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ARTICLE 6**MISCELLANEOUS PROVISIONS****Section 1. [3.9224] MEDICAL CANNABIS; COMPACTS TO BE NEGOTIATED.**

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

(b) "Indian Tribe" means a Tribe, band, nation, or other federally recognized group or community of Indians located within the geographical boundaries of the state of Minnesota.

(c) "Medical cannabinoid product" has the meaning given in section 342.01, subdivision 50.

(d) "Medical cannabis flower" has the meaning given in section 342.01, subdivision 52.

Subd. 2. **Negotiations authorized.** Following a public hearing, the governor or the governor's designated representatives are authorized to negotiate in good faith a compact with an Indian Tribe regulating medical cannabis flower and medical cannabinoid products. The attorney general is the legal counsel for the governor or the governor's representatives in regard to negotiating a compact under this section. If the governor appoints designees to negotiate under this subdivision, the designees must include at least two members of the senate and two members of the house of representatives, two of whom must be the chairs of the senate and house of representatives standing committees with jurisdiction over health policy.

Subd. 3. **Terms of compact; rights of parties.** (a) A compact agreed to under this section may address any issues related to medical cannabis flower and medical cannabinoid products that affect the interests of both the state and Indian Tribe or otherwise have an impact on Tribal-state relations. At a minimum, a compact agreed to on behalf of the state under this section must address:

(1) the enforcement of criminal and civil laws;

(2) the regulation of the commercial production, processing, sale or distribution, and possession of medical cannabis flower and medical cannabinoid products;

(3) medical and pharmaceutical research involving medical cannabis flower and medical cannabinoid products;

(4) the taxation of medical cannabis flower and medical cannabinoid products, including establishing an appropriate amount and method of revenue sharing;

(5) the immunities of an Indian Tribe or preemption of state law regarding the production, processing, or sale or distribution of medical cannabis flower and medical cannabinoid products; and

210.24

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(b) "Indian Tribe" means a Tribe, band, nation, or other federally recognized group or community of Indians located within the geographical boundaries of the state of Minnesota.

(c) "Medical cannabinoid product" has the meaning given in section 342.01, subdivision 51.

(d) "Medical cannabis flower" has the meaning given in section 342.01, subdivision 53.

Subd. 2. **Negotiations authorized.** Following a public hearing, the governor or the governor's designated representatives are authorized to negotiate in good faith a compact with an Indian Tribe regulating medical cannabis flower and medical cannabinoid products. The attorney general is the legal counsel for the governor or the governor's representatives in regard to negotiating a compact under this section. If the governor appoints designees to negotiate under this subdivision, the designees must include at least two members of the senate and two members of the house of representatives, two of whom must be the chairs of the senate and house of representatives standing committees with jurisdiction over health policy.

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(1) the enforcement of criminal and civil laws;

(2) the regulation of the commercial production, processing, sale or distribution, and possession of medical cannabis flower and medical cannabinoid products;

(3) medical and pharmaceutical research involving medical cannabis flower and medical cannabinoid products;

(4) the taxation of medical cannabis flower and medical cannabinoid products, including establishing an appropriate amount and method of revenue sharing;

(5) the immunities of an Indian Tribe or preemption of state law regarding the production, processing, or sale or distribution of medical cannabis flower and medical cannabinoid products; and

214.11 (6) the method of resolution for disputes involving the compact, including the use of
 214.12 mediation or other alternative dispute resolution processes and procedures.

214.13 (b) In addressing the issues identified under paragraph (a), the governor or the governor's
 214.14 designated representatives shall only enter into agreements that:

214.15 (1) provide for the preservation of public health and safety;
 214.16 (2) ensure the security of production, processing, retail, and research facilities on Tribal
 214.17 land; and
 214.18 (3) establish provisions regulating business involving medical cannabis flower and
 214.19 medical cannabinoid products that pass between Tribal land and non-Tribal land in the state.

214.20 Subd. 4. **Assessments and charges.** Notwithstanding any law to the contrary, any
 214.21 compact agreed to under this section shall establish all taxes, fees, assessments, and other
 214.22 charges related to the production, processing, sale or distribution, and possession of medical
 214.23 cannabis flower and medical cannabinoid products.

