similar law of another state;

(9) a person who has been convicted in this state or elsewhere of assaulting a family or
household member and who was found by the court to have used a firearm in any way
during commission of the assault is prohibited from possessing any type of firearm or
ammunition for the period determined by the sentencing court;

208.9 (10) a person who:

(i) has been convicted in any court of a crime punishable by imprisonment for a termexceeding one year;

(ii) is a fugitive from justice as a result of having fled from any state to avoid prosecution
for a crime or to avoid giving testimony in any criminal proceeding;

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

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

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

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

208.18 substance under this item;

(iv) has been judicially committed to a treatment facility in Minnesota or elsewhere as
a person who is mentally ill, developmentally disabled, or mentally ill and dangerous to the
public, as defined in section 253B.02;

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

(vi) has been discharged from the armed forces of the United States under dishonorableconditions;

208.25 (vii) has renounced the person's citizenship having been a citizen of the United States;
208.26 or

(viii) is disqualified from possessing a firearm under United States Code, title 18, section
922(g)(8) or (9), as amended through March 1, 2014;

(11) a person who has been convicted of the following offenses at the gross misdemeanor
level, unless three years have elapsed since the date of conviction and, during that time, the
person has not been convicted of any other violation of these sections: section 609.229

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

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

(12) a person who has been convicted of a violation of section 609.224 if the court
determined that the assault was against a family or household member in accordance with
section 609.2242, subdivision 3 (domestic assault), unless three years have elapsed since
the date of conviction and, during that time, the person has not been convicted of another
violation of section 609.224 or a violation of a section listed in clause (11); or

(13) a person who is subject to an order for protection as described in section 260C.201,
subdivision 3, paragraph (d), or 518B.01, subdivision 6, paragraph (g).

A person who issues a certificate pursuant to this section in good faith is not liable for damages resulting or arising from the actions or misconduct with a firearm or ammunition committed by the individual who is the subject of the certificate.

The prohibition in this subdivision relating to the possession of firearms other than pistols and semiautomatic military-style assault weapons does not apply retroactively to persons who are prohibited from possessing a pistol or semiautomatic military-style assault weapon under this subdivision before August 1, 1994.

The lifetime prohibition on possessing, receiving, shipping, or transporting firearms and ammunition for persons convicted or adjudicated delinquent of a crime of violence in clause (2), applies only to offenders who are discharged from sentence or court supervision for a crime of violence on or after August 1, 1993.

209.24 Participation as a patient in the registry program or use of adult-use cannabis flower or 209.25 adult-use cannabinoid products by a person 21 years of age or older does not disqualify the 209.26 person from possessing firearms and ammunition under this section.

For purposes of this section, "judicial determination" means a court proceeding pursuant to sections 253B.07 to 253B.09 or a comparable law from another state.

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

209.30 Subd. 6. **Granting and denial of permits.** (a) The sheriff must, within 30 days after the 209.31 date of receipt of the application packet described in subdivision 3:

209.32 (1) issue the permit to carry;

(2) deny the application for a permit to carry solely on the grounds that the applicantfailed to qualify under the criteria described in subdivision 2, paragraph (b); or

(3) deny the application on the grounds that there exists a substantial likelihood that the
applicant is a danger to self or the public if authorized to carry a pistol under a permit.

210.5 (b) Failure of the sheriff to notify the applicant of the denial of the application within 30 days after the date of receipt of the application packet constitutes issuance of the permit 210.6 to carry and the sheriff must promptly fulfill the requirements under paragraph (c). To deny 210.7 the application, the sheriff must provide the applicant with written notification and the 210.8 specific factual basis justifying the denial under paragraph (a), clause (2) or (3), including 210.9 210.10 the source of the factual basis. The sheriff must inform the applicant of the applicant's right to submit, within 20 business days, any additional documentation relating to the propriety 210.11 of the denial. Upon receiving any additional documentation, the sheriff must reconsider the 210.12 denial and inform the applicant within 15 business days of the result of the reconsideration. 210.13 Any denial after reconsideration must be in the same form and substance as the original 210.14 denial and must specifically address any continued deficiencies in light of the additional 210.15 documentation submitted by the applicant. The applicant must be informed of the right to 210.16 seek de novo review of the denial as provided in subdivision 12. 210.17

(c) Upon issuing a permit to carry, the sheriff must provide a laminated permit card to
the applicant by first class mail unless personal delivery has been made. Within five business
days, the sheriff must submit the information specified in subdivision 7, paragraph (a), to
the commissioner for inclusion solely in the database required under subdivision 15,
paragraph (a). The sheriff must transmit the information in a manner and format prescribed
by the commissioner.

(d) Within five business days of learning that a permit to carry has been suspended or
revoked, the sheriff must submit information to the commissioner regarding the suspension
or revocation for inclusion solely in the databases required or permitted under subdivision
15.

(e) Notwithstanding paragraphs (a) and (b), the sheriff may suspend the application
process if a charge is pending against the applicant that, if resulting in conviction, will
prohibit the applicant from possessing a firearm.

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

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

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

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

Sec. 44. Minnesota Statutes 2022, section 624.7142, subdivision 1, is amended to read:

Subdivision 1. Acts prohibited. A person may not carry a pistol on or about the person's
clothes or person in a public place:

(1) when the person is under the influence of a controlled substance, as defined in section
152.01, subdivision 4;

(2) when the person is under the influence of a combination of any two or more of the
elements named in clauses (1) and (4);

(3) when the person is under the influence of an intoxicating substance as defined in
section 169A.03, subdivision 11a, and the person knows or has reason to know that the
substance has the capacity to cause impairment;

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

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

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

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

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

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

211.17 cause impairment.

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

211.19 **624.7151 STANDARDIZED FORMS.**

By December 1, 1992, the commissioner shall adopt statewide standards governing the form and contents, as required by sections 624.7131 to 624.714, of every application for a pistol transferee permit, pistol transferee permit, report of transfer of a pistol, application for a permit to carry a pistol, and permit to carry a pistol that is granted or renewed on or after January 1, 1993.

Every application for a pistol transferee permit, pistol transferee permit, report of transfer 211.25 of a pistol, application for a permit to carry a pistol, and permit to carry a pistol that is 211.26 received, granted, or renewed by a police chief or county sheriff on or after January 1, 1993, 211.27 must meet the statewide standards adopted by the commissioner. Notwithstanding the 211.28 previous sentence, neither failure of the Department of Public Safety to adopt standards nor 211.29 failure of the police chief or county sheriff to meet them shall delay the timely processing 211.30 of applications nor invalidate permits issued on other forms meeting the requirements of 211.31 sections 624.7131 to 624.714. 211.32

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Any form used for the purpose of approving or disapproving a person from purchasing,

owning, possessing, or carrying a firearm that inquires about the applicant's use of controlled

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

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

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

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

212.7 Sec. 46. [624.7152] LAWFUL CANNABIS USERS.

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

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

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

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

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

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

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

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

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

212.19 <u>firearm.</u>

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

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

212.22 owning, possessing, or carrying a firearm.

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

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

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

212.26 <u>firearm.</u>

212.27 Sec. 47. <u>**REPEALER.**</u>

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

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

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

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

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

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213.1	4770.4009; 4770.4010; 4770.4012; 4770.4013; 4770.4014; 4770.4015; 4770.4016;				
213.2	4770.4017; 477	0.4018; and 4770.40	030, are repe	aled.	
213.3	(b) Minneso	ta Statutes 2022, see	ctions 152.22	e, subdivisions 1, 2, 3,	4, 5, 5a, 5b, 6, 7, 8,
213.4				5, subdivisions 1, 1a, 1	
213.5	<u>152.26; 152.261</u>	; 152.27, subdivisio	ons 1, 2, 3, 4,	5, 6, and 7; 152.28, st	ubdivisions 1, 2, and
213.6	<u>3; 152.29, subdi</u>	visions 1, 2, 3, 3a, a	and 4; 152.30	; 152.31; 152.32, subo	divisions 1, 2, and 3;
213.7	152.33, subdivis	sions 1, 1a, 2, 3, 4, 5	5, and 6; 152	.34; 152.35; 152.36, s	ubdivisions 1, 1a, 2,
213.8	3, 4, and 5; and	152.37, are repealed	<u>d.</u>		
213.9	(c) Minneso	ta Statutes 2022, sec	ction 152.02	7, subdivisions 3 and 4	l, are repealed.
213.10	213.10 (d) Minnesota Statutes 2022, section 152.21, is repealed.				
213.11	EFFECTIV	E DATE. Paragrap	hs (a) and (b) are effective January	1, 2024. Paragraph
213.12				effective July 1, 2023	
213.13	ARTICLE 7 TEMPORARY REGULATION OF CERTAIN PRODUCTS				NICTO
213.14	I Ľ	MPUKAKY KEG	ULATION	JF CERTAIN PROL	0015
213.15	Section 1. Min	nnesota Statutes 202	2, section 34	A.01, subdivision 4, i	s amended to read:
213.16	Subd. 4. Foo	od. "Food" means ev	very ingredie	nt used for, entering in	nto the consumption
213.17	of, or used or int	ended for use in the	preparation	of food, drink, confect	ionery, or condiment
213.18	for humans or o	ther animals, wheth	er simple, m	ixed, or compound; an	nd articles used as
213.19	components of t	hese ingredients, ex	cept that edi	ble cannabinoid produ	icts, as defined in
213.20	section 151.72,	subdivision 1, parag	graph (c) <u>(f)</u>,	are not food.	
213.21	EFFECTIV	E DATE. This sect	ion is effecti	ve the day following f	inal enactment.
213.22	Sec. 2. Minner	sota Statutes 2022, s	section 144.9	9, subdivision 1, is an	nended to read:
213.23	Subdivision	1. Remedies availal	ble. The prov	isions of chapters 103I	and 157 and sections
213.24	115.71 to 115.7'	7; 144.12, subdivisi	on 1, paragra	phs (1), (2), (5), (6), (10), (12), (13), (14),
213.25	and (15); 144.12	201 to 144.1204; 144	1.121; 144.12	15; 144.1222; 144.35;	144.381 to 144.385;
213.26	144.411 to 144.4	417; 144.495; 144.7	'1 to 144.74;	144.9501 to 144.9512	2; 144.97 to 144.98;
213.27	144.992; <u>151.72</u>	2; 152.22 to 152.37;	326.70 to 32	26.785; 327.10 to 327.	131; and 327.14 to
213.28	327.28 and all r	ules, orders, stipula	tion agreeme	nts, settlements, comp	liance agreements,
213.29	licenses, registra	ations, certificates, a	nd permits ac	lopted or issued by the	department or under
213.30	any other law no	ow in force or later	enacted for t	he preservation of pub	lic health may, in
213.31	addition to prov	isions in other statu	tes, be enfor	ced under this section.	

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214.1	EFFECTIVE DATE.	This section is effe	ective the day followi	ng final enactment.
214.2	Sec. 3. Minnesota Statut	es 2022, section 15	51.72, is amended to r	read:
214.3	151.72 SALE OF CEI	RTAIN CANNAB	INOID PRODUCTS	S.
214.4	Subdivision 1. Definiti	ons. (a) For the put	rposes of this section,	the following terms have
214.5	the meanings given.			
214.6	(a) "Synthetically deriv	ed cannabinoid" r	neans a cannabinoid o	extracted from a hemp
214.7	plant or hemp plant parts v	vhose chemical ma	akeup is changed afte	r extraction to create a
214.8	different cannabinoid or of	her chemical com	pound by applying a	catalyst other than heat
214.9	or light. Synthetically deri	ved cannabinoid in	ncludes but is not lim	ited to any
214.10	tetrahydrocannabinol creat	ed from cannabid	ol.	
214.11	(b) "Batch" means a sp	ecific quantity of	a specific product cor	taining cannabinoids
214.12	derived from hemp, include	ing an edible canr	abinoid product, that	is manufactured at the
214.13	same time and using the sa	me methods, equi	pment, and ingredien	ts that is uniform and
214.14	intended to meet specifica	tions for identity, s	strength, purity, and c	omposition, and that is
214.15	manufactured, packaged, a	nd labeled accordin	ng to a single batch pro	oduction record executed
214.16	and documented during th	e same cycle of ma	anufacture and produce	ced by a continuous
214.17	process.			
214.18	(b) (c) "Certified hemp	" means hemp plan	nts that have been test	ed and found to meet the
214.19	requirements of chapter 18	K and the rules ac	lopted thereunder.	
214.20	(d) "Commissioner" m	eans the commissi	oner of health.	
214.21	(e) "Distributor" means	s a person who sel	ls, arranges a sale, or	delivers a product
214.22	containing cannabinoids d	erived from hemp,	including an edible c	annabinoid product, that
214.23	the person did not manufa	cture to a retail est	ablishment for sale to	consumers. Distributor
214.24	does not include a commo	n carrier used only	to complete delivery	to a retailer.
214.25	(c) (f) "Edible cannabin	noid product" mea	ns any product that is	intended to be eaten or
214.26	consumed as a beverage by	y humans, contain	s a cannabinoid in con	mbination with food
214.27	ingredients, and is not a dr	ug.		
214.28	(d)(g) "Hemp" has the 1	neaning given to "i	ndustrial hemp" in sec	ction 18K.02, subdivision
214.29	3.			
214.30	(e) (h) "Label" has the	meaning given in	section 151.01, subdi	vision 18.
214.31	(f) (i) "Labeling" mean	s all labels and oth	er written, printed, or	r graphic matter that are:

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(1) affixed to the immediate container in which a product regulated under this section 215.1 is sold; 215.2

(2) provided, in any manner, with the immediate container, including but not limited to 215.3 outer containers, wrappers, package inserts, brochures, or pamphlets; or 215.4

215.5 (3) provided on that portion of a manufacturer's website that is linked by a scannable barcode or matrix barcode. 215.6

215.7 (g) (j) "Matrix barcode" means a code that stores data in a two-dimensional array of geometrically shaped dark and light cells capable of being read by the camera on a 215.8 smartphone or other mobile device. 215.9

(h) (k) "Nonintoxicating cannabinoid" means substances extracted from certified hemp 215.10 plants that do not produce intoxicating effects when consumed by any route of administration. 215.11

(1) "Artificial cannabinoid" means a substance with a similar chemical structure and 215.12 pharmacological activity to a cannabinoid, but which is not extracted or derived from hemp 215.13 plants, or hemp plant parts and is instead created or produced by chemical or biochemical 215.14 synthesis. 215.15

Subd. 2. Scope. (a) This section applies to the sale of any product that contains 215.16 cannabinoids extracted from hemp and that is an edible cannabinoid product or is intended 215.17 for human or animal consumption by any route of administration. 215.18

(b) This section does not apply to any product dispensed by a registered medical cannabis 215.19 manufacturer pursuant to sections 152.22 to 152.37. 215.20

(c) The board commissioner must have no authority over food products, as defined in 215.21 section 34A.01, subdivision 4, that do not contain cannabinoids extracted or derived from 215.22 215.23 hemp.

Subd. 3. Sale of cannabinoids derived from hemp. (a) Notwithstanding any other 215.24 section of this chapter, a product containing nonintoxicating cannabinoids, including an 215.25 edible cannabinoid product, may be sold for human or animal consumption only if all of 215.26 the requirements of this section are met, provided that a product sold for human or animal 215.27 consumption does not contain more than 0.3 percent of any tetrahydrocannabinol and an 215.28 edible cannabinoid product does not contain an amount of any tetrahydrocannabinol that 215.29 exceeds the limits established in subdivision 5a, paragraph (f). 215.30

(b) No other substance extracted or otherwise derived from hemp may be sold for human 215.31 215.32 consumption if the substance is intended:

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

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

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

(d) Products that meet the requirements of this section are not controlled substancesunder section 152.02.

Subd. 4. **Testing requirements.** (a) A manufacturer of a product regulated under this section must submit representative samples <u>of each batch</u> of the product to an independent, accredited laboratory in order to certify that the product complies with the standards adopted by the board on or before July 1, 2023, or the standards adopted by the commissioner.

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

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

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

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

216.19 (b) A manufacturer of a product regulated under this section must disclose all known

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

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

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

216.23 catalysts used to create synthetically derived cannabinoids. Disclosure must be made to the

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

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

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

216.27 (b)(c) Upon the request of the board commissioner, the manufacturer of the product 216.28 must provide the board commissioner with the results of the testing required in this section.

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

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

216.31 <u>an accredited laboratory and require that a representative sample of a batch of the product</u>

216.32 be retested by a testing laboratory that meets this requirement.

(e) (e) Testing of the hemp from which the nonintoxicating cannabinoid was derived,

or possession of a certificate of analysis for such hemp, does not meet the testing requirementsof this section.

Subd. 5. Labeling requirements. (a) A product regulated under this section must bear
a label that contains, at a minimum:

217.6 (1) the name, location, contact phone number, and website of the manufacturer of the217.7 product;

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

217.10 (3) the batch number; and

217.11 (3)(4) an accurate statement of the amount or percentage of cannabinoids found in each 217.12 unit of the product meant to be consumed.

(b) The information in paragraph (a) may be provided on an outer package if theimmediate container that holds the product is too small to contain all of the information.

(c) The information required in paragraph (a) may be provided through the use of a
scannable barcode or matrix barcode that links to a page on the manufacturer's website if
that page contains all of the information required by this subdivision.

(d) The label must also include a statement stating that the product does not claim to
diagnose, treat, cure, or prevent any disease and has not been evaluated or approved by the
United States Food and Drug Administration (FDA) unless the product has been so approved.

(e) The information required by this subdivision must be prominently and conspicuously
placed on the label or displayed on the website in terms that can be easily read and understood
by the consumer.

(f) The labeling must not contain any claim that the product may be used or is effective
for the prevention, treatment, or cure of a disease or that it may be used to alter the structure
or function of human or animal bodies, unless the claim has been approved by the FDA.

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

217.30 (b) An edible cannabinoid product must not:

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

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

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

218.4 (4) be substantively similar to a meat food product; poultry food product as defined in
 218.5 section 31A.02, subdivision 10; or a dairy product as defined in section 32D.01, subdivision
 218.6 7;

218.7 (4)(5) contain an ingredient, other than a hemp-derived cannabinoid, that is not approved 218.8 by the United States Food and Drug Administration for use in food;

218.9 (5) (6) be packaged in a way that resembles the trademarked, characteristic, or 218.10 product-specialized packaging of any commercially available food product; or

218.11 (6)(7) be packaged in a container that includes a statement, artwork, or design that could 218.12 reasonably mislead any person to believe that the package contains anything other than an 218.13 edible cannabinoid product.

(c) An edible cannabinoid product must be prepackaged in packaging or a container that is child-resistant, tamper-evident, and opaque or placed in packaging or a container that is child-resistant, tamper-evident, and opaque at the final point of sale to a customer. The requirement that packaging be child-resistant does not apply to an edible cannabinoid product that is intended to be consumed as a beverage and which contains no more than a trace amount of any tetrahydrocannabinol total of 0.25 milligrams of all tetrahydrocannabinols.

(d) If an edible cannabinoid product is intended for more than a single use or contains
multiple servings, each serving must be indicated by scoring, wrapping, or other indicators
designating the individual serving size that appear on the edible cannabinoid product.

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

218.25 (1) the serving size;

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

218.27 (3) a list of ingredients, including identification of any major food allergens declared218.28 by name; and

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

(f) An edible cannabinoid product must not contain more than five milligrams of any
tetrahydrocannabinol in a single serving, or more than a total of 50 milligrams of any
tetrahydrocannabinol per package.

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219.1	(g) An edible cannabinoid product may contain delta-8 tetrahydrocannabinol or delta-9
219.2	tetrahydrocannabinol that is extracted from hemp plants or hemp plant parts or is an
219.3	synthetically derived cannabinoid. Edible cannabinoid products are prohibited from
219.4	containing any other synthetically derived cannabinoid, including but not limited to THC-P,
219.5	THC-O, and HHC, unless the commissioner authorizes use of the synthetically derived
219.6	cannabinoid in edible cannabinoid products. Edible cannabinoid products are prohibited
219.7	from containing artificial cannabinoids.
219.8	Subd. 5b. Registration; prohibitions. (a) On or before October 1, 2023, every person
219.9	selling edible cannabinoid products to consumers must apply for registration with the
219.10	commissioner in a form and manner established by the commissioner. After October 1,
219.11	2023, the sale of edible cannabinoid products by a person that is not registered is prohibited.
219.12	(b) The commissioner shall approve completed registration applications unless the
219.13	applicant is operating in violation of this section or the commissioner reasonably believes
219.14	that the applicant will operate in violation of this section.
219.15	(c) The commissioner shall not charge a fee for registration under this subdivision.
219.16	(d) A registered retailer shall not:
219.17	(1) permit the on-site consumption of edible cannabinoid products; or
219.18	(2) provide free samples of edible cannabinoid products, except that a retailer may
219.19	provide a single package of an edible cannabinoid product with the purchase of a childproof
219.20	packaging container or other device designed to ensure the safe storage and monitoring of
219.21	edible cannabinoid products in the home to prevent access by individuals under 21 years
219.22	of age.
219.23	Subd. 5c. Age verification. (a) Prior to initiating a sale of an edible cannabinoid product,
219.24	an employee of a retailer must verify that the customer is at least 21 years of age.
219.25	(b) Proof of age may be established only by one of the following:
219.26	(1) a valid driver's license or identification card issued by Minnesota, another state, or
219.27	a province of Canada and including the photograph and date of birth of the licensed person;
219.28	(2) a valid Tribal identification card as defined in section 171.072, paragraph (b);
219.29	(3) a valid passport issued by the United States;
219.30	(4) a valid instructional permit issued under section 171.05 to a person of legal age to
219.31	purchase edible cannabinoid products, which includes a photograph and the date of birth
219.32	of the person issued the permit; or

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(5) in the case of a foreign national, by a valid passport. 220.1 (c) A registered retailer may seize a form of identification listed under paragraph (b) if 220.2 the registered retailer has reasonable grounds to believe that the form of identification has 220.3 been altered or falsified or is being used to violate any law. A registered retailer that seizes 220.4 a form of identification as authorized under this paragraph must deliver it to a law 220.5 enforcement agency within 24 hours of seizing it. 220.6 Subd. 6. Noncompliant products; enforcement. (a) A product regulated under this 220.7 section, including an edible cannabinoid product, shall be considered an adulterated drug 220.8 a noncompliant product if the product is offered for sale in this state or if the product is 220.9 220.10 manufactured, imported, distributed, or stored with the intent to be offered for sale in this

220.11 state in violation of any provision of this section, including but not limited to if:

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

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

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

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

(5) it contains an amount or percentage of nonintoxicating cannabinoids that is differentthan the amount or percentage stated on the label;

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

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

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

(c) The board's authority to issue cease and desist orders under section 151.06; to embargo
 adulterated and misbranded drugs under section 151.38; and to seek injunctive relief under
 section 214.11, extends to any commissioner may assume that any product regulated under

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221.1	this section that is present in the state, other than a product lawfully possessed for personal	1
221.2	use, has been manufactured, imported, distributed, or stored with the intent to be offered	
221.3	for sale in this state if a product of the same type and brand was sold in the state on or after	<u>r</u>
221.4	July 1, 2023, or if the product is in the possession of a person who has sold any product in	1
221.5	violation of this section.	
221.6	(d) The commissioner may enforce this section, including enforcement against a	
221.7	manufacturer or distributor of a product regulated under this section, under sections 144.989)
221.8	<u>to 144.993.</u>	
221.9	(e) The commissioner may enter into an interagency agreement with the Office of	
221.10	Cannabis Management to perform inspections and take other enforcement actions on behalf	<u>f</u>
221.11	of the commissioner.	
221.12	Subd. 7. Violations; criminal penalties. (a) Notwithstanding section 144.99, subdivision	<u>1</u>
221.13	11, a person who does any of the following regarding a product regulated under this section	<u>1</u>
221.14	is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than	1
221.15	one year or to payment of a fine of not more than \$3,000, or both:	
221.16	(1) knowingly alters or otherwise falsifies testing results;	
221.17	(2) intentionally alters or falsifies any information required to be included on the label	<u>-</u>
221.18	of an edible cannabinoid product; or	
221.19	(3) intentionally makes a false material statement to the commissioner.	
221.20	(b) Notwithstanding section 144.99, subdivision 11, a person who does any of the	
221.21	following on the premises of a registered retailer or another business that sells retail goods	<u>5</u>
221.22	to customers is guilty of a gross misdemeanor and may be sentenced to imprisonment for	
221.23	not more than one year or to payment of a fine of not more than \$3,000, or both:	
221.24	(1) sells an edible cannabinoid product knowing that the product does not comply with	<u>1</u>
221.25	the limits on the amount or types of cannabinoids that a product may contain;	
221.26	(2) sells an edible cannabinoid product knowing that the product does not comply with	<u>1</u>

- 221.27 the applicable testing, packaging, or labeling requirements; or
- 221.28 (3) sells an edible cannabinoid product to a person under the age of 21, except that it is
- 221.29 an affirmative defense to a charge under this clause if the defendant proves by a
- 221.30 preponderance of the evidence that the defendant reasonably and in good faith relied on
- 221.31 proof of age as described in subdivision 5c.

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

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222.1	Sec. 4. Minne	sota Statutes 2022, s	ection 340A	.412, subdivision 14,	is amended to read:
222.2	Subd. 14. E	xclusive liquor store	es. (a) Except	t as otherwise provide	d in this subdivision,
222.3	an exclusive liq	uor store may sell or	nly the follow	ving items:	
222.4	(1) alcoholid	beverages;			
222.5	(2) tobacco	products;			
222.6	(3) ice;				
222.7	(4) beverage	s, either liquid or pow	der, specifica	ally designated for mix	ing with intoxicating
222.8	liquor;				
222.9	(5) soft drin	ks;			
222.10	(6) liqueur-f	illed candies;			
222.11	(7) food pro	ducts that contain me	ore than one	half of one percent a	lcohol by volume;
222.12	(8) cork extr	action devices;			
222.13	(9) books an	d videos on the use of	of alcoholic	beverages;	
222.14	(10) magazin	nes and other publicat	tions publish	ed primarily for inforr	nation and education
222.15	on alcoholic be	verages;			
222.16	(11) multipl	e-use bags designed	to carry purc	hased items;	
222.17	(12) devices	designed to ensure s	safe storage a	and monitoring of alc	ohol in the home, to
222.18	prevent access l	by underage drinkers	;		
222.19	(13) home b	rewing equipment;			
222.20	(14) clothing	g marked with the spo	ecific name,	brand, or identifying	logo of the exclusive
222.21	liquor store, and	l bearing no other na	ume, brand, c	or identifying logo;	
222.22	(15) citrus fi	ruit; and			
222.23	(16) glasswa	are . ; and			
222.24	<u>(17)</u> edible c	annabinoid products	as defined in	n section 151.72, subc	livision 1, paragraph
222.25	<u>(f).</u>				
222.26	(b) An exclu	sive liquor store that	t has an on-s	ale, or combination o	n-sale and off-sale
222.27	license may sell	food for on-premise	e consumptio	on when authorized by	y the municipality
222.28	issuing the licer	ise.			
222.20	(a) An avalu	siva liquor stora ma	v offer live o	r recorded entertainm	vent

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

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223.1	<u>EFFECTIV</u>	E DATE. This se	ection is effective	the day following fi	nal enactment.
223.2	Sec. 5. <u>EDIB</u>	LE CANNABIN(DID PRODUCT	S; ENFORCEMEN	<u>NT.</u>
223.3	(a) The Depa	artment of Health	shall enforce the	provisions of Minnes	ota Statutes, section
223.4	151.72, and all	rules, orders, stipu	ulation agreemen	ts, settlements, comp	oliance agreements,
223.5	and registration	s related to that see	ction adopted or i	ssued by the Office of	of Medical Cannabis
223.6	or the Departme	ent of Health pursu	ant to the Health	Enforcement Conso	lidation Act of 1993
223.7	contained in Mi	nnesota Statutes,	sections 144.989	to 144.993. The com	missioner of health
223.8	may assign enfo	orcement responsi	bilities to the Of	fice of Medical Cann	abis.
223.9	(b) The enfo	rcement authority	under paragraph	(a) shall transfer to the	e Office of Cannabis
223.10	Management at	any such time tha	t the powers and	duties of the Departr	nent of Health, with
223.11	respect to the m	edical cannabis p	rogram under M	innesota Statutes 202	2, sections 152.22
223.12	to 152.37, are tr	ansferred to the O	ffice of Cannabis	Management. The d	irector of the Office
223.13	of Cannabis Ma	nagement may ass	ign enforcement	responsibilities to the	Division of Medical
223.14	Cannabis.				
223.15	(c) This sect	tion shall expire or	n July 1, 2024.		
223.16	<u>EFFECTIV</u>	E DATE. This se	ection is effective	the day following fi	nal enactment.
223.17	Sec. 6. <u>REPE</u>	ALER.			
223.18	Minnesota S	Statutes 2022, sect	ion 151.72, is re	pealed.	
223.19	<u>EFFECTIV</u>	E DATE. This se	ection is effective	9 July 1, 2024.	
223.20			ARTICLE	8	
223.21		SCHE	DULING OF M	IARIJUANA	
223.22	Section 1. Mi	nnesota Statutes 2	022, section 152	.02, subdivision 2, is	amended to read:
223.23	Subd. 2. Scl	redule I. (a) Scheo	dule I consists of	the substances listed	in this subdivision.
223.24	(b) Opiates.	Unless specificall	y excepted or un	less listed in another	schedule, any of the
223.25	following subst	ances, including the	heir analogs, isoi	mers, esters, ethers, s	alts, and salts of
223.26	isomers, esters,	and ethers, when	ever the existence	e of the analogs, ison	ners, esters, ethers,
223.27	and salts is poss	sible:			
223.28	(1) acetylme	ethadol;			
223.29	(2) allylproc	line;			

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224.1		cetylmethadol (exce	pt levo-alphacety	lmethadol, also know	vn as levomethadyl
224.2	acetate);				
224.3	(4) alpha	imeprodine;			
224.4	(5) alpha	methadol;			
224.5	(6) alpha	-methylfentanyl benz	zethidine;		
224.6	(7) betac	etylmethadol;			
224.7	(8) betan	neprodine;			
224.8	(9) betan	nethadol;			
224.9	(10) beta	prodine;			
224.10	(11) clon	iitazene;			
224.11	(12) dext	tromoramide;			
224.12	(13) dian	npromide;			
224.13	(14) diet	hyliambutene;			
224.14	(15) dife	noxin;			
224.15	(16) dim	enoxadol;			
224.16	(17) dim	epheptanol;			
224.17	(18) dim	ethyliambutene;			
224.18	(19) diox	caphetyl butyrate;			
224.19	(20) dipi	panone;			
224.20	(21) ethy	Imethylthiambutene	· · · · · · · · · · · · · · · · · · ·		
224.21	(22) eton	nitazene;			
224.22	(23) etox	ceridine;			
224.23	(24) fure	thidine;			
224.24	(25) hydr	roxypethidine;			
224.25	(26) keto	obemidone;			

- (27) levomoramide; 224.26
- (28) levophenacylmorphan; 224.27

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225.1	(29) 3-methylfentanyl;			
225.2	(30) acetyl-alpha-methylfentanyl;			
225.3	(31) alpha-methylthiofentanyl;			
225.4	(32) benzylfentanyl beta-hydroxyl	fentanyl;		
225.5	(33) beta-hydroxy-3-methylfentan	ıyl;		
225.6	(34) 3-methylthiofentanyl;			
225.7	(35) thenylfentanyl;			
225.8	(36) thiofentanyl;			
225.9	(37) para-fluorofentanyl;			
225.10	(38) morpheridine;			
225.11	(39) 1-methyl-4-phenyl-4-propion	oxypiperidii	ne;	
225.12	(40) noracymethadol;			
225.13	(41) norlevorphanol;			
225.14	(42) normethadone;			
225.15	(43) norpipanone;			
225.16	(44) 1-(2-phenylethyl)-4-phenyl-4	-acetoxypip	eridine (PEPAP);	
225.17	(45) phenadoxone;			
225.18	(46) phenampromide;			
225.19	(47) phenomorphan;			
225.20	(48) phenoperidine;			
225.21	(49) piritramide;			
225.22	(50) proheptazine;			
225.23	(51) properidine;			
225.24	(52) propiram;			
225.25	(53) racemoramide;			
225.26	(54) tilidine;			
225.27	(55) trimeperidine;			

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226.1 (56) N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl);	
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226.2 (57) 3,4-dichloro-N-[(1R,2R)-2-(dimethylamino)cyclohexyl]-N-

226.3 methylbenzamide(U47700);

226.4 (58) N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide(furanylfentanyl);

226.5 (59) 4-(4-bromophenyl)-4-dimethylamino-1-phenethylcyclohexanol (bromadol);

(60) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide (Cyclopropryl
 fentanyl);

226.8 (61) N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide) (butyryl fentanyl);

226.9 (62) 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine) (MT-45);

(63) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide (cyclopentyl
 fentanyl);

226.12 (64) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutyryl fentanyl);

226.13 (65) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (valeryl fentanyl);

226.14 (66) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide

226.15 (para-chloroisobutyryl fentanyl);

226.16 (67) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide (para-fluorobutyryl
226.17 fentanyl);

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

226.19 (para-methoxybutyryl fentanyl);

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

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

226.23 (71) N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide (acryl fentanyl or226.24 acryloylfentanyl);

226.25 (72) 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (methoxyacetyl
226.26 fentanyl);

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

(74) N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide
(tetrahydrofuranyl fentanyl); and

(75) Fentanyl-related substances, their isomers, esters, ethers, salts and salts of isomers,
esters and ethers, meaning any substance not otherwise listed under another federal

227.3 Administration Controlled Substance Code Number or not otherwise listed in this section,

and for which no exemption or approval is in effect under section 505 of the Federal Food,
Drug, and Cosmetic Act, United States Code, title 21, section 355, that is structurally related
to fentanyl by one or more of the following modifications:

(i) replacement of the phenyl portion of the phenethyl group by any monocycle, whetheror not further substituted in or on the monocycle;

(ii) substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo,
haloalkyl, amino, or nitro groups;

227.11 (iii) substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether,

227.12 hydroxyl, halo, haloalkyl, amino, or nitro groups;

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

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

227.16 (c) Opium derivatives. Any of the following substances, their analogs, salts, isomers,

227.17 and salts of isomers, unless specifically excepted or unless listed in another schedule,

227.18 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- 227.19 (1) acetorphine;
- 227.20 (2) acetyldihydrocodeine;
- 227.21 (3) benzylmorphine;
- 227.22 (4) codeine methylbromide;
- 227.23 (5) codeine-n-oxide;
- 227.24 (6) cyprenorphine;
- 227.25 (7) desomorphine;
- 227.26 (8) dihydromorphine;
- 227.27 (9) drotebanol;
- 227.28 (10) etorphine;
- 227.29 (11) heroin;
- 227.30 (12) hydromorphinol;

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228.1	(13) methyldesorp	hine;			
228.2	(14) methyldihydr	omorphine;			
228.3	(15) morphine me	thylbromide;			
228.4	(16) morphine me	thylsulfonate;			
228.5	(17) morphine-n-c	oxide;			
228.6	(18) myrophine;				
228.7	(19) nicocodeine;				
228.8	(20) nicomorphine				
228.9	(21) normorphine;				
228.10	(22) pholcodine; a	nd			
228.11	(23) thebacon.				
228.12	(d) Hallucinogens.	Any material, c	ompound, mixtur	e or preparation wh	ich contains any
228.13	quantity of the following	-	-		
228.14 228.15	or geometric), and sal schedule, whenever th			-	
228.16	possible:		6, ,	,	
228.17	(1) methylenediox	y amphetamine;			
228.18	(2) methylenediox	ymethamphetan	nine;		
228.19	(3) methylenediox	y-N-ethylamphe	etamine (MDEA)	;	
228.20	(4) n-hydroxy-met	thylenedioxyamj	ohetamine;		
228.21	(5) 4-bromo-2,5-d	imethoxyamphe	tamine (DOB);		
228.22	(6) 2,5-dimethoxy	amphetamine (2	,5-DMA);		
228.23	(7) 4-methoxyamp	ohetamine;			
228.24	(8) 5-methoxy-3, 4	4-methylenediox	yamphetamine;		
228.25	(9) alpha-ethyltryp	otamine;			
228.26	(10) bufotenine;				
228.27	(11) diethyltryptar	nine;			
228.28	(12) dimethyltrypt	amine;			

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229.1	(13) 3,4,5	5-trimethoxyamphet	amine;			
229.2	(14) 4-m	ethyl-2, 5-dimethoxy	yamphetamine (I	DOM);		
229.3	229.3 (15) ibogaine;					
229.4	(16) lyse	rgic acid diethylami	de (LSD);			
229.5	(17) mes	caline;				
229.6	(18) para	hexyl;				
229.7	(19) N-et	hyl-3-piperidyl benz	zilate;			
229.8	(20) N-m	ethyl-3-piperidyl be	nzilate;			
229.9	(21) psilo	ocybin;				
229.10	(22) psilo	ocyn;				
229.11	(23) teno	cyclidine (TPCP or	TCP);			
229.12	(24) N-et	hyl-1-phenyl-cycloł	nexylamine (PCE	2);		
229.13	(25) 1-(1	-phenylcyclohexyl)	pyrrolidine (PCF	у);		
229.14	(26) 1-[1	-(2-thienyl)cyclohex	xyl]-pyrrolidine (ТСРу);		
229.15	(27) 4-ch	loro-2,5-dimethoxya	amphetamine (D	OC);		
229.16	(28) 4-eth	hyl-2,5-dimethoxyar	nphetamine (DO	ЪЕТ);		
229.17	(29) 4-io	do-2,5-dimethoxyan	nphetamine (DO	I);		
229.18	(30) 4-br	omo-2,5-dimethoxy	phenethylamine	(2C-B);		
229.19	(31) 4-ch	loro-2,5-dimethoxy	phenethylamine	(2C-C);		
229.20	(32) 4-m	ethyl-2,5-dimethoxy	phenethylamine	(2C-D);		
229.21	(33) 4-et	hyl-2,5-dimethoxypl	nenethylamine (2	2С-Е);		
229.22	(34) 4-io	do-2,5-dimethoxyph	enethylamine (2	C-I);		
229.23	(35) 4-pr	opyl-2,5-dimethoxy	phenethylamine	(2C-P);		
229.24	(36) 4-iso	opropylthio-2,5-dim	ethoxyphenethyl	amine (2C-T-4);		
229.25	(37) 4-pr	opylthio-2,5-dimeth	oxyphenethylam	ine (2C-T-7);		
229.26			hydrofuro [2,3-f][1]benzofuran-4-yl)et	hanamine	
229.27	(2-CB-FLY)	;				

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- (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY); 230.1 (40) alpha-methyltryptamine (AMT); 230.2 (41) N,N-diisopropyltryptamine (DiPT); 230.3 (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT); 230.4 (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET); 230.5 (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT); 230.6 (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT); 230.7 (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT); 230.8 230.9 (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT); (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT); 230.10 (49) 5-methoxy-α-methyltryptamine (5-MeO-AMT); 230.11 (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT); 230.12 (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT); 230.13 (52) 5-methoxy-N-methyl-N-isopropyltryptamine (5-MeO-MiPT); 230.14 (53) 5-methoxy-α-ethyltryptamine (5-MeO-AET); 230.15 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT); 230.16 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET); 230.17 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT); 230.18 230.19 (57) methoxetamine (MXE); (58) 5-iodo-2-aminoindane (5-IAI); 230.20 (59) 5,6-methylenedioxy-2-aminoindane (MDAI); 230.21 (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe); 230.22 (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe); 230.23
 - 230.24 (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe);
 - 230.25 (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
 - 230.26 (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
 - 230.27 (65) N,N-Dipropyltryptamine (DPT);

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- (66) 3-[1-(Piperidin-1-yl)cyclohexyl]phenol (3-HO-PCP); 231.1
- (67) N-ethyl-1-(3-methoxyphenyl)cyclohexanamine (3-MeO-PCE); 231.2
- (68) 4-[1-(3-methoxyphenyl)cyclohexyl]morpholine (3-MeO-PCMo); 231.3
- (69) 1-[1-(4-methoxyphenyl)cyclohexyl]-piperidine (methoxydine, 4-MeO-PCP); 231.4

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- (70) 2-(2-Chlorophenyl)-2-(ethylamino)cyclohexan-1-one (N-Ethylnorketamine, 231.5
- ethketamine, NENK); 231.6
- (71) methylenedioxy-N,N-dimethylamphetamine (MDDMA); 231.7
- (72) 3-(2-Ethyl(methyl)aminoethyl)-1H-indol-4-yl (4-AcO-MET); and 231.8

(73) 2-Phenyl-2-(methylamino)cyclohexanone (deschloroketamine). 231.9

(e) Peyote. All parts of the plant presently classified botanically as Lophophora williamsii 231.10 Lemaire, whether growing or not, the seeds thereof, any extract from any part of the plant, 231.11 and every compound, manufacture, salts, derivative, mixture, or preparation of the plant, 231.12 its seeds or extracts. The listing of peyote as a controlled substance in Schedule I does not 231.13 apply to the nondrug use of peyote in bona fide religious ceremonies of the American Indian 231.14 Church, and members of the American Indian Church are exempt from registration. Any 231.15 person who manufactures peyote for or distributes peyote to the American Indian Church, 231.16 however, is required to obtain federal registration annually and to comply with all other 231.17 requirements of law. 231.18

231.19 (f) Central nervous system depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture, or preparation which contains any 231.20 quantity of the following substances, their analogs, salts, isomers, and salts of isomers 231.21 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible: 231.22

231.23 (1) mecloqualone;

(2) methaqualone; 231.24

(3) gamma-hydroxybutyric acid (GHB), including its esters and ethers; 231.25

(4) flunitrazepam; 231.26

(5) 2-(2-Methoxyphenyl)-2-(methylamino)cyclohexanone (2-MeO-2-deschloroketamine, 231.27 methoxyketamine); 231.28

(6) tianeptine; 231.29

(7) clonazolam; 231.30

(8) etizolam; 232.1 (9) flubromazolam; and 232.2 (10) flubromazepam. 232.3 (g) Stimulants. Unless specifically excepted or unless listed in another schedule, any 232.4 material compound, mixture, or preparation which contains any quantity of the following 232.5 substances, their analogs, salts, isomers, and salts of isomers whenever the existence of the 232.6 232.7 analogs, salts, isomers, and salts of isomers is possible: (1) aminorex; 232.8 232.9 (2) cathinone; (3) fenethylline; 232.10 (4) methcathinone; 232.11 (5) methylaminorex; 232.12 (6) N,N-dimethylamphetamine; 232.13 (7) N-benzylpiperazine (BZP); 232.14 (8) methylmethcathinone (mephedrone); 232.15 (9) 3,4-methylenedioxy-N-methylcathinone (methylone); 232.16 (10) methoxymethcathinone (methedrone); 232.17 (11) methylenedioxypyrovalerone (MDPV); 232.18 (12) 3-fluoro-N-methylcathinone (3-FMC); 232.19 (13) methylethcathinone (MEC); 232.20 (14) 1-benzofuran-6-ylpropan-2-amine (6-APB); 232.21 (15) dimethylmethcathinone (DMMC); 232.22 (16) fluoroamphetamine; 232.23 (17) fluoromethamphetamine; 232.24 (18) α-methylaminobutyrophenone (MABP or buphedrone); 232.25 (19) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone); 232.26 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378); 232.27

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233.1 (21) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl) pentan-1-one (naphthylpyrovalerone or
233.2 naphyrone);

- 233.3 (22) (alpha-pyrrolidinopentiophenone (alpha-PVP);
- 233.4 (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or MPHP);
- 233.5 (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- 233.6 (25) 4-methyl-N-ethylcathinone (4-MEC);
- 233.7 (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
- 233.8 (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- 233.9 (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone);
- 233.10 (29) 4-fluoro-N-methylcathinone (4-FMC);
- 233.11 (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);
- 233.12 (31) alpha-pyrrolidinobutiophenone (α -PBP);
- 233.13 (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);
- 233.14 (33) 1-phenyl-2-(1-pyrrolidinyl)-1-heptanone (PV8);
- 233.15 (34) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB);
- 233.16 (35) 4-methyl-alpha-ethylaminopentiophenone (4-MEAPP);
- 233.17 (36) 4'-chloro-alpha-pyrrolidinopropiophenone (4'-chloro-PPP);
- 233.18 (37) 1-(1,3-Benzodioxol-5-yl)-2-(dimethylamino)butan-1-one (dibutylone, bk-DMBDB);
- 233.19 (38) 1-(3-chlorophenyl) piperazine (meta-chlorophenylpiperazine or mCPP);

233.20 (39) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one (N-ethylpentylone, ephylone);
233.21 and

(40) any other substance, except bupropion or compounds listed under a different
schedule, that is structurally derived from 2-aminopropan-1-one by substitution at the
1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the
compound is further modified in any of the following ways:

(i) by substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy,
haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring
system by one or more other univalent substituents;

(ii) by substitution at the 3-position with an acyclic alkyl substituent;

(iii) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or
methoxybenzyl groups; or

234.3 (iv) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(h) Marijuana, tetrahydrocannabinols, and synthetic cannabinoids. Unless specifically
excepted or unless listed in another schedule, any natural or synthetic material, compound,
mixture, or preparation that contains any quantity of the following substances, their analogs,
isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence
of the isomers, esters, ethers, or salts is possible:

234.9 (1) marijuana;

(2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis, except 234.10 that tetrahydrocannabinols do not include any material, compound, mixture, or preparation 234.11 that qualifies as industrial hemp as defined in section 18K.02, subdivision 3; synthetic 234.12 equivalents of the substances contained in the cannabis plant or in the resinous extractives 234.13 of the plant; or synthetic substances with similar chemical structure and pharmacological 234.14 activity to those substances contained in the plant or resinous extract, including, but not 234.15 limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans tetrahydrocannabinol, and 3,4 234.16 cis or trans tetrahydrocannabinol; 234.17

234.18 (3) (h) Synthetic Artificial cannabinoids, including the following substances:

(i) (1) Naphthoylindoles, which are any compounds containing a 3-(1-napthoyl)indole
structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
extent and whether or not substituted in the naphthyl ring to any extent. Examples of
naphthoylindoles include, but are not limited to:

234.25 (A) (i) 1-Pentyl-3-(1-naphthoyl)indole (JWH-018 and AM-678);

- 234.26 (B) (ii) 1-Butyl-3-(1-naphthoyl)indole (JWH-073);
- 234.27 (C) (iii) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);
- (D) (iv) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);
- 234.29 $(\underline{E})(\underline{v})$ 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);
- 234.30 (F) (vi) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);
- 234.31 (G) (vii) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);

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235.1	(H)<u>(viii)</u> 1-	Pentyl-3-(4-ethyl-	1-naphthoyl)indo	ole (JWH-210);				
235.2	(I) <u>(ix)</u> 1-Pe	ntyl-3-(4-chloro-1	-naphthoyl)indo	le (JWH-398);				
235.3	(J)<u>(x)</u> 1-(5-	fluoropentyl)-3-(1	-naphthoyl)indol	le (AM-2201).				
235.4	(ii) (2) Napthylmethylindoles, which are any compounds containing a							
235.5	1H-indol-3-yl-(1-naphthyl)metha	ne structure with	substitution at the r	nitrogen atom of the			
235.6	indole ring by a	n alkyl, haloalkyl	, alkenyl, cycloal	kylmethyl, cycloalk	cylethyl,			
235.7	1-(N-methyl-2-	piperidinyl)methy	l or 2-(4-morpho	linyl)ethyl group, w	whether or not further			
235.8				ether or not substitu				
235.9		-	•	doles include, but ar				
235.10	(<u>A) (i)</u> 1-Per	ntyl-1H-indol-3-yl	-(1-naphthyl)me	thane (JWH-175);				
235.11	(B)<u>(ii)</u> 1-Pe	ntyl-1H-indol-3-y	l-(4-methyl-1-na	phthyl)methane (JW	VH-184).			
235.12	(iii)(3) Napl	nthoylpyrroles, whi	ch are any compo	ounds containing a 3-	(1-naphthoyl)pyrrole			
235.13	structure with s	ubstitution at the r	nitrogen atom of	the pyrrole ring by a	an alkyl, haloalkyl,			
235.14	alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or							
235.15	2-(4-morpholin	yl)ethyl group wh	ether or not furth	er substituted in the	pyrrole ring to any			
235.16	extent, whether	or not substituted	in the naphthyl	ring to any extent. E	examples of			
235.17	naphthoylpyrro	les include, but ar	e not limited to,					
235.18	(5-(2-fluorophe	nyl)-1-pentylpyrro	ol-3-yl)-naphthal	en-1-ylmethanone (JWH-307).			
235.19	(iv) (4) Nap	hthylmethylinden	es, which are any	compounds contain	ning a			
235.20	naphthylideneir	ndene structure wi	th substitution at	the 3-position of th	e indene ring by an			
235.21	alkyl, haloalkyl	, alkenyl, cycloalk	cylmethyl, cycloa	alkylethyl,				
235.22	1-(N-methyl-2-	piperidinyl)methy	l or 2-(4-morpho	linyl)ethyl group w	hether or not further			
235.23	substituted in th	ne indene ring to a	ny extent, wheth	er or not substituted	in the naphthyl ring			
235.24	to any extent. E	xamples of naphtl	nylemethylinden	es include, but are n	ot limited to,			
235.25	E-1-[1-(1-naph	thalenylmethylene)-1H-inden-3-yl	pentane (JWH-176)).			
235.26	(v) (5) Pheny	ylacetylindoles, wł	nich are any comp	oounds containing a 3	3-phenylacetylindole			
235.27	structure with s	ubstitution at the r	nitrogen atom of	the indole ring by a	n alkyl, haloalkyl,			
235.28	alkenyl, cycloal	lkylmethyl, cycloa	lkylethyl, 1-(N-1	nethyl-2-piperidiny	l)methyl or			
235.29	2-(4-morpholin	yl)ethyl group wh	ether or not furth	er substituted in the	e indole ring to any			
235.30	extent, whether	or not substituted	in the phenyl rir	ng to any extent. Exa	amples of			
235.31	phenylacetylind	loles include, but a	are not limited to					
235.32	(<u>A) (i)</u> 1-(2-	cyclohexylethyl)-	3-(2-methoxyphe	enylacetyl)indole (R	CS-8);			
235.33	(B)<u>(ii)</u> 1-pe	ntyl-3-(2-methoxy	phenylacetyl)ino	dole (JWH-250);				

- 236.1 (C) (iii) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);
- 236.2 (D) (iv) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).
- 236.3 (vi) (6) Cyclohexylphenols, which are compounds containing a

236.4 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic
236.5 ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,

1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted
in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include, but are not
limited to:

236.9 (A) (i) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);

236.10 (B) (ii) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol

236.11 (Cannabicyclohexanol or CP 47,497 C8 homologue);

236.12 (C) (iii) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]
 236.13 -phenol (CP 55,940).

236.14 (vii) (7) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole

236.15 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,

236.16 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or

236.17 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any

236.18 extent and whether or not substituted in the phenyl ring to any extent. Examples of

- 236.19 benzoylindoles include, but are not limited to:
- 236.20 (A) (i) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);

236.21 (B) (ii) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);

236.22 (C) (iii) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone 236.23 (WIN 48,098 or Pravadoline).

- 236.24 (viii) (8) Others specifically named:
- (A) (i) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
- 236.26 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);
- 236.27 (B) (ii) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
- 236.28 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);
- 236.29 (C) (iii) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]
- 236.30 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);
- 236.31 (D) (iv) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);

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237.1 237.2	(E) (v) (1-(5- (XLR-11);	-fluoropentyl)-1H-in	adol-3-yl)(2,2	,3,3-tetramethylcycl	opropyl)methanone
237.3 237.4	(F) (vi) 1-per (AKB-48(APIN	ntyl-N-tricyclo[3.3.1 ACA));	13,7]dec-1-y	vl-1H-indazole-3-car	boxamide
237.5 237.6	(G)<u>(vii)</u>N-(((5-Fluoro-AKB-	`````	n-1-yl)-1-(5-fl	uoropentyl)-1H-inda	azole-3-carboxamide
237.7	(H) <u>(</u>viii) 1-p	entyl-8-quinolinyl e	ester-1H-indol	e-3-carboxylic acid	(PB-22);
237.8 237.9	(<u>1) (ix)</u> 8-qui PB-22);	nolinyl ester-1-(5-flu	uoropentyl)-1	H-indole-3-carboxy	lic acid (5-Fluoro
237.10 237.11	(J) (x)N-[(1S (AB-PINACA);		-2-methylprop	oyl]-1-pentyl-1H-inda	azole- 3-carboxamide
237.12 237.13		1S)-1-(aminocarbon arboxamide (AB-FU		propyl]-1-[(4-fluoroj	phenyl)methyl]-
237.14 237.15	· · · <u> </u>	(1S)-1-(aminocarbor oxamide(AB-CHMI	• / • •	propyl]-1-(cyclohex	ylmethyl)-1H-
237.16 237.17	· · · <u>· · · · · ·</u> · · ·)-methyl 2-(1-(5-fluo e (5-fluoro-AMB);	oropentyl)-1H	-indazole-3-carboxa	amido)-3-
237.18	(N)<u>(xiv)</u>[1-(5-fluoropentyl)-1H-i	indazol-3-yl](naphthalen-1-yl) me	thanone (THJ-2201);
237.19 237.20	(O) (xv)(1-((FUBIMINA);	5-fluoropentyl)-1H-	benzo[d]imid	azol-2-yl)(naphthale	m-1-yl)methanone)
237.21 237.22	· · ·	nethoxy-1-(2-morph yl)-1H-indole-3-carl	• *		trimethylbicyclo
237.23)-N-(1-amino-3-met	-	an-2-yl)-1-(5-fluorop	pentyl)
237.24		rboxamide (5-fluoro		2 yl = 1 (5 fluorong)	nt vl)
237.25 237.26	-1H-indole-3-ca	-(1-amino-3-phenyl- rboxamide;	-1-oxopropan	-2-y1)-1-(3-110010pe	iityi)
237.27 237.28	(S) <u>(xix)</u> N-(-1H-indazole-3-	1-amino-3-phenyl-1	-oxopropan-2	-yl)-1-(5-fluoropent	yl)
			methyl) 1U :	ndole 3 contravent	
237.29 237.30	-3,3-dimethylbu	hyl 2-(1-(cyclohexyl tanoate;	uneury1)-1H-1	nuole-o-cardoxamid	0)

- 238.1 (U) (xxi) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1(cyclohexylmethyl)-1
- 238.2 H-indazole-3-carboxamide (MAB-CHMINACA);
- 238.3 (V)(xxii)
- 238.4 N-(1-Amino-3,3-dimethyl-1-oxo-2-butanyl)-1-pentyl-1H-indazole-3-carboxamide
- 238.5 (ADB-PINACA);
- 238.6 (W)(xxiii) methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate (FUB-AMB);
- $238.7 \qquad (X) (xxiv)$
- 238.8 N-[(1S)-2-amino-2-oxo-1-(phenylmethyl)ethyl]-1-(cyclohexylmethyl)-1H-Indazole-
- 238.9 3-carboxamide. (APP-CHMINACA);
- (Y) (xxv) quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FUB-PB-22); and
- 238.11 (Z) (xxvi) methyl N-[1-(cyclohexylmethyl)-1H-indole-3-carbonyl]valinate
- 238.12 (MMB-CHMICA).
- 238.13 (ix) (9) Additional substances specifically named:
- 238.14 (A) (i) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1
- 238.15 H-pyrrolo[2,3-B]pyridine-3-carboxamide (5F-CUMYL-P7AICA);
- 238.16 (B) (ii) 1-(4-cyanobutyl)-N-(2- phenylpropan-2-yl)-1 H-indazole-3-carboxamide
- 238.17 (4-CN-Cumyl-Butinaca);
- (C) (iii) naphthalen-1-yl-1-(5-fluoropentyl)-1-H-indole-3-carboxylate (NM2201;)
- 238.19 CBL2201);
- $238.20 \qquad (D) (iv) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1$
- 238.21 H-indazole-3-carboxamide (5F-ABPINACA);
- 238.22 (E)(v) methyl-2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate 238.23 (MDMB CHMICA);
- 238.24 (F)(vi) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate
- 238.25 (5F-ADB; 5F-MDMB-PINACA); and
- 238.26 (G) (vii) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)
- 238.27 1H-indazole-3-carboxamide (ADB-FUBINACA).
- (i) A controlled substance analog, to the extent that it is implicitly or explicitly intendedfor human consumption.
- 238.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

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

239.2 Subd. 4. Schedule III. (a) Schedule III consists of the substances listed in this subdivision.

(b) Stimulants. Unless specifically excepted or unless listed in another schedule, any
material, compound, mixture, or preparation which contains any quantity of the following
substances having a potential for abuse associated with a stimulant effect on the central
nervous system, including its salts, isomers, and salts of such isomers whenever the existence
of such salts, isomers, and salts of isomers is possible within the specific chemical
designation:

239.9 (1) benzphetamine;

239.10 (2) chlorphentermine;

239.11 (3) clortermine;

239.12 (4) phendimetrazine.

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

(1) any compound, mixture, or preparation containing amobarbital, secobarbital,
pentobarbital or any salt thereof and one or more other active medicinal ingredients which
are not listed in any schedule;

(2) any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or
any salt of any of these drugs and approved by the food and drug administration for marketing
only as a suppository;

(3) any substance which contains any quantity of a derivative of barbituric acid, or any
salt of a derivative of barbituric acid, except those substances which are specifically listed
in other schedules;

(4) any drug product containing gamma hydroxybutyric acid, including its salts, isomers,
and salts of isomers, for which an application is approved under section 505 of the federal
Food, Drug, and Cosmetic Act;

239.29 (5) any of the following substances:

239.30 (i) chlorhexadol;

239.31 (ii) ketamine, its salts, isomers and salts of isomers;

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240.1	(iii) lysergic	acid;			
240.2	(iv) lysergic	acid amide;			
240.3	(v) methypr	ylon;			
240.4	(vi) sulfondi	ethylmethane;			
240.5	(vii) sulfone	nthylmethane;			
240.6	(viii) sulfon	methane;			
240.7	(ix) tiletamin	ne and zolazepam a	nd any salt there	of;	
240.8	(x) embutra	mide;			
240.9	(xi) Perampa	anel [2-(2-oxo-1-ph	enyl-5-pyridin-2	e-yl-1,2-Dihydropy	vridin-3-yl)
240.10	benzonitrile].				

240.11 (d) Nalorphine.

(e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule,
any material, compound, mixture, or preparation containing any of the following narcotic
drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities
as follows:

(1) not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams
per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams
per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic
amounts;

(3) not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more than 90
milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized
therapeutic amounts;

(4) not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than
15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized
therapeutic amounts;

(5) not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not
more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients
in recognized therapeutic amounts;

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

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- 241.1 (f) Anabolic steroids, human growth hormone, and chorionic gonadotropin.
- 241.2 (1) Anabolic steroids, for purposes of this subdivision, means any drug or hormonal
- 241.3 substance, chemically and pharmacologically related to testosterone, other than estrogens,

241.4 progestins, corticosteroids, and dehydroepiandrosterone, and includes:

- 241.5 (i) 3[beta],17[beta]-dihydroxy-5[alpha]-androstane;
- 241.6 (ii) 3[alpha],17[beta]-dihydroxy-5[alpha]-androstane;
- 241.7 (iii) androstanedione (5[alpha]-androstan-3,17-dione);
- 241.8 (iv) 1-androstenediol (3[beta],17[beta]-dihydroxy-5[alpha]-androst-l-ene;
- 241.9 (v) 3[alpha],17[beta]-dihydroxy-5[alpha]-androst-1-ene);
- 241.10 (vi) 4-androstenediol (3[beta],17[beta]-dihydroxy-androst-4-ene);
- 241.11 (vii) 5-androstenediol (3[beta],17[beta]-dihydroxy-androst-5-ene);
- 241.12 (viii) 1-androstenedione (5[alpha]-androst-1-en-3,17-dione);
- 241.13 (ix) 4-androstenedione (androst-4-en-3,17-dione);
- 241.14 (x) 5-androstenedione (androst-5-en-3,17-dione);
- 241.15 (xi) bolasterone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- 241.16 (xii) boldenone (17[beta]-hydroxyandrost-1,4-diene-3-one);
- 241.17 (xiii) boldione (androsta-1,4-diene-3,17-dione);
- 241.18 (xiv) calusterone (7[beta],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- 241.19 (xv) clostebol (4-chloro-17[beta]-hydroxyandrost-4-en-3-one);
- 241.20 (xvi) dehydrochloromethyltestosterone
- 241.21 (4-chloro-17[beta]-hydroxy-17[alpha]-methylandrost-1,4-dien-3-one);
- 241.22 (xvii) desoxymethyltestosterone (17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol);
- 241.23 (xviii) [delta]1-dihydrotestosterone- (17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- 241.24 (xix) 4-dihydrotestosterone (17[beta]-hydroxy-androstan-3-one);
- 241.25 (xx) drostanolone (17[beta]hydroxy-2[alpha]-methyl-5[alpha]-androstan-3-one);
- 241.26 (xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-hydroxyestr-4-ene);
- 241.27 (xxii) fluoxymesterone
- 241.28 (9-fluoro-17[alpha]-methyl-11[beta],17[beta]-dihydroxyandrost-4-en-3-one);

- (xxiii) formebolone 242.1 (2-formyl-17[alpha]-methyl-11[alpha],17[beta]-dihydroxyandrost-1,4-dien-3-one); 242.2 242.3 (xxiv) furazabol (17[alpha]-methyl-17[beta]-hydroxyandrostano[2,3-c]-furazan)13[beta]-ethyl-17[beta] 242.4 242.5 -hydroxygon-4-en-3-one; (xxv) 4-hydroxytestosterone (4,17[beta]-dihydroxyandrost-4-en-3-one); 242.6 242.7 (xxvi) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxyestr-4-en-3-one); (xxvii) mestanolone (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one); 242.8 242.9 (xxviii) mesterolone (1[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one); (xxix) methandienone (17[alpha]-methyl-17[beta]-hydroxyandrost-1,4-dien-3-one); 242.10 (xxx) methandriol (17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-5-ene); 242.11 (xxxi) methasterone (2 alpha-17 alpha-dimethyl-5 alpha-androstan-17beta-ol-3-one); 242.12 242.13 (xxxii) methenolone (1-methyl-17[beta]-hydroxy-5[alpha]-androst-1-en-3-one); (xxxiii) 17[alpha]-methyl-3[beta],17[beta]-dihydroxy-5[alpha]-androstane; 242.14 (xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy-5[alpha]-androstane; 242.15 (xxxv) 17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-4-ene; 242.16 (xxxvi) 17[alpha]-methyl-4-hydroxynandrolone 242.17 (17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one); 242.18 (xxxvii) methyldienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9(10)-dien-3-one); 242.19 242.20 (xxxviii) methyltrienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9-11-trien-3-one); (xxxix) methyltestosterone (17[alpha]-methyl-17[beta]-hydroxyandrost-4-en-3-one); 242.21 (xl) mibolerone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyestr-4-en-3-one); 242.22 (xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone 242.23 (17[beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-3-one); 242.24 (xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one); 242.25 (xliii) 19-nor-4-androstenediol (3[beta],17[beta]-dihydroxyestr-4-ene; 242.26 (xliv) 3[alpha],17[beta]-dihydroxyestr-4-ene); 19-nor-5-androstenediol 242.27 (3[beta],17[beta]-dihydroxyestr-5-ene; 242.28
- 242.29 (xlv) 3[alpha],17[beta]-dihydroxyestr-5-ene);

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243.1	(xlvi) 19-	-nor-4,9(10)-androsta	dienedione (estr	a-4,9(10)-diene-3,17	-dione);		
243.2	(xlvii) 19	-nor-5-androstenedio	one (estr-5-en-3,	17-dione);			
243.3	(xlviii) ne	orbolethone (13[beta]	,17[alpha]-dieth	yl-17[beta]-hydroxy	gon-4-en-3-one);		
243.4	(xlix) norclostebol (4-chloro-17[beta]-hydroxyestr-4-en-3-one);						
243.5	(l) noreth	androlone (17[alpha]	-ethyl-17[beta]-	hydroxyestr-4-en-3-o	one);		
243.6	(li) norm	ethandrolone (17[alpl	ha]-methyl-17[b	eta]-hydroxyestr-4-e	n-3-one);		
243.7	(lii) oxan	drolone (17[alpha]-mo	ethyl-17[beta]-h	ydroxy-2-oxa-5[alpha	a]-androstan-3-one);		
243.8	(liii) oxy	mesterone (17[alpha]	-methyl-4,17[be	ta]-dihydroxyandros	t-4-en-3-one);		
243.9	(liv) oxyı	metholone					
243.10	(17[alpha]-m	nethyl-2-hydroxymeth	nylene-17[beta]-	hydroxy-5[alpha]-an	drostan-3-one);		
243.11	(lv) prost	anozol (17 beta-hydro	oxy-5 alpha-and	rostano[3,2-C]pryazo	ole;		
243.12	(lvi) stan	ozolol					
243.13	(17[alpha]-m	nethyl-17[beta]-hydro	oxy-5[alpha]-and	lrost-2-eno[3,2-c]-py	razole);		
243.14	(lvii) ster	nbolone (17[beta]-hyd	lroxy-2-methyl-	5[alpha]-androst-1-e	n-3-one);		
243.15	(lviii) test	tolactone (13-hydroxy	y-3-oxo-13,17-se	coandrosta-1,4-dien-	17-oic acid lactone);		
243.16	(lix) testo	osterone (17[beta]-hy	droxyandrost-4-	en-3-one);			
243.17	(lx) tetral	hydrogestrinone					
243.18	(13[beta],17	[alpha]-diethyl-17[be	ta]-hydroxygon-	4,9,11-trien-3-one);			
243.19	(lxi) tren	bolone (17[beta]-hydr	roxyestr-4,9,11-	trien-3-one);			
243.20	(lxii) any	salt, ester, or ether of	f a drug or subst	ance described in thi	s paragraph.		
243.21	Anabolic ste	roids are not included	l if they are: (A)	expressly intended f	for administration		
243.22	through impl	ants to cattle or other	nonhuman speci	es; and (B) approved	by the United States		
243.23	Food and Dr	ug Administration for	r that use;				
243.24	(2) Huma	an growth hormones.					
243.25	(3) Chori	onic gonadotropin, ex	ccept that a prod	uct containing choric	onic gonadotropin is		
243.26	not included	if it is:					
243.27	(i) expres	ssly intended for adm	inistration to cat	tle or other nonhuma	in species; and		
243.28	(ii) appro	oved by the United Sta	ates Food and D	rug Administration f	or that use.		

244.1	(g) Hallucinogenic substances. Dronabinol (synthetic artificial) in sesame oil and
244.2	encapsulated in a soft gelatin capsule in a United States Food and Drug Administration
244.3	approved product.
244.4	(h) Any material, compound, mixture, or preparation containing the following narcotic
244.5	drug or its salt: buprenorphine.
244.6	(i) Marijuana, tetrahydrocannabinols, and artificial cannabinoids. Unless specifically
244.7	excepted or unless listed in another schedule, any natural or artificial material, compound,
244.8	mixture, or preparation that contains any quantity of the following substances, their analogs,
244.9	isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence
	of the isomers, esters, ethers, or salts is possible:
244.10	of the isomers, esters, emers, or saits is possible.
244.11	(1) marijuana;
244.12	(2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis, except
244.13	that tetrahydrocannabinols do not include any material, compound, mixture, or preparation
244.14	that qualifies as industrial hemp as defined in section 18K.02, subdivision 3; artificial
244.15	equivalents of the substances contained in the cannabis plant or in the resinous extractives
244.16	of the plant; or artificial substances with similar chemical structure and pharmacological
244.17	activity to those substances contained in the plant or resinous extract, including but not
244.18	limited to 1 cis or trans tetrahydrocannabinol, 6 cis or trans tetrahydrocannabinol, and 3,4
244.19	cis or trans tetrahydrocannabinol.
244.20	EFFECTIVE DATE. This section is effective the day following final enactment.
244.21	ARTICLE 9
244.22	APPROPRIATIONS
244.23	Section 1. APPROPRIATIONS.
244.24	Subdivision 1. Office of Cannabis Management. (a) \$ in fiscal year 2024 and
244.25	\$ in fiscal year 2025 are appropriated from the general fund to the Cannabis Management
244.26	Board for purposes of this act. The base for this appropriation is \$ in fiscal year 2026
244.27	and \$ in fiscal year 2027.
244.28	(b) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$
244.29	in fiscal year 2025 are for rulemaking. The base for this appropriation is \$ in fiscal year
244.30	2024 and thereafter.

	SF73	REVISOR	BD	S0073-5	5th Engrossment		
245.1	(c) Of the ba	se established in pa	aragraph (a), \$	in fiscal year 202	6 and \$ in fiscal		
245.2				enewal grants. Of the			
245.3	three percent may be used for administrative expenses.						
245.4	(d) Of the ba	se established in pa	aragraph (a). \$.	in fiscal year 202	6 and \$ in fiscal		
245.5				use treatment, recove			
245.6	grants.						
245.7	Subd. 2. Der	partment of Agric	ulture. S i	n fiscal year 2024 and	1.\$ in fiscal year		
245.8				e commissioner of a			
245.9	· · · ·			ulemaking related to			
245.10	*			iscal year 2026 and \$			
245.11	2027.		*				
245.12	Subd. 3. Ca	nnabis Expungem	ent Board. \$	in fiscal year 2024	4 and \$ in fiscal		
245.13	year 2025 are ap	opropriated from th	ne general fund	to the Cannabis Exp	ungement Board for		
245.14	staffing and othe	er expenses related	to reviewing c	riminal convictions a	nd issuing decisions		
245.15	related to expun	gement and resent	encing. The ba	se for this appropriati	ion is \$ in fiscal		
245.16	years 2026, 202	7, and 2028. The b	ase in fiscal ye	ar 2029 and thereafte	er is \$0.		
245.17	Subd. 4. Der	partment of Com	nerce. \$ in	fiscal year 2024 and	\$ in fiscal year		
245.18	2025 are approp	priated from the gen	neral fund to th	e commissioner of co	ommerce for the		
245.19	purposes of this	act. The base for t	his appropriation	on is \$ in fiscal y	vear 2026 and \$		
245.20	in fiscal year 20	27.					
245.21	Subd. 5. Dep	partment of Corre	ections. An app	propriation to the con	nmissioner of		
245.22	corrections for c	correctional institut	tions is reduced	l by \$ in fiscal ye	ear 2024 and \$		
245.23	in fiscal year 20	25. The base for th	nis appropriatio	n is reduced by \$. in fiscal year 2026		
245.24	and \$ in fise	cal year 2027.					
245.25	Subd. 6. Der	partment of Education	ation. <u>\$</u> in	fiscal year 2024 and	\$ in fiscal year		
245.26	2025 are approp	briated from the gen	neral fund to th	e commissioner of ed	ducation for the		
245.27	purposes of this	act.					
245.28	Subd. 7. Der	partment of Emplo	oyment and Ec	conomic Developme	nt. (a) \$ in fiscal		
245.29	year 2024 and \$	in fiscal year	2025 are appro	priated from the gen	eral fund to the		
245.30	commissioner of	f employment and e	economic devel	opment for the CanSt	tartup, CanNavigate,		
245.31	and CanTrain pr	ograms. Any unen	cumbered bala	nces remaining in the	e first year do not		
245.32	cancel but are av	vailable for the sec	ond year.				

	SF73	REVISOR	BD	S0073-5	5th Engrossment
246.1	(b) Of the	amount appropriated	l under paragrapl	n (a), \$ in fisca	l year 2024 and \$
246.2		2025 are for the Can			
246.3	(c) Of the	amount appropriated	lunder naragran	(a) \$ in fiscal	l year 2024 and \$
246.4		2025 are for the Can			
246.5				<u>1 (a), \$ 1n fisca</u>	l year 2024 and \$
246.6	<u>in fiscal year</u>	2025 are for the Can	i I rain program.		
246.7	<u>(e) Of the</u>	se amounts, up to for	ur percent may b	e used for administ	trative expenses.
246.8	<u>Subd. 8.</u> I	Department of Heal	th. (a) \$ in f	iscal year 2024 and	1 \$ in fiscal year
246.9	2025 are appr	opriated from the ge	neral fund to the	commissioner of h	ealth for the purposes
246.10	of this act. Th	ne base for this appro	priation is \$	in fiscal year 2020	6 and \$ in fiscal
246.11	<u>year 2027.</u>				
246.12	(b) Of the	amount appropriated	l under paragrapl	n (a), \$ in fisca	l year 2024 and \$
246.13	in fiscal year	2025 are for education	on for women w	ho are pregnant, br	eastfeeding, or who
246.14	may become	pregnant. Of this am	ount, \$ each	year is for media	campaign contracts.
246.15	The base for	this appropriation is	\$ in fiscal ye	ear 2026 and therea	after. Of the amounts
246.16	appropriated	in fiscal year 2026 a	nd thereafter, \$	is for media car	mpaign contracts.
246.17	(c) Of the	amount appropriated	l under paragrapl	n (a), \$ in fisca	1 year 2024 and \$
246.18	in fiscal year	2025 are for data col	llection and repo	rts. The base for th	is appropriation is
246.19	<u>\$</u> in fisca	l year 2026 and \$	in fiscal year 2		
246.20	(d) Of the	amount appropriated	l under paragrapl	n (a), \$ in fisca	l year 2024 and \$
246.21	in fiscal year	2025 are for testing	required by this	act. The base for th	is appropriation is
246.22	<u>\$</u> in fisca	l year 2026 and there	eafter.		
246.23	(e) Of the	amount appropriated	l under paragraph	n (a), \$ in fisca	l year 2024 and \$
246.24	<u> </u>	2025 are for education			
246.25	statewide you	ith awareness campa	ign contracts. Th	e base for this app	ropriation is \$ in
246.26	fiscal year 20	26 and thereafter. Of	f the amounts in	fiscal year 2026 an	d thereafter, \$ is
246.27	for media car	npaign contracts.			
246.28	<u>Subd. 9.</u> I	Department of Heal	th; Minnesota p	oison control syst	em. § in fiscal
246.29	year 2024 and	d \$ in fiscal year	2025 are approp	oriated from the gen	neral fund to the
246.30	commissioner	r of health to support	the poison contro	l system and award	l or supplement grants
246.31	pursuant to N	linnesota Statutes, se	ection 145.93.		
246.32	Subd. 10.	Department of Hur	<u>man Services.</u> (a) \$ in fiscal ye	ear 2024 and \$ in
246.33		25 are appropriated			

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247.1	services for the purposes of this act. The base for this appropriation is \$ in fiscal years							
247.2	2026, 2027, and 2028. The base in fiscal year 2029 and thereafter is \$							
247.2								
247.3 247.4	(b) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$							
247.4	in fiscal year 2025 are for the Background Studies Legal Division. The base for this							
247.6	appropriation is \$ in fiscal years 2026, 2027, and 2028. The base in fiscal year 2029 and thereafter is \$0.							
247.7	(c) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 is for							
247.8	technology system changes. This is a onetime appropriation.							
247.9	<u>Subd. 11.</u> De	partment of Labo	or and Indust	ry. \$ in fiscal year 2	2024 and \$ in			
247.10	fiscal year 2025 are appropriated from the general fund to the commissioner of labor and							
247.11	industry to identify occupational competency standards and provide technical assistance							
247.12	for developing dual-training programs under Minnesota Statutes, section 175.45, for the							
247.13	legal cannabis industry.							
247.14	Subd. 12. Department of Natural Resources. \$ in fiscal year 2024 is appropriated							
247.15	from the general	fund to the comm	issioner of nat	ural resources for the pu	rposes of this act.			
247.16	This is a onetime appropriation.							
247.17	Subd. 13. Office of Higher Education. \$ in fiscal year 2024 and \$ in fiscal							
247.18	year 2025 are appropriated from the general fund to the commissioner of higher education							
247.19	for transfer to the dual training account in the special revenue fund under Minnesota Statutes,							
247.20	section 136A.246, subdivision 10, for grants to employers in the legal cannabis industry.							
247.21	The commissioner shall give priority to applications from employers who are, or who are							
247.22	training employees who are, eligible to be social equity applicants under Minnesota Statutes,							
247.23	section 342.16.							
247.24	Subd. 14. Pollution Control Agency. (a) \$ in fiscal year 2024 and \$ in fiscal							
247.25	year 2025 are ap	propriated from th	e general fund	to the commissioner of	f the Pollution			
247.26	Control Agency for the purposes of this act. The base for this appropriation is \$ in fiscal							
247.27	year 2026 and \$	0 in fiscal year 202	27 and thereaf	ter.				
247.28	(b) Of the an	nount appropriated	under paragra	ph (a), \$ in fiscal ye	ar 2024 and \$			
247.29	in fiscal year 2025 are for rulemaking. The base for this appropriation is \$0 in fiscal year							
247.30	2026 and thereafter.							
247.31	(c) Of the an	nount appropriated	under paragra	uph (a), \$ in fiscal y	ear 2024 is for			
247.32	wastewater staff	f. This is a onetime	appropriation	<u>.</u>				

	SF73	REVISOR	BD	S0073-5	5th Engrossment			
248.1	(d) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$							
248.2	in fiscal year 2025 are for small business assistance staff. The base for this appropriation							
248.3	is \$ in fisca	is \$ in fiscal year 2026 and \$0 in fiscal year 2027 and thereafter.						
248.4	Subd. 15. Department of Public Safety; Bureau of Criminal Apprehension. (a) \$							
248.5	in fiscal year 2024 and \$ in fiscal year 2025 are appropriated from the general fund to							
248.6	the commissioner of public safety for use by the Bureau of Criminal Apprehension. The							
248.7	base for this appropriation is \$ in fiscal years 2026, 2027, and 2028. The base in fiscal							
248.8	year 2029 and thereafter is \$							
248.9	(b) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$							
248.10	in fiscal year 2025 are for expenses related to identifying and providing records of convictions							
248.11	for certain offenses involving the possession of cannabis that may be eligible for							
248.12	expungement and resentencing. The base for this appropriation is \$ in fiscal years 2026,							
248.13	2027, and 2028. The base in fiscal year 2029 and thereafter is \$0.							
248.14	(c) Of the amount appropriated under paragraph (a), \$ in fiscal year 2024 and \$							
248.15	in fiscal year 2025 are for forensic science services including additional staff, equipment,							
248.16	and supplies.							
248.17	(d) Of the an	nount appropriate	d under paragrap	h (a), \$ in fiscal	year 2024 and \$			
248.18	in fiscal year 2025 are for investigation of diversion crimes.							
248.19	<u>Subd. 16.</u> D	Subd. 16. Department of Public Safety; State Patrol. (a) \$ in fiscal year 2024 and						
248.20	\$ in fiscal	\$ in fiscal year 2025 are appropriated from the general fund to the commissioner of						
248.21	public safety for use by the Minnesota State Patrol for the purposes of this act, including							
248.22	identifying and investigating incidents and offenses that involve driving under the influence.							
248.23	<u>(b)</u> \$ in	(b) \$ in fiscal year 2024 and \$ in fiscal year 2025 are appropriated from the						
248.24	general fund to	general fund to the commissioner of public safety for use by the Minnesota State Patrol for						
248.25	its drug evaluation and classification program for drug recognition evaluator training,							
248.26	additional phlebotomists, and drug recognition training for peace officers, as defined in							
248.27	Minnesota Statutes, section 626.84, subdivision 1, paragraph (c).							
248.28	(c) \$ in	fiscal year 2024 is	s appropriated from	om the general fund t	to the commissioner			
248.29	of public safety	of public safety for the Minnesota State Patrol for the retirement and replacement of canines						
248.30	and the related	and the related canine and trooper training costs. This is a onetime appropriation and is						
248.31	available until.	available until June 30, 2025.						
248.32	<u>Subd. 17.</u> D	epartment of Rev	v enue. <u>\$</u> in f	fiscal year 2024 and	\$ in fiscal year			
248.33	2025 are approp	priated from the gen	neral fund to the	commissioner of reve	nue for the purposes			

	SF73	REVISOR	BD	S0073-5	5th Engrossment
249.1 249.2	of this act. The year 2027.	base for this approp	riation is \$	in fiscal year 2026 an	<u>d \$ in fiscal</u>
249.3	<u>Subd. 18.</u> Su	<u>apreme court.</u> \$	in fiscal yea	r 2024 and \$ in fisc	cal year 2025 are
249.4	appropriated fro	om the general fund	to the suprem	e court for reviewing re	cords and issuing
249.5	orders related to	the expungement of	or resentencing	g of certain cannabis of	fenses. The base
249.6	for this appropr	iation is \$0 in fiscal	year 2026 and	d thereafter.	
249.7	<u>Subd. 19.</u> Su	<u>apreme court.</u> \$	in fiscal yea	r 2024 and \$ in fisc	cal year 2025 are
249.8	appropriated from	om the general fund	to the suprem	e court for treatment co	ourt operations.
249.9	<u>Subd. 20.</u> Su	ubstance use treatn	nent, recovery	, and prevention gran	t account. Money
249.10	for substance us	se treatment, recove	ry, and preven	tion is transferred from	the general fund
249.11	to the substance	use treatment, reco	overy, and prev	vention grant account es	stablished under
249.12	Minnesota Statu	ites, section 342.72.	The transfer is	s \$ in fiscal years 20)24 and 2025. The

249.13 base for this transfer is \$..... in fiscal year 2026 and \$..... in fiscal year 2027.

151.72 SALE OF CERTAIN CANNABINOID PRODUCTS.

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

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

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

(d) "Hemp" has the meaning given to "industrial hemp" in section 18K.02, subdivision 3.

(e) "Label" has the meaning given in section 151.01, subdivision 18.

(f) "Labeling" means all labels and other written, printed, or graphic matter that are:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Subd. 4. **Testing requirements.** (a) A manufacturer of a product regulated under this section must submit representative samples of the product to an independent, accredited laboratory in order to certify that the product complies with the standards adopted by the board. Testing must be consistent with generally accepted industry standards for herbal and botanical substances, and, at a minimum, the testing must confirm that the product:

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

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

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

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

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

Subd. 5. Labeling requirements. (a) A product regulated under this section must bear a label that contains, at a minimum:

(1) the name, location, contact phone number, and website of the manufacturer of the product;

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

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

(b) The information in paragraph (a) may be provided on an outer package if the immediate container that holds the product is too small to contain all of the information.

(c) The information required in paragraph (a) may be provided through the use of a scannable barcode or matrix barcode that links to a page on the manufacturer's website if that page contains all of the information required by this subdivision.

(d) The label must also include a statement stating that the product does not claim to diagnose, treat, cure, or prevent any disease and has not been evaluated or approved by the United States Food and Drug Administration (FDA) unless the product has been so approved.

(e) The information required by this subdivision must be prominently and conspicuously placed on the label or displayed on the website in terms that can be easily read and understood by the consumer.

(f) The labeling must not contain any claim that the product may be used or is effective for the prevention, treatment, or cure of a disease or that it may be used to alter the structure or function of human or animal bodies, unless the claim has been approved by the FDA.

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

(b) An edible cannabinoid product must not:

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

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

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

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

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

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

(c) An edible cannabinoid product must be prepackaged in packaging or a container that is child-resistant, tamper-evident, and opaque or placed in packaging or a container that is child-resistant, tamper-evident, and opaque at the final point of sale to a customer. The requirement that packaging be child-resistant does not apply to an edible cannabinoid product that is intended to be consumed as a beverage and which contains no more than a trace amount of any tetrahydrocannabinol.

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(d) If an edible cannabinoid product is intended for more than a single use or contains multiple servings, each serving must be indicated by scoring, wrapping, or other indicators designating the individual serving size.

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

(1) the serving size;

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

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

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

(f) An edible cannabinoid product must not contain more than five milligrams of any tetrahydrocannabinol in a single serving, or more than a total of 50 milligrams of any tetrahydrocannabinol per package.

Subd. 6. **Enforcement.** (a) A product regulated under this section, including an edible cannabinoid product, shall be considered an adulterated drug if:

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

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

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

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

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

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

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

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

(c) The board's authority to issue cease and desist orders under section 151.06; to embargo adulterated and misbranded drugs under section 151.38; and to seek injunctive relief under section 214.11, extends to any violation of this section.

152.027 OTHER CONTROLLED SUBSTANCE OFFENSES.

Subd. 3. **Possession of marijuana in a motor vehicle.** A person is guilty of a misdemeanor if the person is the owner of a private motor vehicle, or is the driver of the motor vehicle if the owner is not present, and possesses on the person, or knowingly keeps or allows to be kept within the area of the vehicle normally occupied by the driver or passengers, more than 1.4 grams of marijuana. This area of the vehicle does not include the trunk of the motor vehicle if the vehicle is equipped with a trunk, or another area of the vehicle not normally occupied by the driver or passengers if the vehicle is not equipped with a trunk. A utility or glove compartment is deemed to be within the area occupied by the driver and passengers.

Subd. 4. **Possession or sale of small amounts of marijuana.** (a) A person who unlawfully sells a small amount of marijuana for no remuneration, or who unlawfully possesses a small amount of marijuana is guilty of a petty misdemeanor and shall be required to participate in a drug education program unless the court enters a written finding that a drug education program is inappropriate. The program must be approved by an area mental health board with a curriculum approved by the state alcohol and drug abuse authority.

(b) A person convicted of an unlawful sale under paragraph (a) who is subsequently convicted of an unlawful sale under paragraph (a) within two years is guilty of a misdemeanor and shall be

required to participate in a chemical dependency evaluation and treatment if so indicated by the evaluation.

(c) A person who is convicted of a petty misdemeanor under paragraph (a) who willfully and intentionally fails to comply with the sentence imposed, is guilty of a misdemeanor. Compliance with the terms of the sentence imposed before conviction under this paragraph is an absolute defense.

152.21 THC THERAPEUTIC RESEARCH ACT.

Subdivision 1. **Findings and purpose.** The legislature finds that scientific literature indicates promise for delta-9-tetrahydro-cannabinol (THC), the active component of marijuana, in alleviating certain side effects of cancer chemotherapy under strictly controlled medical circumstances.

The legislature also finds that further research and strictly controlled experimentation regarding the therapeutic use of THC is necessary and desirable. The intent of this section is to establish an extensive research program to investigate and report on the therapeutic effects of THC under strictly controlled circumstances in compliance with all federal laws and regulations promulgated by the federal Food and Drug Administration, the National Institute on Drug Abuse and the Drug Enforcement Administration. The intent of the legislature is to allow this research program the greatest possible access to qualified cancer patients residing in Minnesota who meet protocol requirements. The establishment of this research program is not intended in any manner whatsoever to condone or promote the illicit recreational use of marijuana.

Subd. 2. **Definitions.** For purposes of this section, the following terms shall have the meanings given.

(a) "Commissioner" means the commissioner of health.

(b) "Marijuana" means marijuana as defined in section 152.01, subdivision 9, and delta-9-tetrahydro-cannabinol (THC), tetrahydrocannabinols or a chemical derivative of tetrahydrocannabinols, and all species of the genus Cannabis.

(c) "Principal investigator" means the individual responsible for the medical and scientific aspects of the research, development of protocol, and contacting and qualifying the clinical investigators in the state.

(d) "Clinical investigators" means those individuals who conduct the clinical trials.

(e) "Sponsor" means that individual or organization who, acting on behalf of the state, has the total responsibility for the state program.

Subd. 3. **Research grant.** The commissioner of health shall grant funds to the principal investigator selected by the commissioner pursuant to subdivision 4 for the purpose of conducting a research program under a protocol approved by the FDA regarding the therapeutic use of oral THC and other dosage forms, if available, according to the guidelines and requirements of the federal Food and Drug Administration, the Drug Enforcement Administration and the National Institute on Drug Abuse. The commissioner shall ensure that the research principal investigator complies with the requirements of subdivision 5. The commissioner may designate the principal investigator as the sponsor.

Subd. 4. **Principal investigator.** Within three months of April 25, 1980, the commissioner shall, in consultation with a representative chosen by the state Board of Pharmacy and a representative chosen by the state Board of Medical Examiners, select a person or research organization to be the principal investigator of the research program.

Subd. 5. Duties. The principal investigator shall:

(1) apply to the Food and Drug Administration for a notice of "Claimed Investigational Exemption for a New Drug (IND)" pursuant to the Federal Food, Drug and Cosmetic Act, United States Code, title 21, section 301, et seq., and shall comply with all applicable laws and regulations of the federal Food and Drug Administration, the Drug Enforcement Administration, and the National Institute on Drug Abuse in establishing the program;

(2) notify every oncologist in the state of the program, explain the purposes and requirements of the program to them, provide on request each of them with a copy of the approved protocol which shall include summaries of current papers in medical journals reporting on research concerning the safety, efficacy and appropriate use of THC in alleviating the nausea and emetic effects of cancer chemotherapy, and provide on request each of them with a bibliography of other articles published in medical journals;

(3) allow each oncologist (clinical investigator) in the state who meets or agrees to meet all applicable federal requirements for investigational new drug research and who so requests to be included in the research program as a clinical investigator to conduct the clinical trials;

(4) provide explanatory information and assistance to each clinical investigator in understanding the nature of therapeutic use of THC within program requirements, including the informed consent document contained in the protocol, informing and counseling patients involved in the program regarding the appropriate use and the effects of therapeutic use of THC;

(5) apply to contract with the National Institute on Drug Abuse for receipt of dosage forms of THC, fully characterized as to contents and delivery to the human system, pursuant to regulations promulgated by the National Institute on Drug Abuse, and the federal Food and Drug Administration. The principal investigator shall ensure delivery of the THC dosages to clinical investigators as needed for participation in the program;

(6) conduct the research program in compliance with federal laws and regulations promulgated by the federal Food and Drug Administration, the Drug Enforcement Administration, the National Institute on Drug Abuse, and the purposes and provisions of this section;

(7) submit periodic reports as determined by the commissioner on the numbers of oncologists and patients involved in the program and the results of the program;

(8) submit reports on intermediate or final research results, as appropriate, to the major scientific journals in the United States; and

(9) otherwise comply with the provisions of this section.

Subd. 6. **Exemption from criminal sanctions.** For the purposes of this section, the following are not violations under this chapter:

(1) use or possession of THC, or both, by a patient in the research program;

(2) possession, prescribing use of, administering, or dispensing THC, or any combination of these actions, by the principal investigator or by any clinical investigator; and

(3) possession or distribution of THC, or both, by a pharmacy registered to handle Schedule I substances which stores THC on behalf of the principal investigator or a clinical investigator.

THC obtained and distributed pursuant to this section is not subject to forfeiture under sections 609.531 to 609.5316.

For the purposes of this section, THC is removed from Schedule I contained in section 152.02, subdivision 2, and inserted in Schedule II contained in section 152.02, subdivision 3.

Subd. 7. Citation. This section may be cited as the "THC Therapeutic Research Act."

152.22 DEFINITIONS.

Subdivision 1. **Applicability.** For purposes of sections 152.22 to 152.37, the terms defined in this section have the meanings given them.

Subd. 2. Commissioner. "Commissioner" means the commissioner of health.

Subd. 3. **Disqualifying felony offense.** "Disqualifying felony offense" means a violation of a state or federal controlled substance law that is a felony under Minnesota law, or would be a felony if committed in Minnesota, regardless of the sentence imposed, unless the commissioner determines that the person's conviction was for the medical use of cannabis or assisting with the medical use of cannabis.

Subd. 4. **Health care practitioner.** "Health care practitioner" means a Minnesota licensed doctor of medicine, a Minnesota licensed physician assistant, or a Minnesota licensed advanced practice registered nurse who has the primary responsibility for the care and treatment of the qualifying medical condition of a person diagnosed with a qualifying medical condition.

Subd. 5. **Health records.** "Health records" means health records as defined in section 144.291, subdivision 2, paragraph (c).

Subd. 5a. **Hemp.** "Hemp" has the meaning given to industrial hemp in section 18K.02, subdivision 3.

Subd. 5b. **Hemp grower.** "Hemp grower" means a person licensed by the commissioner of agriculture under chapter 18K to grow hemp for commercial purposes.

Subd. 6. **Medical cannabis.** (a) "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of:

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

(2) pill;

(3) vaporized delivery method with use of liquid or oil;

(4) combustion with use of dried raw cannabis; or

(5) any other method approved by the commissioner.

(b) This definition includes any part of the genus cannabis plant prior to being processed into a form allowed under paragraph (a), that is possessed by a person while that person is engaged in employment duties necessary to carry out a requirement under sections 152.22 to 152.37 for a registered manufacturer or a laboratory under contract with a registered manufacturer. This definition also includes any hemp acquired by a manufacturer by a hemp grower as permitted under section 152.29, subdivision 1, paragraph (b).

Subd. 7. **Medical cannabis manufacturer.** "Medical cannabis manufacturer" or "manufacturer" means an entity registered by the commissioner to cultivate, acquire, manufacture, possess, prepare, transfer, transport, supply, or dispense medical cannabis, delivery devices, or related supplies and educational materials.

Subd. 8. **Medical cannabis product.** "Medical cannabis product" means any delivery device or related supplies and educational materials used in the administration of medical cannabis for a patient with a qualifying medical condition enrolled in the registry program.

Subd. 9. **Patient.** "Patient" means a Minnesota resident who has been diagnosed with a qualifying medical condition by a health care practitioner and who has otherwise met any other requirements for patients under sections 152.22 to 152.37 to participate in the registry program under sections 152.22 to 152.37.

Subd. 10. **Patient registry number.** "Patient registry number" means a unique identification number assigned by the commissioner to a patient enrolled in the registry program.

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

(1) is at least 18 years old;

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

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

(4) is authorized by the commissioner to assist the patient with the use of medical cannabis.

Subd. 12. **Registry program.** "Registry program" means the patient registry established in sections 152.22 to 152.37.

Subd. 13. **Registry verification.** "Registry verification" means the verification provided by the commissioner that a patient is enrolled in the registry program and that includes the patient's name, registry number, and, if applicable, the name of the patient's registered designated caregiver or parent, legal guardian, or spouse.

Subd. 14. **Qualifying medical condition.** "Qualifying medical condition" means a diagnosis of any of the following conditions:

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

- (i) severe or chronic pain;
- (ii) nausea or severe vomiting; or
- (iii) cachexia or severe wasting;
- (2) glaucoma;

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

- (4) Tourette's syndrome;
- (5) amyotrophic lateral sclerosis;
- (6) seizures, including those characteristic of epilepsy;
- (7) severe and persistent muscle spasms, including those characteristic of multiple sclerosis;
- (8) inflammatory bowel disease, including Crohn's disease;

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

(i) severe or chronic pain;

- (ii) nausea or severe vomiting; or
- (iii) cachexia or severe wasting; or

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

152.23 LIMITATIONS.

(a) Nothing in sections 152.22 to 152.37 permits any person to engage in and does not prevent the imposition of any civil, criminal, or other penalties for:

(1) undertaking any task under the influence of medical cannabis that would constitute negligence or professional malpractice;

- (2) possessing or engaging in the use of medical cannabis:
- (i) on a school bus or van;
- (ii) on the grounds of any preschool or primary or secondary school;
- (iii) in any correctional facility; or
- (iv) on the grounds of any child care facility or home day care;
- (3) vaporizing or combusting medical cannabis pursuant to section 152.22, subdivision 6:
- (i) on any form of public transportation;

(ii) where the vapor would be inhaled by a nonpatient minor child or where the smoke would be inhaled by a minor child; or

(iii) in any public place, including any indoor or outdoor area used by or open to the general public or a place of employment as defined under section 144.413, subdivision 1b; and

(4) operating, navigating, or being in actual physical control of any motor vehicle, aircraft, train, or motorboat, or working on transportation property, equipment, or facilities while under the influence of medical cannabis.

(b) Nothing in sections 152.22 to 152.37 require the medical assistance and MinnesotaCare programs to reimburse an enrollee or a provider for costs associated with the medical use of cannabis. Medical assistance and MinnesotaCare shall continue to provide coverage for all services related to treatment of an enrollee's qualifying medical condition if the service is covered under chapter 256B or 256L.

152.24 FEDERALLY APPROVED CLINICAL TRIALS.

The commissioner may prohibit enrollment of a patient in the registry program if the patient is simultaneously enrolled in a federally approved clinical trial for the treatment of a qualifying medical condition with medical cannabis. The commissioner shall provide information to all patients enrolled in the registry program on the existence of federally approved clinical trials for the treatment of the patient's qualifying medical condition with medical cannabis as an alternative to enrollment in the patient registry program.

152.25 COMMISSIONER DUTIES.

Subdivision 1. **Medical cannabis manufacturer registration.** (a) The commissioner shall register two in-state manufacturers for the production of all medical cannabis within the state. A registration agreement between the commissioner and a manufacturer is nontransferable. The commissioner shall register new manufacturers or reregister the existing manufacturers by December

1 every two years, using the factors described in this subdivision. The commissioner shall accept applications after December 1, 2014, if one of the manufacturers registered before December 1, 2014, ceases to be registered as a manufacturer. The commissioner's determination that no manufacturer exists to fulfill the duties under sections 152.22 to 152.37 is subject to judicial review in Ramsey County District Court. Data submitted during the application process are private data on individuals or nonpublic data as defined in section 13.02 until the manufacturer is registered under this section. Data on a manufacturer that is registered are public data, unless the data are trade secret or security information under section 13.37.

(b) As a condition for registration, a manufacturer must agree to:

(1) begin supplying medical cannabis to patients by July 1, 2015; and

(2) comply with all requirements under sections 152.22 to 152.37.

(c) The commissioner shall consider the following factors when determining which manufacturer to register:

(1) the technical expertise of the manufacturer in cultivating medical cannabis and converting the medical cannabis into an acceptable delivery method under section 152.22, subdivision 6;

(2) the qualifications of the manufacturer's employees;

(3) the long-term financial stability of the manufacturer;

(4) the ability to provide appropriate security measures on the premises of the manufacturer;

(5) whether the manufacturer has demonstrated an ability to meet the medical cannabis production needs required by sections 152.22 to 152.37; and

(6) the manufacturer's projection and ongoing assessment of fees on patients with a qualifying medical condition.

(d) If an officer, director, or controlling person of the manufacturer pleads or is found guilty of intentionally diverting medical cannabis to a person other than allowed by law under section 152.33, subdivision 1, the commissioner may decide not to renew the registration of the manufacturer, provided the violation occurred while the person was an officer, director, or controlling person of the manufacturer.

(e) The commissioner shall require each medical cannabis manufacturer to contract with an independent laboratory to test medical cannabis produced by the manufacturer. The commissioner shall approve the laboratory chosen by each manufacturer and require that the laboratory report testing results to the manufacturer in a manner determined by the commissioner.

Subd. 1a. **Revocation or nonrenewal of a medical cannabis manufacturer registration.** If the commissioner intends to revoke or not renew a registration issued under this section, the commissioner must first notify in writing the manufacturer against whom the action is to be taken and provide the manufacturer with an opportunity to request a hearing under the contested case provisions of chapter 14. If the manufacturer does not request a hearing by notifying the commissioner in writing within 20 days after receipt of the notice of proposed action, the commissioner may proceed with the action without a hearing. For revocations, the registration of a manufacturer is considered revoked on the date specified in the commissioner's written notice of revocation.

Subd. 1b. **Temporary suspension proceedings.** The commissioner may institute proceedings to temporarily suspend the registration of a medical cannabis manufacturer for a period of up to 90 days by notifying the manufacturer in writing if any action by an employee, agent, officer, director, or controlling person of the manufacturer:

(1) violates any of the requirements of sections 152.21 to 152.37 or the rules adopted thereunder;

(2) permits, aids, or abets the commission of any violation of state law at the manufacturer's location for cultivation, harvesting, manufacturing, packaging, and processing or at any site for distribution of medical cannabis;

(3) performs any act contrary to the welfare of a registered patient or registered designated caregiver; or

(4) obtains, or attempts to obtain, a registration by fraudulent means or misrepresentation.

Subd. 1c. **Notice to patients.** Upon the revocation or nonrenewal of a manufacturer's registration under subdivision 1a or implementation of an enforcement action under subdivision 1b that may affect the ability of a registered patient, registered designated caregiver, or a registered patient's parent, legal guardian, or spouse to obtain medical cannabis from the manufacturer subject to the enforcement action, the commissioner shall notify in writing each registered patient and the patient's registered designated caregiver or registered patient's parent, legal guardian, or spouse about the outcome of the proceeding and information regarding alternative registered manufacturers. This notice must be provided two or more business days prior to the effective date of the revocation, nonrenewal, or other enforcement action.

Subd. 2. **Range of compounds and dosages; report.** The commissioner shall review and publicly report the existing medical and scientific literature regarding the range of recommended dosages for each qualifying condition and the range of chemical compositions of any plant of the genus cannabis that will likely be medically beneficial for each of the qualifying medical conditions. The commissioner shall make this information available to patients with qualifying medical conditions beginning December 1, 2014, and update the information annually. The commissioner may consult with the independent laboratory under contract with the manufacturer or other experts in reporting the range of recommended dosages for each qualifying medical condition, the range of chemical compositions that will likely be medically beneficial, and any risks of noncannabis drug interactions. The commissioner shall consult with each manufacturer on an annual basis on medical cannabis offered by the manufacturer. The list of medical cannabis offered by a manufacturer shall be published on the Department of Health website.

Subd. 3. **Deadlines.** The commissioner shall adopt rules necessary for the manufacturer to begin distribution of medical cannabis to patients under the registry program by July 1, 2015, and have notice of proposed rules published in the State Register prior to January 1, 2015.

Subd. 4. **Reports.** (a) The commissioner shall provide regular updates to the task force on medical cannabis therapeutic research and to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services, public safety, judiciary, and civil law regarding: (1) any changes in federal law or regulatory restrictions regarding the use of medical cannabis or hemp; and (2) the market demand and supply in this state for products made from hemp that can be used for medicinal purposes.

(b) The commissioner may submit medical research based on the data collected under sections 152.22 to 152.37 to any federal agency with regulatory or enforcement authority over medical cannabis to demonstrate the effectiveness of medical cannabis for treating a qualifying medical condition.

152.26 RULEMAKING.

(a) The commissioner may adopt rules to implement sections 152.22 to 152.37. Rules for which notice is published in the State Register before January 1, 2015, may be adopted using the process in section 14.389.

(b) The commissioner may adopt or amend rules, using the procedure in section 14.386, paragraph (a), to implement the addition of dried raw cannabis as an allowable form of medical cannabis under section 152.22, subdivision 6, paragraph (a), clause (4). Section 14.386, paragraph (b), does not apply to these rules.

152.261 RULES; ADVERSE INCIDENTS.

(a) The commissioner of health shall adopt rules to establish requirements for reporting incidents when individuals who are not authorized to possess medical cannabis under sections 152.22 to 152.37 are found in possession of medical cannabis. The rules must identify professionals required to report, the information they are required to report, and actions the reporter must take to secure the medical cannabis.

(b) The commissioner of health shall adopt rules to establish requirements for law enforcement officials and health care professionals to report incidents involving an overdose of medical cannabis to the commissioner of health.

(c) Rules must include the method by which the commissioner will collect and tabulate reports of unauthorized possession and overdose.

152.27 PATIENT REGISTRY PROGRAM ESTABLISHED.

Subdivision 1. **Patient registry program; establishment.** (a) The commissioner shall establish a patient registry program to evaluate data on patient demographics, effective treatment options,

clinical outcomes, and quality-of-life outcomes for the purpose of reporting on the benefits, risks, and outcomes regarding patients with a qualifying medical condition engaged in the therapeutic use of medical cannabis.

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

Subd. 2. Commissioner duties. (a) The commissioner shall:

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

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

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

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

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

(6) develop safety criteria for patients with a qualifying medical condition as a requirement of the patient's participation in the program, to prevent the patient from undertaking any task under the influence of medical cannabis that would constitute negligence or professional malpractice on the part of the patient; and

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

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

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

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

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

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

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

(5) all other signed affidavits and enrollment forms required by the commissioner under sections 152.22 to 152.37, including, but not limited to, the disclosure form required under paragraph (c).

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

(c) The commissioner shall develop a disclosure form and require, as a condition of enrollment, all patients to sign a copy of the disclosure. The disclosure must include:

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

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

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

(1) be at least 18 years of age;

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

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

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

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

Subd. 5. **Parents, legal guardians, and spouses.** A parent, legal guardian, or spouse of a patient may act as the caregiver to the patient without having to register as a designated caregiver. The parent, legal guardian, or spouse shall follow all of the requirements of parents, legal guardians, and spouses listed in sections 152.22 to 152.37. Nothing in sections 152.22 to 152.37 limits any legal authority a parent, legal guardian, or spouse may have for the patient under any other law.

Subd. 6. **Patient enrollment.** (a) After receipt of a patient's application, application fees, and signed disclosure, the commissioner shall enroll the patient in the registry program and issue the patient and patient's registered designated caregiver or parent, legal guardian, or spouse, if applicable, a registry verification. The commissioner shall approve or deny a patient's application for participation in the registry program within 30 days after the commissioner receives the patient's application and application fee. The commissioner may approve applications up to 60 days after the receipt of a patient's application and application fees until January 1, 2016. A patient's enrollment in the registry program shall only be denied if the patient:

(1) does not have certification from a health care practitioner that the patient has been diagnosed with a qualifying medical condition;

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

(3) does not provide the information required;

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

(5) provides false information.

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

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

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

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

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

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

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

Subd. 7. Notice requirements. Patients and registered designated caregivers shall notify the commissioner of any address or name change within 30 days of the change having occurred. A patient or registered designated caregiver is subject to a \$100 fine for failure to notify the commissioner of the change.

152.28 HEALTH CARE PRACTITIONER DUTIES.

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

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

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

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

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

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

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

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

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

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

(c) A health care practitioner may conduct a patient assessment to issue a recertification as required under paragraph (b), clause (3), via telehealth, as defined in section 62A.673, subdivision 2.

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

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

Subd. 3. Advertising restrictions. (a) A health care practitioner shall not publish or cause to be published any advertisement that:

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

(2) uses colloquial terms to refer to medical cannabis, such as pot, weed, or grass;

(3) states or implies the health care practitioner is endorsed by the Department of Health or by the medical cannabis registry program;

(4) includes images of cannabis in its plant or leaf form or of cannabis-smoking paraphernalia; or

(5) contains medical symbols that could reasonably be confused with symbols of established medical associations or groups.

(b) A health care practitioner found by the commissioner to have violated this subdivision is prohibited from certifying that patients have a qualifying medical condition for purposes of patient participation in the registry program. The commissioner's decision that a health care practitioner has violated this subdivision is a final decision of the commissioner and is not subject to the contested case procedures in chapter 14.

152.29 MANUFACTURER OF MEDICAL CANNABIS DUTIES.

Subdivision 1. **Manufacturer; requirements.** (a) A manufacturer may operate eight distribution facilities, which may include the manufacturer's single location for cultivation, harvesting, manufacturing, packaging, and processing but is not required to include that location. The commissioner shall designate the geographical service areas to be served by each manufacturer based on geographical need throughout the state to improve patient access. A manufacturer shall not have more than two distribution facilities in each geographical service area assigned to the manufacturer by the commissioner. A manufacturer shall operate only one location where all cultivation, harvesting, manufacturing, packaging, and processing of medical cannabis shall be conducted. This location may be one of the manufacturer's distribution facility sites. The additional distribution facilities may dispense medical cannabis and medical cannabis products but may not contain any medical cannabis in a form other than those forms allowed under section 152.22, subdivision 6, and the manufacturer shall not conduct any cultivation, harvesting, manufacturing, packaging, or processing at the other distribution facility sites. Any distribution facility operated by the manufacturer is subject to all of the requirements applying to the manufacturer under sections 152.22 to 152.37, including, but not limited to, security and distribution requirements.

(b) A manufacturer may acquire hemp grown in this state from a hemp grower, and may acquire hemp products produced by a hemp processor. A manufacturer may manufacture or process hemp and hemp products into an allowable form of medical cannabis under section 152.22, subdivision 6. Hemp and hemp products acquired by a manufacturer under this paragraph are subject to the same quality control program, security and testing requirements, and other requirements that apply to medical cannabis under sections 152.22 to 152.37 and Minnesota Rules, chapter 4770.

(c) A medical cannabis manufacturer shall contract with a laboratory approved by the commissioner, subject to any additional requirements set by the commissioner, for purposes of testing medical cannabis manufactured or hemp or hemp products acquired by the medical cannabis manufacturer as to content, contamination, and consistency to verify the medical cannabis meets the requirements of section 152.22, subdivision 6. The cost of laboratory testing shall be paid by the manufacturer.

(d) The operating documents of a manufacturer must include:

(1) procedures for the oversight of the manufacturer and procedures to ensure accurate record keeping;

(2) procedures for the implementation of appropriate security measures to deter and prevent the theft of medical cannabis and unauthorized entrance into areas containing medical cannabis; and

(3) procedures for the delivery and transportation of hemp between hemp growers and manufacturers and for the delivery and transportation of hemp products between hemp processors and manufacturers.

(e) A manufacturer shall implement security requirements, including requirements for the delivery and transportation of hemp and hemp products, protection of each location by a fully operational security alarm system, facility access controls, perimeter intrusion detection systems, and a personnel identification system.

(f) A manufacturer shall not share office space with, refer patients to a health care practitioner, or have any financial relationship with a health care practitioner.

(g) A manufacturer shall not permit any person to consume medical cannabis on the property of the manufacturer.

(h) A manufacturer is subject to reasonable inspection by the commissioner.

(i) For purposes of sections 152.22 to 152.37, a medical cannabis manufacturer is not subject to the Board of Pharmacy licensure or regulatory requirements under chapter 151.

(j) A medical cannabis manufacturer may not employ any person who is under 21 years of age or who has been convicted of a disqualifying felony offense. An employee of a medical cannabis manufacturer must submit a completed criminal history records check consent form, a full set of classifiable fingerprints, and the required fees for submission to the Bureau of Criminal Apprehension before an employee may begin working with the manufacturer. The bureau must conduct a Minnesota criminal history records check and the superintendent is authorized to exchange the fingerprints with the Federal Bureau of Investigation to obtain the applicant's national criminal history records information. The bureau shall return the results of the Minnesota and federal criminal history records checks to the commissioner.

(k) A manufacturer may not operate in any location, whether for distribution or cultivation, harvesting, manufacturing, packaging, or processing, within 1,000 feet of a public or private school existing before the date of the manufacturer's registration with the commissioner.

(1) A manufacturer shall comply with reasonable restrictions set by the commissioner relating to signage, marketing, display, and advertising of medical cannabis.

(m) Before a manufacturer acquires hemp from a hemp grower or hemp products from a hemp processor, the manufacturer must verify that the hemp grower or hemp processor has a valid license issued by the commissioner of agriculture under chapter 18K.

(n) Until a state-centralized, seed-to-sale system is implemented that can track a specific medical cannabis plant from cultivation through testing and point of sale, the commissioner shall conduct at least one unannounced inspection per year of each manufacturer that includes inspection of:

(1) business operations;

(2) physical locations of the manufacturer's manufacturing facility and distribution facilities;

(3) financial information and inventory documentation, including laboratory testing results; and

(4) physical and electronic security alarm systems.

Subd. 2. **Manufacturer; production.** (a) A manufacturer of medical cannabis shall provide a reliable and ongoing supply of all medical cannabis needed for the registry program through cultivation by the manufacturer and through the purchase of hemp from hemp growers.

(b) All cultivation, harvesting, manufacturing, packaging, and processing of medical cannabis must take place in an enclosed, locked facility at a physical address provided to the commissioner during the registration process.

(c) A manufacturer must process and prepare any medical cannabis plant material or hemp plant material into a form allowable under section 152.22, subdivision 6, prior to distribution of any medical cannabis.

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

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

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

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

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

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

(4) ensure that any employee of the manufacturer licensed as a pharmacist pursuant to chapter 151 has consulted with the patient to determine the proper dosage for the individual patient after reviewing the ranges of chemical compositions of the medical cannabis and the ranges of proper dosages reported by the commissioner. For purposes of this clause, a consultation may be conducted remotely by secure videoconference, telephone, or other remote means, so long as the employee providing the consultation is able to confirm the identity of the patient and the consultation adheres to patient privacy requirements that apply to health care services delivered through telehealth. A pharmacist consultation under this clause is not required when a manufacturer is distributing medical cannabis to a patient according to a patient-specific dosage plan established with that manufacturer and is not modifying the dosage or product being distributed under that plan and the medical cannabis is distributed by a pharmacy technician;

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

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

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

(iii) the patient's registry identification number;

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

(v) the dosage; and

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

(d) A manufacturer shall require any employee of the manufacturer who is transporting medical cannabis or medical cannabis products to a distribution facility or to another registered manufacturer to carry identification showing that the person is an employee of the manufacturer.

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

Subd. 3a. **Transportation of medical cannabis; staffing.** (a) A medical cannabis manufacturer may staff a transport motor vehicle with only one employee if the medical cannabis manufacturer is transporting medical cannabis to either a certified laboratory for the purpose of testing or a facility for the purpose of disposal. If the medical cannabis manufacturer is transporting medical cannabis for any other purpose or destination, the transport motor vehicle must be staffed with a minimum of two employees as required by rules adopted by the commissioner.

(b) Notwithstanding paragraph (a), a medical cannabis manufacturer that is only transporting hemp for any purpose may staff the transport motor vehicle with only one employee.

Subd. 4. **Report.** Each manufacturer shall report to the commissioner on a monthly basis the following information on each individual patient for the month prior to the report:

(1) the amount and dosages of medical cannabis distributed;

(2) the chemical composition of the medical cannabis; and

(3) the tracking number assigned to any medical cannabis distributed.

152.30 PATIENT DUTIES.

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

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

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

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

(c) A patient shall only receive medical cannabis from a registered manufacturer but is not required to receive medical cannabis products from only a registered manufacturer.

152.31 DATA PRACTICES.

(a) Government data in patient files maintained by the commissioner and the health care practitioner, and data submitted to or by a medical cannabis manufacturer, are private data on individuals, as defined in section 13.02, subdivision 12, or nonpublic data, as defined in section 13.02, subdivision 9, but may be used for purposes of complying with chapter 13 and complying with a request from the legislative auditor or the state auditor in the performance of official duties. The provisions of section 13.05, subdivision 11, apply to a registration agreement entered between the commissioner and a medical cannabis manufacturer under section 152.25.

(b) Not public data maintained by the commissioner may not be used for any purpose not provided for in sections 152.22 to 152.37, and may not be combined or linked in any manner with any other list, dataset, or database.

(c) The commissioner may execute data sharing arrangements with the commissioner of agriculture to verify licensing, inspection, and compliance information related to hemp growers and hemp processors under chapter 18K.

152.32 PROTECTIONS FOR REGISTRY PROGRAM PARTICIPATION.

Subdivision 1. **Presumption.** (a) There is a presumption that a patient enrolled in the registry program under sections 152.22 to 152.37 is engaged in the authorized use of medical cannabis.

(b) The presumption may be rebutted by evidence that conduct related to use of medical cannabis was not for the purpose of treating or alleviating the patient's qualifying medical condition or symptoms associated with the patient's qualifying medical condition.

Subd. 2. Criminal and civil protections. (a) Subject to section 152.23, the following are not violations under this chapter:

(1) use or possession of medical cannabis or medical cannabis products by a patient enrolled in the registry program, or possession by a registered designated caregiver or the parent, legal guardian, or spouse of a patient if the parent, legal guardian, or spouse is listed on the registry verification;

(2) possession, dosage determination, or sale of medical cannabis or medical cannabis products by a medical cannabis manufacturer, employees of a manufacturer, a laboratory conducting testing on medical cannabis, or employees of the laboratory; and

(3) possession of medical cannabis or medical cannabis products by any person while carrying out the duties required under sections 152.22 to 152.37.

(b) Medical cannabis obtained and distributed pursuant to sections 152.22 to 152.37 and associated property is not subject to forfeiture under sections 609.531 to 609.5316.

(c) The commissioner, the commissioner's staff, the commissioner's agents or contractors, and any health care practitioner are not subject to any civil or disciplinary penalties by the Board of

Medical Practice, the Board of Nursing, or by any business, occupational, or professional licensing board or entity, solely for the participation in the registry program under sections 152.22 to 152.37. A pharmacist licensed under chapter 151 is not subject to any civil or disciplinary penalties by the Board of Pharmacy when acting in accordance with the provisions of sections 152.22 to 152.37. Nothing in this section affects a professional licensing board from taking action in response to violations of any other section of law.

(d) Notwithstanding any law to the contrary, the commissioner, the governor of Minnesota, or an employee of any state agency may not be held civilly or criminally liable for any injury, loss of property, personal injury, or death caused by any act or omission while acting within the scope of office or employment under sections 152.22 to 152.37.

(e) Federal, state, and local law enforcement authorities are prohibited from accessing the patient registry under sections 152.22 to 152.37 except when acting pursuant to a valid search warrant.

(f) Notwithstanding any law to the contrary, neither the commissioner nor a public employee may release data or information about an individual contained in any report, document, or registry created under sections 152.22 to 152.37 or any information obtained about a patient participating in the program, except as provided in sections 152.22 to 152.37.

(g) No information contained in a report, document, or registry or obtained from a patient under sections 152.22 to 152.37 may be admitted as evidence in a criminal proceeding unless independently obtained or in connection with a proceeding involving a violation of sections 152.22 to 152.37.

(h) Notwithstanding section 13.09, any person who violates paragraph (e) or (f) is guilty of a gross misdemeanor.

(i) An attorney may not be subject to disciplinary action by the Minnesota Supreme Court or professional responsibility board for providing legal assistance to prospective or registered manufacturers or others related to activity that is no longer subject to criminal penalties under state law pursuant to sections 152.22 to 152.37.

(j) Possession of a registry verification or application for enrollment in the program by a person entitled to possess or apply for enrollment in the registry program does not constitute probable cause or reasonable suspicion, nor shall it be used to support a search of the person or property of the person possessing or applying for the registry verification, or otherwise subject the person or property of the person to inspection by any governmental agency.

Subd. 3. **Discrimination prohibited.** (a) No school or landlord may refuse to enroll or lease to and may not otherwise penalize a person solely for the person's status as a patient enrolled in the registry program under sections 152.22 to 152.37, unless failing to do so would violate federal law or regulations or cause the school or landlord to lose a monetary or licensing-related benefit under federal law or regulations.

(b) For the purposes of medical care, including organ transplants, a registry program enrollee's use of medical cannabis under sections 152.22 to 152.37 is considered the equivalent of the authorized use of any other medication used at the discretion of a physician, advanced practice registered nurse, or physician assistant and does not constitute the use of an illicit substance or otherwise disqualify a patient from needed medical care.

(c) Unless a failure to do so would violate federal law or regulations or cause an employer to lose a monetary or licensing-related benefit under federal law or regulations, an employer may not discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person, if the discrimination is based upon either of the following:

(1) the person's status as a patient enrolled in the registry program under sections 152.22 to 152.37; or

(2) a patient's positive drug test for cannabis components or metabolites, unless the patient used, possessed, or was impaired by medical cannabis on the premises of the place of employment or during the hours of employment.

(d) An employee who is required to undergo employer drug testing pursuant to section 181.953 may present verification of enrollment in the patient registry as part of the employee's explanation under section 181.953, subdivision 6.

(e) A person shall not be denied custody of a minor child or visitation rights or parenting time with a minor child solely based on the person's status as a patient enrolled in the registry program under sections 152.22 to 152.37. There shall be no presumption of neglect or child endangerment

for conduct allowed under sections 152.22 to 152.37, unless the person's behavior is such that it creates an unreasonable danger to the safety of the minor as established by clear and convincing evidence.

152.33 VIOLATIONS.

Subdivision 1. **Intentional diversion; criminal penalty.** In addition to any other applicable penalty in law, a manufacturer or an agent of a manufacturer who intentionally transfers medical cannabis to a person other than another registered manufacturer, a patient, a registered designated caregiver or, if listed on the registry verification, a parent, legal guardian, or spouse of a patient is guilty of a felony punishable by imprisonment for not more than two years or by payment of a fine of not more than \$3,000, or both. A person convicted under this subdivision may not continue to be affiliated with the manufacturer and is disqualified from further participation under sections 152.22 to 152.37.

Subd. 1a. **Intentional diversion outside the state; penalties.** (a) In addition to any other applicable penalty in law, the commissioner may levy a fine of \$250,000 against a manufacturer and may immediately initiate proceedings to revoke the manufacturer's registration, using the procedure in section 152.25, if:

(1) an officer, director, or controlling person of the manufacturer pleads or is found guilty under subdivision 1 of intentionally transferring medical cannabis, while the person was an officer, director, or controlling person of the manufacturer, to a person other than allowed by law; and

(2) in intentionally transferring medical cannabis to a person other than allowed by law, the officer, director, or controlling person transported or directed the transport of medical cannabis outside of Minnesota.

(b) All fines collected under this subdivision shall be deposited in the state government special revenue fund.

Subd. 2. Diversion by patient, registered designated caregiver, parent, legal guardian, or patient's spouse; criminal penalty. In addition to any other applicable penalty in law, a patient, registered designated caregiver or, if listed on the registry verification, a parent, legal guardian, or spouse of a patient who intentionally sells or otherwise transfers medical cannabis to a person other than a patient, designated registered caregiver or, if listed on the registry verification, a parent, legal guardian, or spouse of a patient is guilty of a felony punishable by imprisonment for not more than two years or by payment of a fine of not more than \$3,000, or both.

Subd. 3. False statement; criminal penalty. A person who intentionally makes a false statement to a law enforcement official about any fact or circumstance relating to the medical use of cannabis to avoid arrest or prosecution is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or by payment of a fine of not more than \$1,000, or both. The penalty is in addition to any other penalties that may apply for making a false statement or for the possession, cultivation, or sale of cannabis not protected by sections 152.22 to 152.37. If a person convicted of violating this subdivision is a patient or a registered designated caregiver, the person is disqualified from further participation under sections 152.22 to 152.37.

Subd. 4. **Submission of false records; criminal penalty.** A person who knowingly submits false records or documentation required by the commissioner to register as a manufacturer of medical cannabis under sections 152.22 to 152.37 is guilty of a felony and may be sentenced to imprisonment for not more than two years or by payment of a fine of not more than \$3,000, or both.

Subd. 5. Violation by health care practitioner; criminal penalty. A health care practitioner who knowingly refers patients to a manufacturer or to a designated caregiver, who advertises as a manufacturer, or who issues certifications while holding a financial interest in a manufacturer is guilty of a misdemeanor and may be sentenced to imprisonment for not more than 90 days or by payment of a fine of not more than \$1,000, or both.

Subd. 6. Other violations; civil penalty. A manufacturer shall be fined up to \$1,000 for any violation of sections 152.22 to 152.37, or the regulations issued pursuant to them, where no penalty has been specified. This penalty is in addition to any other applicable penalties in law.

152.34 HEALTH CARE FACILITIES.

(a) Health care facilities licensed under chapter 144A, hospice providers licensed under chapter 144A, boarding care homes or supervised living facilities licensed under section 144.50, assisted living facilities, facilities owned, controlled, managed, or under common control with hospitals licensed under chapter 144, and other health facilities licensed by the commissioner of health, may

adopt reasonable restrictions on the use of medical cannabis by a patient enrolled in the registry program who resides at or is actively receiving treatment or care at the facility. The restrictions may include a provision that the facility will not store or maintain the patient's supply of medical cannabis, that the facility is not responsible for providing the medical cannabis for patients, and that medical cannabis be used only in a place specified by the facility.

(b) Any employee or agent of a facility listed in this section or a person licensed under chapter 144E is not subject to violations under this chapter for possession of medical cannabis while carrying out employment duties, including providing or supervising care to a registered patient, or distribution of medical cannabis to a registered patient who resides at or is actively receiving treatment or care at the facility with which the employee or agent is affiliated. Nothing in this section shall require the facilities to adopt such restrictions and no facility shall unreasonably limit a patient's access to or use of medical cannabis to the extent that use is authorized by the patient under sections 152.22 to 152.37.

152.35 FEES; DEPOSIT OF REVENUE.

(a) The commissioner shall collect an enrollment fee of \$200 from patients enrolled under this section. If the patient provides evidence of receiving Social Security disability insurance (SSDI), Supplemental Security Income (SSI), veterans disability, or railroad disability payments, or being enrolled in medical assistance or MinnesotaCare, then the fee shall be \$50. For purposes of this section:

(1) a patient is considered to receive SSDI if the patient was receiving SSDI at the time the patient was transitioned to retirement benefits by the United States Social Security Administration; and

(2) veterans disability payments include VA dependency and indemnity compensation.

Unless a patient provides evidence of receiving payments from or participating in one of the programs specifically listed in this paragraph, the commissioner of health must collect the \$200 enrollment fee from a patient to enroll the patient in the registry program. The fees shall be payable annually and are due on the anniversary date of the patient's enrollment. The fee amount shall be deposited in the state treasury and credited to the state government special revenue fund.

(b) The commissioner shall collect an application fee of \$20,000 from each entity submitting an application for registration as a medical cannabis manufacturer. Revenue from the fee shall be deposited in the state treasury and credited to the state government special revenue fund.

(c) The commissioner shall establish and collect an annual fee from a medical cannabis manufacturer equal to the cost of regulating and inspecting the manufacturer in that year. Revenue from the fee amount shall be deposited in the state treasury and credited to the state government special revenue fund.

(d) A medical cannabis manufacturer may charge patients enrolled in the registry program a reasonable fee for costs associated with the operations of the manufacturer. The manufacturer may establish a sliding scale of patient fees based upon a patient's household income and may accept private donations to reduce patient fees.

152.36 IMPACT ASSESSMENT OF MEDICAL CANNABIS THERAPEUTIC RESEARCH.

Subdivision 1. Task force on medical cannabis therapeutic research. (a) A 23-member task force on medical cannabis therapeutic research is created to conduct an impact assessment of medical cannabis therapeutic research. The task force shall consist of the following members:

(1) two members of the house of representatives, one selected by the speaker of the house, the other selected by the minority leader;

(2) two members of the senate, one selected by the majority leader, the other selected by the minority leader;

(3) four members representing consumers or patients enrolled in the registry program, including at least two parents of patients under age 18;

(4) four members representing health care providers, including one licensed pharmacist;

(5) four members representing law enforcement, one from the Minnesota Chiefs of Police Association, one from the Minnesota Sheriff's Association, one from the Minnesota Police and Peace Officers Association, and one from the Minnesota County Attorneys Association;

(6) four members representing substance use disorder treatment providers; and

(7) the commissioners of health, human services, and public safety.

(b) Task force members listed under paragraph (a), clauses (3), (4), (5), and (6), shall be appointed by the governor under the appointment process in section 15.0597. Members shall serve on the task force at the pleasure of the appointing authority. All members must be appointed by July 15, 2014, and the commissioner of health shall convene the first meeting of the task force by August 1, 2014.

(c) There shall be two cochairs of the task force chosen from the members listed under paragraph (a). One cochair shall be selected by the speaker of the house and the other cochair shall be selected by the majority leader of the senate. The authority to convene meetings shall alternate between the cochairs.

(d) Members of the task force other than those in paragraph (a), clauses (1), (2), and (7), shall receive expenses as provided in section 15.059, subdivision 6.

Subd. 1a. Administration. The commissioner of health shall provide administrative and technical support to the task force.

Subd. 2. **Impact assessment.** The task force shall hold hearings to evaluate the impact of the use of medical cannabis and hemp and Minnesota's activities involving medical cannabis and hemp, including, but not limited to:

(1) program design and implementation;

- (2) the impact on the health care provider community;
- (3) patient experiences;
- (4) the impact on the incidence of substance abuse;
- (5) access to and quality of medical cannabis, hemp, and medical cannabis products;
- (6) the impact on law enforcement and prosecutions;
- (7) public awareness and perception; and
- (8) any unintended consequences.

Subd. 3. **Cost assessment.** By January 15 of each year, beginning January 15, 2015, and ending January 15, 2019, the commissioners of state departments impacted by the medical cannabis therapeutic research study shall report to the cochairs of the task force on the costs incurred by each department on implementing sections 152.22 to 152.37. The reports must compare actual costs to the estimated costs of implementing these sections and must be submitted to the task force on medical cannabis therapeutic research.

Subd. 4. **Reports to the legislature.** (a) The cochairs of the task force shall submit the following reports to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over health and human services, public safety, judiciary, and civil law:

(1) by February 1, 2015, a report on the design and implementation of the registry program; and every two years thereafter, a complete impact assessment report; and

(2) upon receipt of a cost assessment from a commissioner of a state agency, the completed cost assessment.

(b) The task force may make recommendations to the legislature on whether to add or remove conditions from the list of qualifying medical conditions.

Subd. 5. No expiration. The task force on medical cannabis therapeutic research does not expire.

152.37 FINANCIAL EXAMINATIONS; PRICING REVIEWS.

Subdivision 1. **Financial records.** A medical cannabis manufacturer shall maintain detailed financial records in a manner and format approved by the commissioner, and shall keep all records updated and accessible to the commissioner when requested.

Subd. 2. Certified annual audit. A medical cannabis manufacturer shall submit the results of an annual certified financial audit to the commissioner no later than May 1 of each year for the calendar year beginning January 2015. The annual audit shall be conducted by an independent certified public accountant and the costs of the audit are the responsibility of the medical cannabis manufacturer. Results of the audit shall be provided to the medical cannabis manufacturer and the

commissioner. The commissioner may also require another audit of the medical cannabis manufacturer by a certified public accountant chosen by the commissioner with the costs of the audit paid by the medical cannabis manufacturer.

Subd. 3. **Power to examine.** (a) The commissioner or designee may examine the business affairs and conditions of any medical cannabis manufacturer, including but not limited to a review of the financing, budgets, revenues, sales, and pricing.

(b) An examination may cover the medical cannabis manufacturer's business affairs, practices, and conditions including but not limited to a review of the financing, budgets, revenues, sales, and pricing. The commissioner shall determine the nature and scope of each examination and in doing so shall take into account all available relevant factors concerning the financial and business affairs, practices, and conditions of the examinee. The costs incurred by the department in conducting an examination shall be paid for by the medical cannabis manufacturer.

(c) When making an examination under this section, the commissioner may retain attorneys, appraisers, independent economists, independent certified public accountants, or other professionals and specialists as designees. A certified public accountant retained by the commissioner may not be the same certified public accountant providing the certified annual audit in subdivision 2.

(d) The commissioner shall make a report of an examination conducted under this section and provide a copy to the medical cannabis manufacturer. The commissioner shall then post a copy of the report on the department's website. All working papers, recorded information, documents, and copies produced by, obtained by, or disclosed to the commissioner or any other person in the course of an examination, other than the information contained in any commissioner official report, made under this section are private data on individuals or nonpublic data, as defined in section 13.02.

4770.0100 APPLICABILITY AND PURPOSE.

Parts 4770.0200 to 4770.2700 establish the criteria and procedures to be used by the commissioner for the registration and oversight of a medical cannabis manufacturer.

4770.0200 **DEFINITIONS.**

Subpart 1. Scope. The terms used in this chapter have the meanings given them in this part.

Subp. 2. Acceptable performance or acceptable results. "Acceptable performance" or "acceptable results" means analytical test results generated by a laboratory using methods as specified in part 4770.2000 that are acceptable and allowed by the approved provider.

Subp. 3. **Approval.** "Approval" means acknowledgment by the commissioner that a laboratory has the policies, personnel, validation procedures, and practices to produce reliable data in the analysis of analytes and contaminants described in part 4770.1900.

Subp. 4. **Approved provider.** "Approved provider" means a provider of performance testing samples that the commissioner has determined:

A. provides an adequate volume of samples to perform statistically valid analyses;

B. calculates the number of standard deviations of the mean allowed using the results of all laboratories submitting test results after the exclusion of outlying values; and

C. allows a range of standard deviations of the mean no less stringent than the range allowed by the general requirements for the competency of reference material producers in ISO Guide 34.

Subp. 5. Audit. "Audit" means a financial review by an independent certified public accountant that includes select scope engagement or other methods of review that analyze operational or compliance issues.

Subp. 5a. Audit sample. "Audit sample" means a representative sample necessary to complete audit testing of plant material, a dried raw cannabis batch, or a dried raw cannabis finished good collected for audit testing under part 4770.3035.

Subp. 6. Batch.

A. "Batch" means a specific quantity of medical cannabis, including a set of plants of the same variety of medical cannabis that have been grown, harvested, and processed together and exposed to substantially similar conditions throughout cultivation and processing, that:

(1) is uniform and intended to meet specifications for identity, strength, purity, and composition; and

(2) is produced according to a single batch production record executed and documented during the same cycle of manufacture.

B. A batch of dried raw cannabis may not exceed 80 pounds.

Subp. 7. **Batch number.** "Batch number" means a unique numeric or alphanumeric identifier assigned to a batch by a manufacturing facility when the batch is first planted. The batch number must contain the manufacturing facility number and a sequence to allow for inventory and traceability.

Subp. 7a. **Batch sample.** "Batch sample" means a representative sample taken from a batch of dried raw cannabis prior to laboratory testing.

Subp. 8. **Biosecurity.** "Biosecurity" means a set of preventative measures designed to reduce the risk of transmission of:

A. infectious diseases in crops;

- B. quarantined pests;
- C. invasive alien species; and
- D. living modified organisms.

Subp. 8a. CBD. "CBD" means the compound cannabidiol, CAS number 13956-29-1.

Subp. 8b. CBDA. "CBDA" means cannabidiolic acid, CAS number 1244-58-2.

Subp. 9. Certified financial audit. "Certified financial audit" means the annual financial audit required under Minnesota Statutes, section 152.37, subdivision 2.

Subp. 9a. Chemical composition. "Chemical composition" means the distribution of individual components within a final formulation or finished good. This includes active ingredients, inactive ingredients, and other ingredients. Active ingredients include cannabinoids used to define a finished good in the registered products list. The concentration of each active ingredient may be given either in terms of milligram per milliliter (mg/mL) for liquids and milligram per gram (mg/g) for solids or in terms of mass fraction (weight percentage).

Subp. 10. **Commissioner.** "Commissioner" means the commissioner of the Department of Health or the commissioner's designee.

Subp. 10a. **Crop input.** "Crop input" means a substance other than water that is applied to or used in the cultivation of a cannabis plant for pest control, plant health, or growth management. Crop input includes pesticides, fungicides, plant regulators, fertilizers, and other agricultural chemicals regulated by the Minnesota Department of Agriculture.

Subp. 11. **Disqualifying felony offense.** "Disqualifying felony offense" has the meaning given in Minnesota Statutes, section 152.22, subdivision 3.

Subp. 12. **Distribute or distribution.** "Distribute" or "distribution" means the delivery of medical cannabis to a patient, the patient's parent or legal guardian, or the patient's registered caregiver that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a patient who is participating in the registry program and who is authorized to receive medical cannabis.

Subp. 13. **Distribution facility.** "Distribution facility" means any building or grounds of a medical cannabis manufacturer where the sale and distribution of medical cannabis and medical cannabis products are authorized.

Subp. 14. **Diversion.** "Diversion" means the intentional transfer of medical cannabis to a person other than a patient, the patient's designated registered caregiver, or the patient's parent or legal guardian if the parent or legal guardian is listed on the registry verification.

Subp. 14a. **Dried raw cannabis.** "Dried raw cannabis" means the dried leaves and flowers of the mature cannabis plant. Dried raw cannabis includes pre-rolled cannabis as long as the pre-roll consists of only dried cannabis leaves and flowers, an unflavored rolling paper, and a filter or tip. Dried raw cannabis does not include the cannabis seeds, seedlings, stems, stalks, roots, or any part of the immature cannabis plant.

Subp. 15. Field of testing. "Field of testing" means the combination of product type and analyte for which a laboratory has applied or received approval by the commissioner.

Subp. 16. **Financial interest.** "Financial interest" means any actual or future right to ownership, investment, or compensation arrangement in a medical cannabis manufacturer with another person, either directly or indirectly, through business, investment, or spouse, parent, or child relationship. Financial interest does not include ownership of investment securities in a publicly held corporation that is traded on a national exchange or over-the-counter market, provided the investment securities held by the person or the person's spouse, parent, or child, in the aggregate, do not exceed one percent ownership in the medical cannabis manufacturer.

Subp. 16a. **Finished good.** "Finished good" means either an extract formulation that has been packaged and labeled for delivery to a medical cannabis distribution facility for distribution to patients or dried raw cannabis that has been packaged and labeled for delivery to a medical cannabis distribution facility.

Subp. 16b. Flower. "Flower" means the flower of the cannabis plant.

Subp. 17. **Health care practitioner.** "Health care practitioner" has the meaning given in Minnesota Statutes, section 152.22, subdivision 4.

Subp. 17a. **Immature plant.** "Immature plant" means a nonflowering cannabis plant that is no taller than eight inches and no wider than eight inches produced from a cutting, clipping, or seedling and is in a cultivation container.

Subp. 18. **Inspection.** "Inspection" means an on-site evaluation of laboratory facilities, records, personnel, equipment, methodology, and quality assurance practices by the commissioner for compliance with this chapter.

Subp. 19. International Standards Organization or ISO. The "International Standards Organization" or "ISO" means an independent, nongovernmental membership organization and the largest developer of voluntary international standards.

Subp. 19a. Labeling. "Labeling" means all labels and other written, printed, or graphic matter on a packaged finished good or any container or wrapper accompanying the packaged finished good.

Subp. 20. Laboratory managing agent. "Laboratory managing agent" means a person, as defined in Minnesota Statutes, section 326.71, subdivision 8, who is legally authorized to direct the activities of the laboratory and commit sufficient resources to comply with parts 4770.1900 to 4770.2400.

Subp. 21. **Laboratory.** "Laboratory" means a fixed-based or mobile structure, a person, corporation, or other entity, including a government or tribal entity, that examines, analyzes, or tests samples.

Subp. 22. Laboratory owner. "Laboratory owner" means a person who:

A. is a sole proprietor of a laboratory;

B. holds a partnership interest in a laboratory; or

C. owns five percent or more of the shares in a corporation that owns a laboratory.

Subp. 23. Laboratory technical manager. "Laboratory technical manager" means a person who is scientifically responsible to ensure the achievement and maintenance of quality and analytical standards or practice and who is in a supervisory, lead worker, or similarly named position within an organization.

Subp. 24. **Manufacturing or manufacture.** "Manufacturing" or "manufacture" means the planting, cultivation, growing, and harvesting of cannabis and the process of converting harvested cannabis plant material into medical cannabis.

Subp. 25. **Manufacturing facility.** "Manufacturing facility" means any secured building, space, grounds, and physical structure of a medical cannabis manufacturer for the cultivation, harvesting, packaging, and processing of medical cannabis and where access is restricted to designated employees of a medical cannabis manufacturer and escorted visitors.

Subp. 26. **Medical cannabis.** "Medical cannabis" has the meaning given in Minnesota Statutes, section 152.22, subdivision 6.

Subp. 26a. **Medical cannabis brand name.** "Medical cannabis brand name" means the name under which a medical cannabis concentrate, a medical cannabis concentrate formulation, or a dried raw cannabis product is marketed and distributed.

Subp. 26b. **Medical cannabis concentrate.** "Medical cannabis concentrate" means a specific subset of medical cannabis that is produced by extracting cannabinoids from plant material. Categories of medical cannabis concentrate include products created using water-based, solvent-based, heat-based, or pressure-based extraction methods. Medical cannabis concentrate includes medical cannabis concentrate intended for use with a vaporizer delivery device or pressurized dose inhaler.

Subp. 26c. **Medical cannabis concentrate formulation.** "Medical cannabis concentrate formulation" means a liquid, including oil, a pill, or any other formulation type approved by the commissioner under Minnesota Statutes, sections 152.22, subdivision 6, paragraph (a), and 152.27, subdivision 2, paragraph (b), infused with medical cannabis and other ingredients that will be packaged into a finished good without further change and is intended for use or consumption other than by smoking. Medical cannabis concentrate formulation includes oral suspensions, tinctures, lotions, ointments, and any other medical cannabis delivery method approved by the commissioner.

Subp. 27. **Medical cannabis manufacturer or manufacturer.** "Medical cannabis manufacturer" or "manufacturer" has the meaning given in Minnesota Statutes, section 152.22, subdivision 7.

Subp. 28. **Medical cannabis product.** "Medical cannabis product" has the meaning given in Minnesota Statutes, section 152.22, subdivision 8.

Subp. 29. Medical cannabis waste. "Medical cannabis waste" means medical cannabis that is returned, damaged, defective, expired, or contaminated.

Subp. 30. **Parent or legal guardian.** "Parent or legal guardian" has the meaning given in Minnesota Statutes, section 152.27, subdivision 5.

Subp. 31. **Patient.** "Patient" has the meaning given in Minnesota Statutes, section 152.22, subdivision 9.

Subp. 32. **Plant material.** "Plant material" means any cannabis plant, cutting, trimming, or clone that has roots or that is cultivated with the intention of growing roots.

Subp. 33. **Plant material waste.** "Plant material waste" means plant material that is not used in the production of medical cannabis in a form allowable under Minnesota Statutes, section 152.22, subdivision 6.

Subp. 33a. **Plant regulator.** "Plant regulator" has the meaning given in Minnesota Statutes, section 18B.01, subdivision 20.

Subp. 33b. **Pre-roll.** "Pre-roll" means any combination of flower, shake, or leaf rolled in unflavored paper and intended to be smoked.

Subp. 34. Production or produce. "Production" or "produce" means:

A. cultivating or harvesting plant material;

- B. processing or manufacturing; or
- C. packaging of medical cannabis.

Subp. 35. **Proficiency testing sample or PT sample.** "Proficiency testing sample" or "PT sample" means a sample obtained from an approved provider to evaluate the ability of a laboratory to produce an analytical test result meeting the definition of acceptable performance. The concentration of the analyte in the sample is unknown to the laboratory at the time of analysis.

Subp. 36. **Registered designated caregiver.** "Registered designated caregiver" has the meaning given in Minnesota Statutes, section 152.22, subdivision 11.

Subp. 36a. **Registered finished goods list.** "Registered finished goods list" means the official list maintained by the commissioner of finished goods permitted to be dispensed within the registry. The manufacturer must provide the commissioner the finished good's

chemical composition, the total volume or weight of each active ingredient, storage instructions, and estimated expiration date. If a finished good will be dispensed in an amount larger than one unit or dose, the manufacturer must specify the volume or weight and chemical composition that constitutes a single dose.

Subp. 37. **Registry program.** "Registry program" has the meaning given in Minnesota Statutes, section 152.22, subdivision 12.

Subp. 38. **Registry verification.** "Registry verification" has the meaning given in Minnesota Statutes, section 152.22, subdivision 13.

Subp. 38a. **Remediation.** "Remediation" means any process that removes or reduces the level of contaminants in a batch of dried raw cannabis flower and trim, either through extraction of oils or other means.

Subp. 39. **Restricted access area.** "Restricted access area" means a building, room, or other contiguous area on the premises where plant material is grown, cultivated, harvested, stored, packaged, or processed for sale under control of the medical cannabis manufacturer, and where no person under the age of 21 is permitted.

Subp. 39a. **Rinsate.** "Rinsate" means a dilute mixture of a crop input or crop inputs with water, solvents, oils, commercial rinsing agents, or other substances that is produced by or results from the cleaning of crop input application equipment or containers.

Subp. 39b. **Shake.** "Shake" means pieces of a cannabis flower that were once part of larger buds.

Subp. 40. **Sufficient cause to believe.** "Sufficient cause to believe" means grounds asserted in good faith that are not arbitrary, irrational, unreasonable, or irrelevant and that make the proposition asserted more likely than not, provided the grounds are based on at least one of the following sources:

A. facts or statements supplied by a patient, the patient's parent or legal guardian, the patient's designated registered caregiver, or an employee or agent of a medical cannabis manufacturer;

B. reports from an approved laboratory that indicate concerns with the chemical or bacterial composition of the medical cannabis;

C. financial records of a medical cannabis manufacturer;

- D. police records;
- E. court documents; or

F. facts of which the commissioner or the commissioner's employees have personal knowledge.

Subp. 41. THC. "THC" means tetrahydrocannabinol, CAS number 1972-08-3.

Subp. 42. THCA. "THCA" means tetrahydrocannabinolic acid, CAS number 23978-85-0.

Subp. 43. **Total cannabinoid content.** "Total cannabinoid content" means the combined target values by weight of all cannabinoids defining a finished good in the registered finished goods list, not including cannabinoids present only in trace amounts.

Subp. 44. **Total CBD content.** "Total CBD content" means the sum of the amount of CBD and 87.7 percent of the detectable amount of CBDA present in the product or plant material.

Subp. 45. **Total THC content.** "Total THC content" means the sum of the amount of THC and 87.7 percent of the detectable amount of THCA present in the product or plant material.

Subp. 46. Water activity. "Water activity" or " a_w " means a measure of the free moisture in usable cannabis and is the quotient of the water vapor pressure of the substance divided by the vapor pressure of pure water at the same temperature.

4770.0300 DUTIES OF COMMISSIONER.

Subpart 1. **Interagency agreements.** The commissioner may enter into any interagency agreements with other state agencies for technical services or other assistance related to the regulatory or inspection duties of a medical cannabis manufacturer and the registry program.

Subp. 2. Notice to law enforcement. If the commissioner has sufficient cause to believe that there is a threat to public safety, then the commissioner must notify local law enforcement agencies of any conditions that pose a threat to public safety, including:

A. loss or theft of medical cannabis or plant material;

B. diversion or potential diversion of medical cannabis or plant material; or

C. unauthorized access to the patient registry.

Subp. 3. **Inspection of medical cannabis manufacturer.** A medical cannabis manufacturer is subject to reasonable inspection by the commissioner under Minnesota Statutes, section 152.29, subdivision 1. For purposes of this part, "reasonable inspection" means unannounced inspections by the commissioner of all:

A. aspects of the business operations;

B. physical locations of the medical cannabis manufacturer, its manufacturing facility, and distribution facilities;

C. financial information and inventory documentation; and

D. physical and electronic security alarm systems.

Subp. 4. **Fees.** Any fees collected by the commissioner under Minnesota Statutes, section 152.35, are not refundable.

Subp. 5. Patient costs; pricing.

A. A medical cannabis manufacturer must follow the requirements under Minnesota Statutes, section 152.35, paragraph (d), in establishing a reasonable fee.

B. The commissioner may annually review price costing by a medical cannabis manufacturer.

4770.0400 MEDICAL CANNABIS MANUFACTURER; OPERATIONS.

Subpart 1. **Operating documents.** Under Minnesota Statutes, section 152.29, subdivision 1, the operating documents of a medical cannabis manufacturer must describe operational and management practices, including:

A. record keeping;

B. security measures to deter and prevent theft of medical cannabis;

C. unauthorized entrance into areas containing medical cannabis;

D. types and quantities of medical cannabis products that are produced at the manufacturing facility;

E. methods of planting, harvesting, drying, and storage of medical cannabis;

F. estimated quantity of all crop inputs used in production;

G. estimated quantity of waste material to be generated;

H. disposal methods for all waste materials;

I. employee training methods for the specific phases of production;

J. biosecurity measures used in production and in manufacturing;

K. strategies for reconciling discrepancies in plant material or medical cannabis;

L. sampling strategy and quality testing for labeling purposes;

M. medical cannabis packaging and labeling procedures;

N. procedures for the mandatory and voluntary recall of medical cannabis;

O. plans for responding to a security breach at a manufacturing or distribution facility, or while medical cannabis is in transit to a manufacturing or distribution facility;

P. business continuity plan;

Q. records relating to all transport activities; and

R. other information requested by the commissioner.

Subp. 2. Prohibited activities.

A. A person may not own and operate a manufacturing facility unless the person is registered as a medical cannabis manufacturer by the commissioner under Minnesota Statutes, section 152.25.

B. A medical cannabis manufacturer and its employees, agents, or owners may not:

(1) cultivate, produce, or manufacture medical cannabis in any location except in those areas designated for those activities in the registration agreement;

(2) sell or distribute medical cannabis or medical cannabis products from any location except its distribution facilities;

(3) produce or manufacture medical cannabis for use outside of Minnesota;

- (4) sell or distribute medical cannabis to any person other than a registered:
 - (a) patient;
 - (b) parent or legal guardian; or
 - (c) designated registered caregiver;

(5) deliver or transport medical cannabis to any location except the manufacturer's production facility or distribution facilities, a waste-to-energy facility, another manufacturer's distribution facilities, a testing laboratory approved by the commissioner, and a laboratory selected by the commissioner to conduct audit testing under part 4770.3035;

(6) sell medical cannabis that is not packaged and labeled in accordance with part 4770.0850; or

(7) permit the consumption of medical cannabis at a distribution facility.

Subp. 3. **Criminal background checks.** A medical cannabis manufacturer is prohibited from employing any person who has a disqualifying felony offense as shown by a Minnesota criminal history background check or a federal criminal history background check performed by the Bureau of Criminal Apprehension under Minnesota Statutes, section 152.29, subdivision 1.

Subp. 4. Conflict of interest; health care practitioner activity restrictions. A medical cannabis manufacturer may not:

A. permit a health care practitioner who certifies qualifying conditions for patients to:

(1) hold a direct or indirect economic interest in the medical cannabis manufacturer;

(2) serve on the board of directors or as an employee of the medical cannabis manufacturer; or

(3) advertise with the medical cannabis manufacturer in any capacity;

B. accept or solicit any form of remuneration from a health care practitioner who certifies qualifying conditions for patients; or

C. offer any form of remuneration from a health care practitioner who certifies qualifying conditions for patients.

4770.0500 MEDICAL CANNABIS MANUFACTURER; QUALITY CONTROL; ASSURANCE PROGRAM.

Subpart 1. **Quality control program.** A medical cannabis manufacturer must develop and implement a written quality assurance program that assesses the chemical and microbiological composition of medical cannabis. Assessment includes a profile of the active ingredients, including shelf life, and the presence of inactive ingredients and contaminants. A medical cannabis manufacturer must use these testing results to determine appropriate storage conditions and expiration dates.

Subp. 2. **Sampling protocols.** A medical cannabis manufacturer must develop and follow written procedures for sampling medical cannabis that require the manufacturer to:

A. conduct sample collection in a manner that provides analytically sound and representative samples;

B. document every sampling event and provide this documentation to the commissioner upon request;

C. describe all sampling and testing plans in written procedures that include the sampling method and the number of units per batch to be tested;

D. ensure that random samples from each batch are:

(1) taken in an amount necessary to conduct the applicable test;

- (2) labeled with the batch unique identifier; and
- (3) submitted for testing; and

E. retain the results from the random samples for at least five years.

Subp. 3. Sampling; testing levels. A medical cannabis manufacturer must:

A. develop acceptance criteria for all potential contaminants based on the levels of metals, microbes, or other contaminants that the manufacturer uses in cultivating and producing medical cannabis. The testing levels are subject to approval by the commissioner;

B. conduct sampling and testing using acceptance criteria that are protective of patient health. The sampling and testing results must ensure that batches of medical cannabis meet allowable health risk limits for contaminants;

C. reject a medical cannabis batch that fails to meet established standards, specifications, and any other relevant quality-control criteria;

D. develop and follow a written procedure for responding to results indicating contamination. The procedure must include destroying contaminated medical cannabis and determining the source of contamination; and

E. retain documentation of test results, assessment, and destruction of medical cannabis for at least five years.

Subp. 4. Quality assurance program; stability testing.

A. The quality assurance program must include procedures for performing stability testing of each product type produced to determine product shelf life that addresses:

(1) sample size and test intervals based on statistical criteria for each attribute examined to ensure valid stability estimates;

(2) storage conditions for samples retained for testing; and

(3) reliable and specific test methods.

B. Stability studies must include:

(1) medical cannabis testing at appropriate intervals;

(2) medical cannabis testing in the same container-closure system in which the drug product is marketed; and

(3) testing medical cannabis for reconstitution at the time of dispensing, as directed in the labeling, and after the samples are reconstituted.

C. If shelf-life studies have not been completed before July 1, 2015, a medical cannabis manufacturer may assign a tentative expiration date, based on any available stability information. The manufacturer must concurrently conduct stability studies to determine the actual product expiration date.

D. After the manufacturer verifies the tentative expiration date, or determines the appropriate expiration date, the medical cannabis manufacturer must include that expiration date on each batch of medical cannabis.

E. Stability testing must be repeated if the manufacturing process or the product's chemical composition is changed.

Subp. 5. Reserve samples.

A. A medical cannabis manufacturer must retain a uniquely labeled reserve sample that represents each batch of medical cannabis and store it under conditions consistent with product labeling. The reserve sample must be stored in the same immediate container-closure system in which the medical cannabis is marketed, or in one that has similar characteristics. The reserve sample must consist of at least twice the quantity necessary to perform all the required tests.

B. A medical cannabis manufacturer must retain the reserve for at least one year following the batch's expiration date.

Subp. 6. **Retesting.** If the commissioner deems that public health may be at risk, the commissioner may require the manufacturer to retest any sample of plant material or medical cannabis.

4770.0600 LOCATION; DISTANCE FROM SCHOOL.

Under Minnesota Statutes, section 152.29, paragraph (j), a medical cannabis manufacturer may not operate within 1,000 feet of an existing public or private school. The medical cannabis manufacturer must measure the distance between the closest point of the manufacturing or distribution facility property lines to the closest point of the school's property lines.

For purposes of this part, "public or private school" means any property operated by a school district, charter school, or accredited nonpublic school for elementary, middle, or secondary school, or secondary vocation center purposes.

"Accredited nonpublic school" means any nonpublic school accredited by an accrediting agency recognized by the Minnesota nonpublic education council under Minnesota Statutes, section 123B.445, excluding home schools.

4770.0800 ADVERTISING AND MARKETING.

Subpart 1. **Permitted marketing and advertising activities.** A medical cannabis manufacturer may:

A. display the manufacturer's business name and logo on medical cannabis labels, signs, website, and informational material provided to patients. The name or logo must not include:

- (1) images of cannabis or cannabis-smoking paraphernalia;
- (2) colloquial references to cannabis;
- (3) names of cannabis plant strains; or

(4) medical symbols that bear a reasonable resemblance to established medical associations. Examples of established medical organizations include the American Medical Association or American Academy of Pediatrics. The use of medical symbols is subject to approval by the commissioner;

- B. display signs on the manufacturing facility and distribution facility; and
- C. maintain a business website that contains the following information:
 - (1) the medical cannabis manufacturer name;
 - (2) the distribution facility location;
 - (3) the contact information;
 - (4) the distribution facility's hours of operation;
 - (5) the medical cannabis products provided;
 - (6) product pricing; and
 - (7) other information as approved by the commissioner.

Subp. 2. Marketing and advertising activities; commissioner approval required.

A. A medical cannabis manufacturer must request and receive the commissioner's written approval before beginning marketing or advertising activities that are not specified in subpart 1.

B. The commissioner has 30 calendar days to approve marketing and advertising activities submitted under this subpart.

Subp. 3. **Inconspicuous display.** A medical cannabis manufacturer must arrange displays of merchandise, interior signs, and other exhibits to prevent public viewing from outside the manufacturing facility and distribution facility.

4770.0900 MONITORING AND SURVEILLANCE REQUIREMENTS.

Subpart 1. **24-hour closed-circuit television.** A medical cannabis manufacturer must operate and maintain in good working order a closed-circuit television (CCTV) surveillance system on all of its premises, which must operate 24 hours per day, seven days per week, and visually record:

A. all phases of production;

B. all areas that might contain plant material and medical cannabis, including all safes and vaults;

- C. all points of entry and exit, including sales areas;
- D. the entrance to the video surveillance room; and

E. any parking lot, which must have appropriate lighting for the normal conditions of the area under surveillance.

Subp. 2. Camera specifications. Cameras must:

A. capture clear and certain identification of any person entering or exiting a manufacturing facility or distribution facility;

B. have the ability to produce a clear, color, still photo either live or from a recording;

C. have an embedded date-and-time stamp on all recordings that must be synchronized and not obscure the picture; and

D. continue to operate during a power outage.

Subp. 3. Video recording specifications.

A. A video recording must export still images in an industry standard image format, including .jpg, .bmp, and .gif.

B. Exported video must be archived in a proprietary format that ensures authentication and guarantees that the recorded image has not been altered.

C. Exported video must also be saved in an industry standard file format that can be played on a standard computer operating system.

D. All recordings must be erased or destroyed before disposal.

Subp. 4. Additional requirements. The manufacturer must maintain all security system equipment and recordings in a secure location to prevent theft, loss, destruction, corruption, and alterations.

Subp. 5. **Retention.** The manufacturer must ensure that 24-hour recordings from all video cameras are:

A. available for viewing by the commissioner upon request;

B. retained for at least 90 calendar days;

C. maintained free of alteration or corruption; and

D. retained longer, as needed, if the manufacturer is given actual notice of a pending criminal, civil, or administrative investigation, or other legal proceeding for which the recording may contain relevant information.

4770.1000 ALARM SYSTEM REQUIREMENTS.

A. A medical cannabis manufacturer must install and maintain a professionally monitored security alarm system that provides intrusion and fire detection of all:

(1) facility entrances and exits;

(2) rooms with exterior windows;

(3) rooms with exterior walls;

(4) roof hatches;

(5) skylights; and

(6) storage rooms.

B. For purposes of this part, a security alarm system means a device or series of devices that summons law enforcement personnel during, or as a result of, an alarm condition. Devices may include:

(1) hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals that emit or transmit a remote or local audio, visual, or electronic signal;

(2) motion detectors;

- (3) pressure switches;
- (4) a duress alarm;
- (5) a panic alarm;
- (6) a holdup alarm;
- (7) an automatic voice dialer; and

(8) a failure notification system that provides an audio, text, or visual notification of any failure in the surveillance system.

C. A manufacturer's security alarm system and all devices must continue to operate during a power outage.

D. The commissioner must have the ability to access a medical cannabis manufacturer's security alarm system.

E. The manufacturer's security alarm system must be inspected and all devices tested annually by a qualified alarm vendor.

4770.1100 TRANSPORTATION OF MEDICAL CANNABIS.

Subpart 1. Transportation of medical cannabis and plant material; when authorized.

A. A medical cannabis manufacturer is authorized to transport medical cannabis:

- (1) from its manufacturing facility to its distribution facilities;
- (2) between its distribution facilities;

(3) from its manufacturing facility to a distribution facility operated by another manufacturer;

(4) from its manufacturing facility to a testing laboratory for testing;

(5) from a testing laboratory to its manufacturing facility or to a waste-to-energy facility;

(6) from its manufacturing facility or distribution facility to a laboratory selected by the commissioner to conduct audit testing under part 4770.3035; and

(7) from its manufacturing facility or distribution facility to a waste-to-energy facility.

B. A medical cannabis manufacturer is authorized to transport plant material waste:

(1) from its manufacturing facility to a waste disposal site; and

(2) when a specific nonroutine transport request from the manufacturer is approved by the commissioner.

Subp. 2. Transporting medical cannabis.

A. A medical cannabis manufacturer must use a manifest system, approved by the commissioner, to track shipping of medical cannabis. The manifest system must include a chain of custody that records:

(1) the name and address of the destination;

(2) the weight, measure, or numerical count and description of each individual package that is part of the shipment, and the total number of individual packages;

(3) the date and time the medical cannabis shipment is placed into the transport vehicle;

(4) the date and time the shipment is accepted at the delivery destination;

(5) the person's identity, and the circumstances, duration, and disposition of any other person who had custody or control of the shipment; and

(6) any handling or storage instructions.

B. Before transporting medical cannabis, a medical cannabis manufacturer must:

(1) complete a manifest on a form approved by the commissioner; and

(2) transmit a copy of the manifest to the manufacturer's distribution facility, a laboratory, or a waste-to-energy facility, as applicable.

C. The manifest must be signed by:

(1) an authorized manufacturer employee when departing the manufacturing facility; and

(2) an authorized employee of the receiving distribution facility, laboratory, or waste-to-energy facility.

D. An authorized employee at the facility receiving medical cannabis must:

(1) verify and document the type and quantity of the transported medical cannabis against the manifest;

(2) return a copy of the signed manifest to the manufacturing facility; and

(3) record the medical cannabis that is received as inventory according to part 4770.1800.

E. A manufacturer must maintain all manifests for at least five years and make them available upon request of the commissioner.

Subp. 3. Transportation of medical cannabis; vehicle requirements.

A. A manufacturer must ensure that:

- (1) all medical cannabis transported on public roadways is:
 - (a) packaged in tamper-evident, bulk containers;
 - (b) transported so it is not visible or recognizable from outside the

vehicle;

(c) transported in a vehicle that does not bear any markings to indicate that the vehicle contains cannabis or bears the name or logo of the manufacturer; and

(d) kept in a compartment of a transporting vehicle that maintains appropriate temperatures and conditions that will protect plant material and medical cannabis against physical, chemical, and microbial contamination or deterioration.

B. Manufacturer employees who are transporting medical cannabis, plant waste, or medical cannabis waste on public roadways must:

(1) travel directly to the destination listed on the transportation manifest;

- (2) document refueling and all other stops in transit, including:
 - (a) the reason for the stop;
 - (b) the duration of the stop;
 - (c) the location of the stop; and
 - (d) all activities of employees exiting the vehicle; and

(3) not wear manufacturer-branded clothing or clothing that identifies the employee as an employee of the manufacturer.

C. If an emergency requires stopping the vehicle, the employee must notify 911 and complete an incident report form provided by the commissioner.

D. Under no circumstance may any person other than a designated manufacturer employee have actual physical control of the motor vehicle that is transporting the medical cannabis.

E. A medical cannabis manufacturer must staff all motor vehicles with a minimum of two employees when transporting medical cannabis between a manufacturing facility and a distribution facility. At least one employee must remain with the motor vehicle at all times that the motor vehicle contains medical cannabis. A single employee may transport medical cannabis to an approved laboratory.

F. Each employee in a transport motor vehicle must have communication access with the medical cannabis manufacturer's personnel, and have the ability to contact law enforcement through the 911 emergency system at all times that the motor vehicle contains medical cannabis.

G. An employee must carry the employee's identification card at all times when transporting or delivering cannabis and, upon request, produce the identification card to the commissioner or to a law enforcement officer acting in the course of official duties.

H. A medical cannabis manufacturer must not leave a vehicle that is transporting medical cannabis unattended overnight.

4770.1200 DISPOSAL OF MEDICAL CANNABIS AND PLANT MATERIAL.

Subpart 1. Medical cannabis take-back. A medical cannabis manufacturer must accept at no charge unused, excess, or contaminated medical cannabis. A manufacturer must:

A. dispose of the returned medical cannabis as provided in subpart 2; and

- B. maintain a written record of disposal that includes:
 - (1) the name of the patient;
 - (2) the date the medical cannabis was returned;
 - (3) the quantity of medical cannabis returned; and
 - (4) the type and batch number of medical cannabis returned.

Subp. 2. Medical cannabis and plant material waste. A medical cannabis manufacturer must store, secure, and manage medical cannabis waste and plant material waste in accordance with all applicable federal, state, and local regulations.

A. The manufacturer must dispose of medical cannabis waste by incineration at a waste-to-energy facility according to federal and state law.

B. The manufacturer must dispose of plant material by composting as follows:

- (1) at the manufacturing facility, according to federal and state law; or
- (2) at an approved composting facility, according to federal and state law.

C. Before transport, the manufacturer must render plant material waste unusable and unrecognizable by grinding and incorporating the waste with a greater quantity of nonconsumable, solid wastes including:

- (1) paper waste;
- (2) cardboard waste;
- (3) food waste;
- (4) yard waste;

(5) vegetative wastes generated from industrial or manufacturing processes that prepare food for human consumption;

- (6) soil; or
- (7) other waste approved by the commissioner.

Subp. 3. Liquid and chemical waste disposal. The medical cannabis manufacturer must dispose of all liquid and chemical product waste generated in the process of cultivating, manufacturing, and distributing medical cannabis in accordance with all applicable federal, state, and local regulations.

Subp. 4. **Waste-tracking requirements.** The medical cannabis manufacturer must use forms provided by the commissioner to maintain accurate and comprehensive records regarding waste material that accounts for, reconciles, and evidences all waste activity related to the disposal of medical cannabis waste and plant material waste.

4770.1300 MANDATORY SIGNAGE.

A. A medical cannabis manufacturer must post a sign in a conspicuous location at each entrance of the manufacturing facility that reads "PERSONS UNDER TWENTY-ONE YEARS OF AGE NOT PERMITTED IN RESTRICTED ACCESS AREAS."

B. A manufacturer must post a sign in a conspicuous location at every entrance to the manufacturing facility and each distribution facility that reads "THESE PREMISES ARE UNDER CONSTANT VIDEO SURVEILLANCE."

4770.1400 PERSONNEL IDENTIFICATION SYSTEM.

Subpart 1. **Identification system.** A medical cannabis manufacturer must use a personnel identification system that controls and monitors individual employee access to restricted access areas within the manufacturing facility and distribution facility and that meets the requirements of this part and part 4770.0700.

Subp. 2. Employee identification card requirement. An employee identification card must contain:

- A. the name of the cardholder;
- B. the date of issuance and expiration;
- C. an alphanumeric identification number that is unique to the cardholder; and
- D. a photographic image of the cardholder.

Subp. 3. Visitor pass required. A visitor must wear a visitor pass issued by the medical cannabis manufacturer that is visible at all times.

Subp. 4. **Employee identification card on person and visible at all times.** A manufacturer's employee must keep the employee's identification card visible at all times when in a manufacturing facility, distribution facility, or vehicle transporting medical cannabis.

Subp. 5. **Termination of employment.** Upon termination of an employee, a medical cannabis manufacturer must obtain and destroy the terminated employee's identification card.

4770.1460 RENEWAL OF REGISTRATION.

Subpart 1. **Application.** A registered manufacturer must submit an application to renew its registration with the commissioner at least six months before its registration term expires. The application must include:

A. any material change in its previous application materials;

B. information about each alleged incident involving theft, loss, or possible diversion of medical cannabis by an employee, agent, or contractor of the manufacturer;

C. the manufacturer's compliance with all relevant state and local laws;

D. information about the manufacturer's ability to continue manufacturing and distributing medical cannabis, including financial viability and ability to ensure adequate supply of medical cannabis; and

E. any other information requested by the commissioner.

Subp. 2. Criteria. The commissioner must use criteria listed in Minnesota Statutes, section 152.25, subdivision 1, paragraph (c), when considering a manufacturer's application to renew its registration.

Subp. 3. **Notification.** The commissioner must notify the manufacturer of the commissioner's decision to approve or deny the manufacturer's registration application at least 120 days before the expiration of the registration agreement.

4770.1500 CLOSURE OF OPERATIONS; DEREGISTRATION.

Subpart 1. Notice. A medical cannabis manufacturer shall notify the commissioner at least six months before the closure of the manufacturing facility and its distribution facilities.

Subp. 2. **Procedures.** If a medical cannabis manufacturer ceases operation, the commissioner must verify the remaining inventory of the manufacturer and seize all plant material, plant material waste, and medical cannabis. The commissioner must ensure that any plant material, plant material waste, and medical cannabis is destroyed by incineration at a waste-to-energy facility.

4770.1600 RECORD KEEPING; REQUIREMENTS.

A. A medical cannabis manufacturer must maintain for at least five years complete, legible, and current records, including:

(1) the date of each sale or distribution;

(2) the registration number of all patients;

(3) the item number, product name and description, and quantity of medical cannabis sold or otherwise distributed;

(4) records of sale prices of medical cannabis to patients;

(5) the quantity and form of medical cannabis maintained by the manufacturer at the manufacturing facility on a daily basis; and

(6) the amount of plants being grown at the manufacturing facility on a daily

basis.

B. A medical cannabis manufacturer must maintain records that reflect all financial transactions and the financial condition of the business. The following records must be maintained for at least five years and made available for review, upon request of the commissioner:

(1) purchase invoices, bills of lading, transport manifests, sales records, copies of bills of sale, and any supporting documents, to include the items or services purchased, from whom the items were purchased, and the date of purchase;

(2) bank statements and canceled checks for all business accounts;

(3) accounting and tax records;

(4) records of all financial transactions, including contracts and agreements for services performed or services received;

(5) all personnel records;

(6) crop inputs applied to the growing medium, plants, or plant material used in production;

(7) production records;

(8) transportation records;

(9) inventory records;

(10) records of all samples sent to a testing laboratory and the quality assurance test results; and

(11) records of any theft, loss, or other unaccountability of any medical cannabis or plant material.

4770.1700 MEDICAL CANNABIS MANUFACTURER; PRODUCTION REQUIREMENTS.

Subpart 1. Cultivation and processing; generally.

A. Only a registered medical cannabis manufacturer is authorized to produce and manufacture medical cannabis.

B. All phases of production must take place in designated, restricted access areas that are monitored by a surveillance camera system in accordance with part 4770.0900.

C. All areas must be compartmentalized based on function, and employee access must be restricted between compartments.

D. The production process must be designed to limit contamination. Examples of contamination include mold, fungus, bacterial diseases, rot, pests, nonorganic pesticides, and mildew.

E. Each production area must have an open aisle for unobstructed access, observation, and inventory of each plant group.

F. Biosecurity measures must be in effect and documented according to part 4770.0400, subpart 1.

G. The manufacturer must maintain a record at the facility of all crop inputs for at least five years. The record must include the following:

(1) the date of application;

(2) the name of the employee applying the crop input;

(3) the name and description of the crop input that was applied, including the chemical name, product name, and manufacturer, where applicable;

(4) the section, including the square footage, that received the application by batch number;

(5) either the amount or concentration of crop input, or both, that was applied;

- (6) a copy of the label of the crop input applied; and
- (7) the vendor or other origin of the crop input.

H. At the time of planting, all plants must be tracked in a batch process with a unique batch number that must remain with the batch through final packaging.

I. A manufacturer must record any removal of plants from the batch on a record maintained at the manufacturing facility for at least five years.

J. The batch number must be displayed on the label of the medical cannabis.

Subp. 1a. Crop inputs used in cultivation of dried raw cannabis.

A. A manufacturer cultivating plants intended to become dried raw cannabis must follow practices and procedures that minimize the risk of chemical contamination or adulteration of the medical cannabis.

B. A manufacturer may only apply a pesticide in the cultivation of medical cannabis if the pesticide has been:

(1) deemed to be minimum risk by the United States Environmental Protection Agency in accordance with Code of Federal Regulations, title 40, section 152.25 (f), and exempted from United States Code, title 7, section 136 et seq., the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and the pesticide's label does not exclude its use on a genus cannabis plant;

(2) registered with the United States Environmental Protection Agency under section 3 of FIFRA, United States Code, title 7, section 136 et seq., and is labeled for use on medical cannabis or cannabis used for human consumption; or

(3) registered with the United States Environmental Protection Agency under section 3 of FIFRA, United States Code, title 7, section 136 et seq., and:

(a) the active ingredient found in the pesticide is either exempt from the tolerance requirements in Code of Federal Regulations, title 40, part 180, subpart D, or does not require an exemption from the tolerance requirement in Code of Federal Regulations, title 40, part 180, subpart E;

(b) the pesticide product label does not prohibit use within an enclosed structure for the site of application;

(c) the pesticide product label expressly has directions for use on unspecified crops or plants intended for human consumption; and

(d) the pesticide product is used in accordance with all applicable instructions, restrictions, and requirements on the product label.

C. A manufacturer may use rooting hormones or cloning gels only during the propagation phase of the plant life cycle.

D. A manufacturer must store all crop input stocks in their original containers with their original labels intact. The manufacturer must ensure that packaged fertilizers and containers of diluted or prepared fertilizer remain labeled with information as required in Minnesota Statutes, section 18C.215, at all times.

E. The manufacturer must apply, store, and dispose of crop inputs, rinsate, and containers according to label instructions and all other applicable laws and regulations.

F. If an audit sample tested under part 4770.3035 shows the presence of a crop input not permitted under this subpart, the batch and any finished good produced from the batch are adulterated and must be disposed of as medical cannabis waste under part 4770.1200, subpart 2. The use of pesticides not permitted under this part is presumptively classified as a serious violation under Minnesota Statutes, sections 144.989 to 144.993.

Subp. 2. Production of medical cannabis.

A. The commissioner must approve the manufacturer's use of any hydrocarbon-based extraction process. Examples of a hydrocarbon-based extraction process include the use of butane, ethanol, hexane, and isopropyl alcohol.

B. Medical cannabis must be prepared, handled, and stored in compliance with the sanitation requirements in this part.

C. A manufacturer must maintain appropriate temperatures and conditions that will protect plant material and medical cannabis against physical, chemical, and microbial contamination or deterioration of the product or its container.

D. A manufacturer must ensure that the cannabinoid content of the medical cannabis it produces is homogenous.

E. Prior to distributing new finished goods to customers, a manufacturer must obtain the commissioner's approval. The commissioner shall:

(1) for each manufacturer, maintain a registered finished goods list containing packaged product information; and

(2) update the list as needed.

F. The manufacturer must submit a definition of each finished good to the commissioner to include in the registered finished goods list before a batch sample may be tested.

G. Pre-rolls must not contain more than one gram of dried raw cannabis each.

Subp. 3. General sanitation requirements. A manufacturer must take all reasonable measures and precautions to ensure that:

A. any employee who has a communicable disease does not perform any tasks that might contaminate plant material or medical cannabis;

B. hand-washing facilities are:

(1) convenient and furnished with running water at a suitable temperature;

(2) located in all production areas; and

(3) equipped with effective hand-cleaning and sanitizing preparations and sanitary towel service or electronic drying devices;

C. all employees working in direct contact with plant material and medical cannabis must use hygienic practices while on duty, including:

(1) maintaining personal cleanliness; and

(2) washing hands thoroughly in a hand-washing area before starting work and at any other time when the hands may have become soiled or contaminated;

D. litter and waste are routinely removed and the operating systems for waste disposal are routinely inspected;

E. floors, walls, and ceilings are constructed with a surface that can be easily cleaned and maintained in good repair to inhibit microbial growth;

F. lighting is adequate in all areas where plant material and medical cannabis are processed, stored, or sold;

G. screening or other protection against the entry of pests is provided, including that rubbish is disposed of to minimize the development of odor and the potential for the waste becoming an attractant, harborage, or breeding place for pests;

H. any buildings, fixtures, and other facilities are maintained in a sanitary condition;

I. toxic cleaning compounds, sanitizing agents, and other potentially harmful chemicals are identified and stored in a separate location away from plant material and medical cannabis and in accordance with applicable local, state, or federal law;

J. all contact surfaces, utensils, and equipment used in the production of plant material and medical cannabis are maintained in a clean and sanitary condition;

K. the manufacturing facility water supply is sufficient for necessary operations;

L. plumbing size and design meets operational needs and all applicable state and local laws;

M. employees have accessible toilet facilities that are sanitary and in good repair; and

N. plant material and medical cannabis that could support the rapid growth of undesirable microorganisms are isolated to prevent the growth of those microorganisms.

Subp. 4. Storage.

A. A manufacturer must store plant material and medical cannabis during production, transport, and testing to prevent diversion, theft, or loss, including ensuring:

(1) plant material and medical cannabis are returned to a secure location immediately after completion of the process or at the end of the scheduled business day; and

(2) the tanks, vessels, bins, or bulk containers containing plant material or medical cannabis are locked inside a secure area if a process is not completed at the end of a business day.

B. A manufacturer must store all plant material and medical cannabis during production, transport, and testing, and all saleable medical cannabis:

(1) in areas that are maintained in a clean, orderly, and well-ventilated condition; and

(2) in storage areas that are free from infestation by insects, rodents, birds, and other pests of any kind.

C. To prevent degradation, a manufacturer must store all plant material and medical cannabis in production, transport, and testing, and all saleable medical cannabis under conditions that will protect it against physical, chemical, and microbial contamination and deterioration of the product and its container.

D. A manufacturer must maintain a separate secure storage area for medical cannabis that is returned, including medical cannabis that is outdated, damaged, deteriorated, mislabeled, or contaminated, or whose containers or packaging have been opened or breached, until the returned medical cannabis is destroyed. For purposes of this part, a separate, secure storage area includes a container, closet, or room that can be locked or secured.

4770.1800 INVENTORY.

Subpart 1. **Controls and procedures.** A medical cannabis manufacturer must establish inventory controls and procedures for conducting inventory reviews and comprehensive inventories of plant material and medical cannabis to prevent and detect any diversion, theft, or loss in a timely manner.

Subp. 2. **Reliable and ongoing supply.** A medical cannabis manufacturer must provide a reliable and ongoing supply of medical cannabis as required by Minnesota Statutes, section 152.29, subdivision 2.

Subp. 3. **Real-time inventory.** A medical cannabis manufacturer must maintain a real-time record of its inventory of plant material and medical cannabis to include:

A. the date and time of the inventory;

B. a summary of inventory findings, including:

(1) the weight of cannabis seeds by type, strain, and cultivar;

(2) the total count of plants, whether in the flowering, vegetative, or clone phase of growth and organized by room in which the plants are grown;

(3) the batch number, weight or unit count, and strain name associated with each batch at the production facility that has been prepared for testing or is ready for transport to a distribution facility;

(4) the total number of plants that have been harvested but are not yet associated with a batch and every unique plant identifier;

(5) the amount of acquired industrial hemp; and

(6) the amount of medical cannabis, either by weight or units, sold since previous inventory and listed by product name and registry identifier;

C. the names of the employees or employee conducting the inventory; and

D. other information deemed necessary and requested by the commissioner.

Subp. 4. **Waste inventory.** The medical cannabis manufacturer must maintain a real-time record of its inventory of all medical cannabis waste, including damaged, defective, expired, contaminated, recalled, or returned medical cannabis for disposal, and plant material waste for disposal.

Subp. 5. **Reconciliation.** At the close of business each day, a medical cannabis manufacturer must reconcile by conducting a physical inventory of all:

A. plant material at the manufacturing facility and in transit; and

B. medical cannabis at the manufacturing facility, each distribution facility, and in transit.

Subp. 6. **Scales.** All scales used to weigh usable plant material for purposes of this chapter must be certified in accordance with the International Organization for Standardization (ISO), ISO/IEC Standard 17025, which is incorporated by reference.

Subp. 7. **Discrepancies.** If discrepancies are discovered outside of loss standard to the industry due to moisture loss and handling, the manufacturer must investigate the discrepancy and must submit a report of its investigation to the commissioner within seven days. If a discrepancy is due to suspected criminal activity, the manufacturer must notify the commissioner and appropriate law enforcement agencies in writing within 24 hours.

4770.1900 MEDICAL CANNABIS LABORATORY APPROVAL.

Subpart 1. **Commissioner's authority.** The commissioner must approve any medical cannabis laboratory that tests medical cannabis for a registered medical cannabis manufacturer under Minnesota Statutes, section 152.25, subdivision 1, paragraph (d). A medical cannabis laboratory may seek approval to use specific procedures to test the allowable product types and analytes according to parts 4770.1900 to 4770.2400, which specify the commissioner's requirements authorized by Minnesota Statutes, section 152.29, subdivision 1, paragraph (b).

Subp. 2. **Eligibility.** The commissioner may only approve a medical cannabis laboratory that tests under a contract with a medical cannabis manufacturer that can demonstrate its eligibility under this subpart. The laboratory must:

A. operate using proper laboratory equipment under a quality assurance system and test product types for analytes listed in the commissioner's list in subpart 3;

B. test medical cannabis delivered in the product types specified in subpart 4;

C. test accurately for the following elements:

- (1) content, by testing for analytes for a cannabinoid profile;
- (2) contamination, by testing for analytes for:
 - (a) metals;
 - (b) pesticide residues and plant growth regulators;
 - (c) microbiological contaminants and mycotoxins; and
 - (d) residual solvents; and

(3) consistency of medical cannabis by testing for stability.

Subp. 3. Commissioner list of approved cannabis labs.

A. The commissioner must publish a list of approved cannabis laboratories in the State Register and on the department's medical cannabis program website at least annually.

B. The commissioner must provide the following information for each approved laboratory:

- (1) its scope of approval;
- (2) name, telephone number, and e-mail address of primary laboratory contact;

and

(3) physical and mailing address of laboratory.

Subp. 4. Commissioner's approved medical cannabis product types. The commissioner's approved product types include:

- A. liquid, including in oil form;
- B. pill;
- C. vaporized delivery method using liquid or oil;
- D. dried raw cannabis intended to be used or consumed by combustion; and

E. any other method approved by the commissioner under Minnesota Statutes, section 152.27, subdivision 2, paragraph (b).

Subp. 5. Commissioner's analyte list.

A. The commissioner must maintain a list of analytes that laboratories must be able to test for. The analyte categories include:

- (1) cannabinoid profile;
- (2) metals;
- (3) pesticide residues and plant growth regulators;
- (4) microbiological contaminants and mycotoxins; and
- (5) residual solvents.

B. The commissioner must publish the analyte list in the State Register and on the department's medical cannabis program website.

C. The commissioner must review the analyte list and publish a notice of any analyte updates in the State Register and on the department's medical cannabis program website at least every six months.

4770.2000 MEDICAL CANNABIS LABORATORY APPROVAL; APPLICATION AND APPROVAL.

Subpart 1. Application requirements.

A. A laboratory must apply for the commissioner's approval on a form provided by the commissioner.

B. A laboratory must also submit the following items:

(1) a signed and notarized attestation:

(a) declaring any conflict of interest, actual or perceived, relating to its direct or indirect financial interests in any medical cannabis manufacturer form; and

(b) stating that the laboratory is independent from the medical cannabis manufacturers;

(2) the fields of testing it is applying for approval to test;

(3) its quality assurance manual;

(4) its standard operating procedures;

(5) sample handling, receipt, and acceptance procedures and policies;

(6) demonstration of laboratory capability and acceptable performance through a combination of:

(a) existing certificates and approvals;

(b) documented demonstrations of analytical capabilities; and

(c) documented and acceptable proficiency testing samples from an approved provider, where available;

(7) method validation procedures for testing methods; and

(8) the name and educational qualifications of at least one technical manager responsible for the laboratory achieving and maintaining the quality and analytical standards of practice.

C. A mobile laboratory is considered a separate laboratory and is subject to all requirements of parts 4770.1900 to 4770.2300. In addition to the requirements of subpart 1, a mobile laboratory must:

(1) submit a vehicle identification number, license plate number, or other uniquely identifying information to the commissioner when applying for approval; and

(2) designate which fields of testing, equipment, and personnel are associated with the mobile laboratory.

D. The following items are required and must be submitted to the commissioner before December 31, 2022:

(1) a copy of the lab's ISO/IEC 17025:2017 Certificate and Scope of Accreditation; and

(2) a copy of the lab's most recent assessment report, including the scope of the assessment to ensure the evaluation of the medical cannabis fields of testing.

Subp. 2. Application requirements; commissioner's evaluation.

A. The commissioner must evaluate completed applications using the following criteria.

(1) A laboratory must operate formal management systems under the International Organization for Standardization (ISO). The ISO/IEC 17025, *General Requirements for the Competency of Testing and Calibration Laboratories*, includes technical and management system requirements which are incorporated by reference in part 4770.2800.

(2) A laboratory seeking initial or renewal medical cannabis laboratory approval after December 31, 2016, must be accredited to Standard ISO/IEC 17025:2005, which is incorporated by reference.

(3) A laboratory must specify one or more fields of testing for which it seeks approval. A laboratory must be approved for at least one field of testing to test medical cannabis for a medical cannabis manufacturer.

B. The commissioner must approve or deny the application within 60 days of receiving the completed application and any applicable information required under part 4770.2000, subpart 1, and subpart 2.

C. No board member, officer, employee, or other person with a financial interest in a medical cannabis manufacturer may have an interest or voting rights in the laboratory.

D. The commissioner's decision on a laboratory's application is a final agency decision.

Subp. 3. Approval.

A. When granting approval, the commissioner must notify the laboratory and include the following documentation:

(1) a letter acknowledging compliance with approval requirements by the laboratory;

- (2) the scope of approval for the laboratory;
- (3) the logo of the Minnesota Department of Health;
- (4) the name of the laboratory;
- (5) the address of the laboratory; and
- (6) the expiration date of the approval.

B. If a laboratory's scope of approval changes, the commissioner must issue a new document that specifies the revised scope of approval.

C. A laboratory's approval is valid for one year from the date of the commissioner's awarding approval or renewal of approval, unless the commissioner rescinds approval under part 4770.2100.

4770.2100 MEDICAL CANNABIS LABORATORY APPROVAL; INSPECTION AND COMPLIANCE.

Subpart 1. Laboratory inspection and reports.

A. The commissioner may inspect a lab without prior notice at any time during normal business hours to verify compliance with parts 4770.1900 to 4770.2200. The commissioner may inspect:

- (1) approved laboratories; and
- (2) laboratories requesting approval.

B. If the commissioner has sufficient cause to believe that a laboratory's proficiency, execution, or validation of analytical methodologies are deficient, the commissioner may require and a laboratory must obtain third-party validation and ongoing monitoring of the laboratory. The laboratory must pay for all costs associated with the commissioner-ordered third-party validation.

C. An approved laboratory must provide reports to the commissioner regarding chemical compositions, microbial compositions, dosages, and noncannabis drug interactions under Minnesota Statutes, section 152.25, as requested by the commissioner.

D. An approved laboratory must provide reports to the medical cannabis manufacturer on forms provided by the commissioner.

Subp. 2. Laboratory approval requirements.

A. An approved laboratory may not misrepresent its approval on any document or marketing material.

B. A laboratory must make its current approval documentation and corresponding scope of approval available upon the request of:

(1) a client;

(2) the commissioner; or

(3) a regulatory agency.

Subp. 3. Rescinding approval.

A. The commissioner may rescind an approved cannabis laboratory's approval if the commissioner determines the laboratory has failed to:

(1) submit accurate application materials to the commissioner under part

4770.2000;

(2) comply with application requirements under part 4770.2000;

(3) comply with all applicable laws, rules, standards, policies, and procedures;

(4) allow the commissioner or designee to perform physical inspection of

facilities;

(5) submit copies of inspection and corrective reports issued by the approved ISO/IEC 17025 accreditation body, as requested by the commissioner;

(6) provide the medical cannabis manufacturer with timely reports; or

(7) provide the medical cannabis manufacturer with reports compliant with the commissioner's designated test report format.

B. A laboratory must return its approval letter to the commissioner immediately if the commissioner rescinds the laboratory's approval.

C. The commissioner's decision to rescind approval of an approved medical cannabis laboratory is a final agency decision.

4770.2200 MEDICAL CANNABIS LABORATORY APPROVAL; DUTY TO NOTIFY.

Subpart 1. Operational changes.

A. A laboratory must notify the commissioner in writing within 30 days of a change in:

(1) name of the laboratory;

(2) physical location, postal mailing address, or e-mail address of the

laboratory;

- (3) owner of the laboratory;
- (4) name, telephone numbers, or e-mail address of the designated contact

person;

- (5) name of a technical manager;
- (6) major analytical equipment; or
- (7) test methods.

B. A laboratory that notifies the commissioner of an operational change under item A must include in the notice written results of proficiency testing samples or demonstrations of capability analyzed after the reported change.

Subp. 2. Voluntary withdrawal.

A. If a laboratory chooses to withdraw its application for approval or its current approval in total or in part, the laboratory must:

- (1) notify the commissioner in writing; and
- (2) specify the effective date of withdrawal.

B. By the effective date of the withdrawal of approval, in total or in part, the laboratory must:

(1) notify current client manufacturers in writing of its intent to withdraw its approval;

(2) indicate the effective date of the withdrawal; and

(3) submit a copy of each notification to the commissioner.

4770.2300 MEDICAL CANNABIS LABORATORY APPROVAL; APPEAL OF ADMINISTRATIVE DECISION.

A. The commissioner must notify a laboratory in writing the reason for the decision to deny or rescind laboratory approval under part 4770.2100.

B. A laboratory has 30 days from the commissioner's notice of denial or notice of rescinded approval to appeal the decision. A request to appeal must:

(1) be in writing;

(2) indicate the facts the laboratory disputes;

- (3) be signed by the laboratory managing agent; and
- (4) be sent to the commissioner.

C. The commissioner must notify a laboratory of the commissioner's acceptance or denial of an appeal request, in writing, within 60 days of receiving the request. The commissioner's decision is a final agency decision.

4770.2400 MEDICAL CANNABIS LABORATORY APPROVAL; VARIANCES.

The commissioner may grant a variance from parts 4770.1900 to 4770.2200. To request a variance, a laboratory must indicate in writing:

A. the rule part and language for which the variance is sought;

B. reasons for the request;

C. alternate measures that the laboratory will take if the commissioner grants its request for variance;

D. the proposed length of time of the variance; and

E. data that the laboratory will provide to ensure analytical results of equal or better reliability, if applicable.

4770.2700 MEDICAL CANNABIS MANUFACTURER; FINANCIAL EXAMINATIONS; PRICING REVIEWS.

A. A medical cannabis manufacturer must maintain financial records in accordance with generally accepted accounting principles and, upon request, must provide any financial records to the commissioner.

B. The commissioner shall request an additional audit of the medical cannabis manufacturer, of the same time period, if the commissioner finds one or more of the following:

(1) credible evidence or allegations of financial reporting irregularities not revealed in the annual certified financial audit; or

(2) reasonable cause to believe there are operational or compliance concerns involving financing, budgeting, revenues, sales, or pricing.

4770.2800 INCORPORATION BY REFERENCE.

The International Organization for Standardization (ISO), ISO/IEC Standard 17025, is incorporated by reference, is not subject to frequent change, and is made a part of this rule where indicated. ISO/IEC Standard 17025 is published by the International Organization for Standardization, located at 1, ch. de la Voie-Creuse, CP 56, CH-1211 Geneva 20, Switzerland. ISO/IEC Standard 17025 is available in the office of the commissioner of health and can be found online at www.isoiec17025.com or www.iso.org.

4770.4000 APPLICABILITY AND PURPOSE.

Parts 4770.4000 to 4770.4018 establish the criteria and procedures to be used by the commissioner for establishing and overseeing the medical cannabis registry for enrolled patients and their designated caregivers.

4770.4002 **DEFINITIONS.**

Subpart 1. **Applicability.** The terms used in this chapter have the meanings given them in this part and in Minnesota Statutes, sections 152.22 to 152.37.

Subp. 1a. Adverse incident. "Adverse incident" means any negative medical occurrence in a person after using medical cannabis, either physical or psychological, including any harmful reaction, symptom, or disease.

Subp. 2. **DEA Registration Certificate.** "DEA Registration Certificate" means a certificate to prescribe controlled substances issued by the United States Department of Justice's Drug Enforcement Administration.

Subp. 3. **Disqualifying felony offense.** "Disqualifying felony offense" has the meaning given in Minnesota Statutes, section 152.22, subdivision 3.

Subp. 4. **Diversion or diverting.** "Diversion" or "diverting" means the intentional transferring of medical cannabis to a person other than a patient, designated registered caregiver, or a parent or legal guardian of a patient if the parent or legal guardian of a patient is listed on the registry verification.

Subp. 4a. **Diversion involving adverse incidents.** "Diversion involving adverse incidents" means any suspected incident of diversion that results in an adverse incident.

Subp. 5. Evidence-based medicine. "Evidence-based medicine" means documentation of published, peer-reviewed best evidence on research related to the use of medical cannabis, which includes up-to-date information from relevant, valid research about the effects of medical cannabis on different forms of diseases and conditions, its use in health care, the potential for harm from exposure, a clinical assessment of the effectiveness of medical cannabis in an ongoing treatment paradigm, and any other relevant medical information.

Subp. 6. **Financial interest.** "Financial interest" means any actual or future right to ownership, investment, or compensation arrangement with another person, either directly or indirectly, through business, investment, spouse, parent, or child in a medical cannabis manufacturer. Financial interest does not include ownership of investment securities in a publicly held corporation that is traded on a national exchange or over-the-counter market, provided the investment securities held by the person, the person's spouse, parent, or child, in the aggregate, do not exceed one percent ownership in the medical cannabis manufacturer.

Subp. 7. **Good standing.** "Good standing" means a person has a license or registration with a licensing board and is not subject to any restriction or oversight by the licensing board beyond others in the same class.

Subp. 8. **Health care practitioner.** "Health care practitioner" has the meaning given in Minnesota Statutes, section 152.22, subdivision 4.

Subp. 9. **Health record.** "Health record" has the meaning given in Minnesota Statutes, section 144.291, subdivision 2, paragraph (c).

Subp. 10. **Medical cannabis.** "Medical cannabis" has the meaning given in Minnesota Statutes, section 152.22, subdivision 6.

Subp. 11. **Medical cannabis manufacturer or manufacturer.** "Medical cannabis manufacturer" or "manufacturer" has the meaning given in Minnesota Statutes, section 152.22, subdivision 7.

Subp. 12. **Medical relationship.** "Medical relationship" means a treatment or counseling relationship, in the course of which the health care practitioner has completed a full assessment of the patient's medical history and current medical condition.

Subp. 13. Minor. "Minor" means an applicant who is under 18 years of age.

Subp. 14. **Parent or legal guardian.** "Parent or legal guardian" has the meaning given in Minnesota Statutes, section 152.27, subdivision 5.

Subp. 15. **Patient.** "Patient" has the meaning given in Minnesota Statutes, section 152.22, subdivision 9.

Subp. 15a. **Patient advocate.** "Patient advocate" means an individual with a knowledge of medical cannabis who promotes patient interests in safety, privacy, access, and affordability.

Subp. 15b. **Peace officer.** "Peace officer" has the meaning given in Minnesota Statutes, section 626.84, subdivision 1, paragraph (c).

Subp. 16. **Person.** "Person" means an individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, state or political subdivision of a state, or a legal successor, representative, agent, or agency of the person. Person does not include federal government agencies.

Subp. 17. **Qualifying medical condition.** "Qualifying medical condition" has the meaning given in Minnesota Statutes, section 152.22, subdivision 14.

Subp. 18. **Qualifying patent.** "Qualifying patient" means a resident of Minnesota who has been diagnosed by a health care practitioner as having a qualifying medical condition.

Subp. 19. **Registered.** "Registered" means licensed, permitted, or otherwise certified by the commissioner.

Subp. 20. **Registered designated caregiver.** "Registered designated caregiver" has the meaning given in Minnesota Statutes, section 152.22, subdivision 11.

Subp. 21. **Registry program.** "Registry program" has the meaning given in Minnesota Statutes, section 152.22, subdivision 12.

Subp. 22. **Registry verification.** "Registry verification" has the meaning given in Minnesota Statutes, section 152.22, subdivision 13.

Subp. 22a. **Serious adverse incident.** "Serious adverse incident" means any adverse incident that results in or would lead to one of these outcomes without medical intervention:

A. in-patient hospitalization or additional hospital time for a patient who is already hospitalized;

- B. persistent or significant disability or incapacity;
- C. a life-threatening situation; or
- D. death.

Subp. 23. **Telehealth.** "Telehealth" means the practice of medicine as defined in Minnesota Statutes, section 147.081, subdivision 3, when the health care practitioner is not in the physical presence of the patient.

Subp. 24. **Therapeutic use.** "Therapeutic use" means the acquisition, possession, preparation, use, delivery, transfer, or transportation of medical cannabis or paraphernalia relating to the administration of medical cannabis to treat or alleviate a qualifying patient's qualifying medical condition or symptoms or results of treatment associated with the qualifying patient's qualifying medical condition.

Subp. 25. **Transport.** "Transport" means the movement of medical cannabis products from a manufacturer's distribution site to the residence of a registered qualified patient, or as otherwise provided by law.

Subp. 26. Written certification. "Written certification" means a document signed by a health care practitioner, with whom the patient has established a patient-provider relationship, which states that the patient has a qualifying medical condition and identifies that condition and any other relevant information required by Minnesota Statutes, section 152.28, subdivision 1.

4770.4003 PROCESS FOR ADDING A QUALIFYING MEDICAL CONDITION OR DELIVERY METHOD.

Subpart 1. Condition added by commissioner. The commissioner may periodically revise the list of qualified medical conditions eligible for treatment with medical cannabis.

A. Revisions to the list must reflect:

(1) advances in medical science;

(2) evidence-based medicine and other peer-reviewed research demonstrating treatment efficacy; or

(3) other therapeutic factors that will improve patient care.

B. In determining whether a condition qualifies, the commissioner must consider the adequacy of available evidence that medical cannabis will provide relief and the report of the Medical Cannabis Review Panel established in subpart 3.

Subp. 2. **Requests for adding a condition.** Any person may request the commissioner to add a qualifying medical condition not listed in Minnesota Statutes, section 152.22, subdivision 14, to the list by applying on a form provided by the commissioner. Requests under this subpart will be accepted beginning June 1, 2016.

A. The commissioner shall only accept requests during June and July of each year and will dismiss requests received outside of this period.

B. The commissioner must post notice on the department's medical cannabis website by May 1 each year, announcing the open period for accepting requests and describing the procedure for submitting requests.

C. Each request must be limited to one proposed qualifying medical condition. The commissioner must dismiss a request if it contains multiple proposals.

D. The commissioner must dismiss a request to add a medical condition that has been previously considered and rejected by the commissioner, unless the request contains new scientific evidence or research or describes substantially different symptoms.

E. If the commissioner dismisses a timely request, the commissioner must notify the person making the request of the reason that the request was dismissed.

F. The commissioner must forward the request to the review panel for review unless the request is dismissed.

G. The commissioner must provide the review panel with a review of evidence-based medicine and other peer-reviewed research demonstrating treatment efficacy for the requested condition.

Subp. 3. The Medical Cannabis Review Panel.

A. The commissioner must appoint a Medical Cannabis Review Panel composed of seven members, including at least one medical cannabis patient advocate and two health care practitioners, one with expertise in pediatric medicine.

B. The Medical Cannabis Review Panel must review requests submitted under subpart 2 and report to the commissioner on the public health impacts, including therapeutic factors and known potential risks, of the proposed additional medical conditions.

C. Members serve a three-year term or until a successor is appointed and qualified. If a vacancy occurs, the commissioner must appoint a replacement to complete the original term created by the vacancy.

D. Members may serve multiple terms.

E. Members must not hold a direct or indirect economic interest in a registered medical cannabis manufacturer or serve on the board of directors or as an employee of a registered medical cannabis manufacturer.

F. Members must disclose all potential conflicts of interest having a direct bearing on any subject before the review panel.

Subp. 4. Review panel meetings.

A. The Medical Cannabis Review Panel must meet at least one time per year to:

(1) review requests that the commissioner has received for the approval of proposed qualifying medical conditions;

(2) review the status of those medical conditions for which the commissioner has deferred approval or rejection; and

(3) review new medical and scientific evidence about current qualifying medical conditions.

B. The commissioner must post a notice on the department's medical cannabis website at least 30 calendar days before a review panel meeting. Notice must include the date, time, and location of the meeting, a brief description of the requests received, and information on how public comment will be received, including a deadline, if any.

C. The Medical Cannabis Review Panel must submit a written report to the commissioner by November 1 after conducting the public meeting. The written report must include potential public health benefits and risks of adding or rejecting the proposed qualifying medical condition.

Subp. 5. Commissioner review.

A. Upon receiving the Medical Cannabis Review Panel's report, the commissioner must render a decision by December 1 and must:

(1) approve the request and forward the medical condition as required by item C; or

(2) reject the medical condition.

B. The commissioner must communicate the commissioner's decision to the requesting party along with the reasons for the decision and publish the decision on the department's medical cannabis website by December 1.

C. The commissioner must forward a newly approved qualifying medical condition to the chairs and ranking minority members of the legislative policy committees having jurisdiction over health and public safety by January 15 as required by Minnesota Statutes, section 152.27, subdivision 2. If the legislature does not provide otherwise by law, the commissioner must publish the newly approved qualifying medical condition in the State

Register and on the department's medical cannabis website before its August 1 effective date.

Subp. 6. **Requests for adding a delivery method.** Any person may request that the commissioner add a delivery method not listed in Minnesota Statutes, section 152.22, subdivision 6, to the list by applying on a form provided by the commissioner. Requests under this subpart will be accepted beginning June 1, 2016.

A. The commissioner shall only accept requests during June and July of each year and will dismiss requests received outside of this period.

B. The commissioner must post notice on the department's medical cannabis website by May 1 each year, announcing the open period for accepting requests and describing the procedure for submitting requests.

C. The commissioner must post the request to add a delivery method, along with information about how to submit public comment on the department's medical cannabis website. The commissioner must allow at least 30 days for public comment.

D. Each request must be limited to one proposed delivery method. The commissioner must dismiss a request if it contains multiple proposals.

E. The commissioner must dismiss a request to add a delivery method that has been previously considered and rejected by the commissioner, unless the request contains new scientific evidence or research or describes substantially different therapeutic benefits.

F. If the commissioner dismisses a timely request, the commissioner must notify the person making the request of the reason that the request was dismissed.

G. The commissioner must consider the request and any written comments from the public. The commissioner must render a decision by December 1, and must:

(1) approve the request and forward the delivery method to be added as required by item I; or

(2) reject the delivery method.

H. The commissioner must communicate the commissioner's decision to the requesting party along with the reasons for the decision.

I. The commissioner must forward an approved delivery method to be added to the chairs and ranking minority members of the legislative policy committees having jurisdiction over health and public safety by January 15 as required by Minnesota Statutes, section 152.27, subdivision 2, and if the legislature does not provide otherwise by law, publish the addition in the State Register and on the department's medical cannabis website.

4770.4004 SERIOUS ADVERSE INCIDENT REPORTING.

Subpart 1. Reporting requirements.

A. Persons who must report any serious adverse incident are:

- (1) a registered patient;
- (2) a registered patient's certifying health care practitioner;
- (3) a patient's registered designated caregiver; or

(4) a patient's parent or legal guardian, if the parent or legal guardian is acting as caregiver.

B. Reporters named in item A must report to the manufacturer where the patient's medical cannabis was dispensed within five business days of the reporter's learning of the incident.

C. A peace officer must report any serious adverse incident relating to overdose and any case of diversion involving an adverse incident within five business days of the incident by calling the general telephone number of the Office of Medical Cannabis. If part of an ongoing investigation, the report must be made within 72 hours of the conclusion of the investigation.

Subp. 2. Manufacturer requirements.

A. Each manufacturer must:

(1) maintain a toll-free telephone line, which must be available 24 hours a day, seven days a week, that is staffed by professionals who are health care practitioners or state-licensed pharmacists trained in detecting, assessing, understanding, and preventing adverse effects or any other drug-related problem;

(2) provide a method, approved by the commissioner, for reporting serious adverse incidents online;

(3) monitor manufacturer-sponsored social media pages and websites

routinely;

(4) post instructions for reporting suspected adverse incidents and unauthorized possession on its website; and

(5) make printed instructions for reporting suspected adverse incidents available at all its distribution sites.

B. Each manufacturer must follow up serious adverse incident reports and document all follow-up activities. The manufacturer must continue to follow up reports until the outcome has been established or the subject's condition is stabilized.

C. For adverse incident information collected, the manufacturer must:

(1) document it on a form provided by the commissioner;

(2) classify it using Medical Dictionary for Regulatory Activities (MedDRA) coding; and

(3) store it in a database that complies with general validation principles in the United States Food and Drug Administration's Electronic Records; Electronic Signatures, Code of Federal Regulations, title 21, part 11.

Subp. 3. Manufacturer reports.

A. By the fifth day of every month, a medical cannabis manufacturer must compile and submit to the commissioner all adverse incident reports received in the prior calendar month.

B. Within ten business days of learning of an adverse incident, the manufacturer must report to the commissioner:

(1) any adverse incident that, based on reasonable medical judgment, might have resulted in a serious adverse incident without intervention or medical treatment; or

(2) a case of diversion resulting in an adverse incident.

C. On August 1 of every year beginning in 2016, each manufacturer must submit to the commissioner a report that contains a summary and a critical analysis of all reported adverse incidents reported to the manufacturer over the past July 1 to June 30.

4770.4005 REGISTRY ENROLLMENT APPLICATION FOR QUALIFYING PATIENTS.

Subpart 1. Patient application.

A. A patient or the patient's parent or legal guardian must apply for the registry and sign a disclosure on forms provided by the commissioner that meet the requirements of Minnesota Statutes, section 152.27, subdivision 3.

B. A patient must provide proof of the patient's Minnesota residency. If the patient is a minor, the patient's parent or legal guardian must provide proof of the parent or legal guardian's Minnesota residency. Proof of Minnesota residency can be established with:

(1) a copy of a Minnesota driver's license, learner's permit, or identification card; or

(2) a copy of a state, federal, or tribal government-issued photo identification card and at least one form of other documentation that contains the name and current address of the patient, or the patient's parent or legal guardian and indicates Minnesota residency, such as:

(a) a current residential mortgage, lease, or rental agreement;

(b) state tax documents from the previous calendar year;

(c) a utility bill issued within the previous 90 days of the date of the

application;

(d) a rent or mortgage payment receipt dated less than 90 days before

application;

(e) a Social Security disability insurance statement, Supplemental Security Income benefits statement, or a medical claim or statement of benefits from a private insurance company or governmental agency that is issued less than 90 days before application; or

(f) an affidavit from a person who will act as a designated caregiver for the patient, or a person who is engaged in health services or social services, which states the affiant knows the patient and believes the patient resides in Minnesota.

C. A patient or the patient's parent or legal guardian must submit the nonrefundable annual enrollment fee specified in Minnesota Statutes, section 152.35.

Subp. 2. Application approval.

A. The commissioner must approve an applicant and enroll the patient in the medical cannabis registry if the commissioner determines that the application is complete and no basis for denial exists under Minnesota Statutes, section 152.27, subdivision 6.

B. When a qualifying patient is enrolled in the registry program, the commissioner must:

(1) issue a unique patient registry number; and

(2) notify:

(a) the qualifying patient, designated caregiver, or parent or legal guardian if applicable;

(b) the health care practitioner who completed the patient's written certification of a qualifying condition; and

(c) the registered manufacturers.

4770.4007 DESIGNATED CAREGIVER APPLICATION.

Subpart 1. **Application.** The designated caregiver must apply for registration on the form provided by the commissioner and submit to a background check, as required by Minnesota Statutes, section 152.27, subdivision 4, paragraph (b).

Subp. 2. Application approval. The commissioner must approve an applicant and register the designated caregiver if the commissioner determines that the application is complete and no basis for denial exists under Minnesota Statutes, section 152.27, subdivision 4.

4770.4008 RESPONSIBILITIES OF DESIGNATED CAREGIVERS.

A. A designated caregiver, or the patient's parent or legal guardian if the parent or legal guardian will be acting as a caregiver, must:

(1) notify the commissioner within 30 business days after any change to the information that the registered qualifying patient was previously required to submit to the commissioner, including if the patient becomes an inmate confined in a correctional institution or facility under the supervision of the Department of Corrections;

(2) notify the commissioner promptly by telephone and in writing within ten calendar days following the death of the designated caregiver's registered qualifying patient; and

(3) dispose of all unused medical cannabis using the methods described in part 4770.4012, within ten days of the patient's ceasing to be enrolled in the program for any reason, including death of the patient or product recall.

B. A designated caregiver, or the patient's parent or legal guardian if the parent or legal guardian will be acting as a caregiver, may:

(1) transport a registered qualifying patient to and from a licensed medical cannabis distribution facility;

(2) obtain and transport an adequate supply of medical cannabis from a licensed medical cannabis distribution site on behalf of the registered qualifying patient;

(3) prepare medical cannabis for self-administration by the registered qualifying patient; and

(4) administer medical cannabis to the registered qualifying patient.

C. A designated caregiver, or the patient's parent or legal guardian if the parent or legal guardian will be acting as a caregiver, may not:

(1) consume, by any means, medical cannabis that has been dispensed on behalf of a registered qualifying patient; or

(2) sell, provide, or otherwise divert medical cannabis that has been dispensed for a registered qualifying patient.

4770.4009 REVOCATION OR SUSPENSION OF A QUALIFYING PATIENT OR DESIGNATED CAREGIVER REGISTRATION.

Subpart 1. **Revocation of qualifying patient enrollment.** The commissioner may revoke the registration certificate of a qualifying patient under the provisions of Minnesota Statutes, section 152.27, subdivision 6, paragraph (d).

Subp. 2. Suspension of qualifying patient enrollment. The commissioner must suspend the registration of a qualifying patient under the following circumstances.

A. If the qualifying patient is incarcerated in a correctional institution or facility under the supervision of the Department of Corrections, the registration must be suspended for the term of incarceration.

B. If the qualifying patient provided false, misleading, or incorrect information to the commissioner, the patient's registration must be suspended until the information is corrected and the commissioner makes an eligibility determination.

C. If the qualifying patient, together with the qualifying patient's designated caregiver where applicable, obtains more than a 30-day supply of medical cannabis within a 23-day period and the commissioner has reason to believe the patient is abusing or diverting medical cannabis, the patient's registration must be suspended until the commissioner makes an eligibility determination.

Subp. 3. **Designated caregivers.** The commissioner must revoke the registration of a designated caregiver under the following circumstances:

A. the designated caregiver has a disqualifying felony offense conviction as defined in Minnesota Statutes, section 152.22, subdivision 3; or

B. the designated caregiver, together with the designated caregiver's patient, where applicable, obtains more than a 30-day supply of medical cannabis within a 23-day period and the commissioner has reason to believe the designated caregiver is abusing or diverting medical cannabis.

4770.4010 UNAUTHORIZED POSSESSION OF MEDICAL CANNABIS REPORTING.

A. A licensed peace officer must report to the commissioner any reasonable suspicion of an individual possessing medical cannabis who is not authorized to possess medical cannabis under Minnesota Statutes, sections 152.22 to 152.37. The officer must report the reasonable suspicion within 72 hours by completing a form on the department's medical cannabis website. If part of an ongoing investigation, the report must be made within 72 hours of the investigation's conclusion.

B. A licensed peace officer who reasonably suspects a person who is otherwise authorized to possess medical cannabis has violated a provision of Minnesota Statutes, section 152.23, must report the suspicion by completing a form on the department's medical cannabis website within 15 days of discovery of the occurrence.

4770.4012 DISPOSAL OF MEDICAL CANNABIS BY QUALIFYING PATIENTS AND DESIGNATED CAREGIVERS.

A. A qualifying patient or designated caregiver who is no longer registered with the medical cannabis patient registry must, within ten calendar days after the patient or caregiver ceases to be registered or eligible, dispose of any unused medical cannabis in their possession by one of the following methods by:

(1) depositing it with a medical cannabis distribution site located in Minnesota;

(2) depositing it with a law enforcement agency having local jurisdiction for destruction;

(3) disposing of the medical cannabis at a government recognized drug take-back program located in Minnesota; or

(4) rendering it nonrecoverable consistent with the commissioner's proper disposal instructions, which are available at the department's medical cannabis program website.

B. A qualifying patient or designated caregiver who is no longer registered with the medical cannabis patient registry must not transfer, share, give, sell, or deliver any unused medical cannabis in their possession to any other person, regardless of whether the person is participating in the medical cannabis patient registry program.

4770.4013 ANNUAL FEES.

Each patient application or renewal must be accompanied by the payment of an annual fee. Payment must be made by credit card, bank debit card, cashier's check, or personal check. Annual qualifying patient application fee and reduced fee for patients enrolled in the federal Social Security Disability Income (SSDI), the Supplemental Security Income (SSI) disability, or the medical assistance or MinnesotaCare programs are established in Minnesota Statutes, section 152.35. All fees are nonrefundable.

4770.4014 HEALTH CARE PRACTITIONER REQUIREMENTS.

Subpart 1. **Qualifications.** The commissioner must accept written certifications for the therapeutic use of medical cannabis only from health care practitioners who hold:

A. an active license, in good standing, under Minnesota Statutes, chapter 147, for physicians, under Minnesota Statutes, chapter 147A, for physician assistants, or Minnesota Statutes, sections 148.171 to 148.285, the Minnesota Nurse Practice Act, for advanced practice registered nurses; and

B. a DEA registration certificate.

Subp. 2. **Requirements.** Before issuing a written certification of qualifying condition, a health care practitioner must:

A. have a medical relationship between the health care practitioner and patient with a qualifying condition;

B. assess the patient's medical history and current medical condition, which includes:

(1) an in-person physical examination of the patient appropriate to confirm the diagnosis of a qualifying medical condition. This examination must not be performed by remote means, including telehealth or via the Internet; and

(2) developing a treatment plan for the patient;

C. communicate, as appropriate, with subspecialists also treating the registered patient; and

D. certify that the patient has been diagnosed as having a qualifying medical condition, as defined in Minnesota Statutes, section 152.22, subdivision 14.

Subp. 3. **Duties.** When the certifying health care practitioner receives notice from the commissioner that a qualifying patient has been enrolled in the registry program, the certifying health care practitioner must:

A. participate in the patient registry reporting system as established by the commissioner for each patient for whom the practitioner has written a certification of qualifying condition. A health care practitioner must transmit patient data as required by Minnesota Statutes, section 152.28, subdivision 1, paragraph (b);

B. be available to provide continuing treatment of the patient's qualifying medical condition;

C. maintain health records under part 4770.4017 for all patients for whom the practitioner has issued a written certification that supports the certification of a qualifying medical condition;

D. report health record data as requested by the commissioner under Minnesota Statutes, section 152.28, subdivision 1, paragraph (b);

E. make a copy of the records that support the certification of a qualifying medical condition available to the commissioner, and otherwise provide information to the commissioner upon request about the patient's qualifying medical condition, course of treatment, and pathological outcomes to ensure compliance with the act;

F. annually assess whether the registered qualifying patient continues to suffer from a qualifying medical condition and, if so, issue the patient a new certificate of that diagnosis; and

G. notify the commissioner, in a manner prescribed by the commissioner, in writing within 14 calendar days of learning of the death of a registered patient whose medical condition was certified by the health care practitioner.

4770.4015 WRITTEN CERTIFICATION OF QUALIFYING CONDITION.

A certifying health care practitioner must complete a written certification of a patient's qualifying medical condition on a form provided by the commissioner. The written certification must:

A. acknowledge that the qualifying patient is under the health care practitioner's care, either for the patient's primary care or for the qualifying medical condition;

B. confirm the patient's diagnosis of a qualifying medical condition, as defined in Minnesota Statutes, section 152.22, subdivision 14;

C. state whether a patient is developmentally or physically disabled and, as a result of the disability, is unable to self-administer medication or acquire medical cannabis from a distribution facility and requires a designated caregiver;

D. include any additional information the commissioner requests to assess the effectiveness of medical cannabis in treating the medical condition or symptoms;

E. contain an affirmation that the health care practitioner has:

(1) established a patient-provider relationship;

(2) conducted an in-person physical examination appropriate to confirm the diagnosis; and

(3) reviewed the patient's medical history to confirm the diagnosis within the health care practitioner's professional standards of practice; and

F. include the date the certification of a qualifying medical condition was made.

4770.4016 HEALTH CARE PRACTITIONER PROHIBITIONS.

A health care practitioner who has issued or intends to issue a written certification must not:

A. examine a qualifying patient to issue a written certification at a location where medical cannabis is manufactured, sold, or dispensed;

B. refer a patient to a manufacturer or distributor of medical cannabis;

C. refer a patient to a designated caregiver;

D. issue a written certification for the health care practitioner;

E. hold a financial interest in an enterprise that provides or distributes medical cannabis;

F. directly or indirectly accept, solicit, or receive anything of value from a manufacturer, employee of a manufacturer, or any other person associated with a manufacturing facility;

G. offer a discount or any other thing of value to a qualifying patient who uses or agrees to use a particular designated caregiver, distribution facility, or medical cannabis product; or

H. directly or indirectly benefit from a patient obtaining a written certification. Such prohibition does not prohibit a health care practitioner from charging an appropriate fee for the patient visit.

4770.4017 RECORDS MAINTAINED BY THE CERTIFYING HEALTH CARE PRACTITIONER.

Subpart 1. **Health records maintained.** The health care practitioner must maintain a health record for each patient for whom the health care practitioner has certified a qualifying medical condition. These records need not be maintained separately from the health care practitioner's established records for the ongoing medical relationship with the patient.

Subp. 2. **Contents.** The records must be legible, accurately reflect the patient's evaluation and treatment, and must include the following:

A. the patient's name and dates of visits and treatments;

B. the patient's case history as it relates to the qualifying condition;

C. the patient's health condition as determined by the health care practitioner's examination and assessment;

D. the results of all diagnostic tests and examinations as they relate to the qualifying condition; and any diagnosis resulting from the examination;

E. the patient's plan of care, which must state with specificity the patient's condition, functional level, treatment objectives, medical orders, plans for continuing care, and modifications to that plan; and

F. a list of drugs prescribed, administered and dispensed, and the quantity of the drugs.

Subp. 3. **Retention.** The health care practitioner must keep records for each qualifying patient for at least three years after the last patient visit, or seven years, whichever is greater.

4770.4018 REPORTS.

A participating health care practitioner must report health record data as requested by the commissioner under Minnesota Statutes, 152.28, subdivision 1, paragraph (b).

4770.4030 HEALTH CARE FACILITIES; STORAGE.

Subpart 1. **Storage policy.** A health care facility, as defined in Minnesota Statutes, section 152.34, may adopt policies relating to the secure storage of a registered patient's medical cannabis. Policies may include:

A. secure storage with access limited to authorized personnel; or

B. allowing patients, patients' registered designated caregivers, or patients' parents or legal guardians if listed on the registry verification, to maintain direct possession of the medical cannabis.

Subp. 2. **Return of items.** Upon discharge, transfer, or death of a patient registered to use medical cannabis, the health care facility must return all medical cannabis to the patient or another person authorized to possess it. If the health care facility is unable to return any remaining medical cannabis to the patient or other authorized person, it must destroy the medical cannabis in a manner consistent with instructions posted on the department's medical cannabis website. The transfer or destruction must be recorded in the patient's health record.