214.24 Subd. 5. **Civil and criminal immunities.** The following acts, when performed by a
 214.25 validly licensed medical cannabis retailer or an employee of a medical cannabis retailer
 214.26 operated by an Indian Tribe pursuant to a compact entered into under this section, do not
 214.27 constitute a criminal or civil offense under state law:

214.28 (1) the cultivation of cannabis flower, as defined in section 342.01, subdivision 15;
 214.29 (2) the possession, purchase, and receipt of medical cannabis flower and medical
 214.30 cannabinoid products that are properly packaged and labeled as authorized under a compact
 214.31 entered into pursuant to this section; and

215.1 (3) the delivery, distribution, and sale of medical cannabis flower and medical cannabinoid
 215.2 products as authorized under a compact entered into pursuant to this section and that takes
 215.3 place on the premises of a medical cannabis retailer on Tribal land to any person 21 years
 215.4 of age or older.

215.5 Subd. 6. **Publication; report.** (a) The governor shall post any compact entered into
 215.6 under this section on a publicly accessible website.

215.7 (b) The governor, the attorney general, and the governor's designated representatives
 215.8 shall report to the legislative committees having jurisdiction over health, taxation, and
 215.9 commerce annually. This report shall contain information on compacts negotiated and an
 215.10 outline of prospective negotiations.

215.11 Sec. 2. **[3.9228] ADULT-USE CANNABIS; COMPACTS TO BE NEGOTIATED.**

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

211.28 (6) the method of resolution for disputes involving the compact, including the use of
 211.29 mediation or other alternative dispute resolution processes and procedures.

211.30 (b) In addressing the issues identified under paragraph (a), the governor or the governor's
 211.31 designated representatives shall only enter into agreements that:

211.32 (1) provide for the preservation of public health and safety;
 212.1 (2) ensure the security of production, processing, retail, and research facilities on Tribal
 212.2 land; and
 212.3 (3) establish provisions regulating business involving medical cannabis flower and
 212.4 medical cannabinoid products that pass between Tribal land and non-Tribal land in the state.

212.5 Subd. 4. **Assessments and charges.** Notwithstanding any law to the contrary, any
 212.6 compact agreed to under this section shall establish all taxes, fees, assessments, and other
 212.7 charges related to the production, processing, sale or distribution, and possession of medical
 212.8 cannabis flower and medical cannabinoid products.

212.9 Subd. 5. **Civil and criminal immunities.** The following acts, when performed by a
 212.10 validly licensed medical cannabis retailer or an employee of a medical cannabis retailer
 212.11 operated by an Indian Tribe pursuant to a compact entered into under this section, do not
 212.12 constitute a criminal or civil offense under state law:

212.13 (1) the cultivation of cannabis flower, as defined in section 342.01, subdivision 15;
 212.14 (2) the possession, purchase, and receipt of medical cannabis flower and medical
 212.15 cannabinoid products that are properly packaged and labeled as authorized under a compact
 212.16 entered into pursuant to this section; and

212.17 (3) the delivery, distribution, and sale of medical cannabis flower and medical cannabinoid
 212.18 products as authorized under a compact entered into pursuant to this section and that takes
 212.19 place on the premises of a medical cannabis retailer on Tribal land to any person 21 years
 212.20 of age or older.

212.21 Subd. 6. **Publication; report.** (a) The governor shall post any compact entered into
 212.22 under this section on a publicly accessible website.

212.23 (b) The governor, the attorney general, and the governor's designated representatives
 212.24 shall report to the legislative committees having jurisdiction over health, taxation, and
 212.25 commerce annually. This report shall contain information on compacts negotiated and an
 212.26 outline of prospective negotiations.

212.27 Sec. 2. **[3.9228] ADULT-USE CANNABIS; COMPACTS TO BE NEGOTIATED.**

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

215.14 (b) "Adult-use cannabis flower" has the meaning given in section 342.01, subdivision
215.15 4.
215.16 (c) "Adult-use cannabinoid product" has the meaning given in section 342.01, subdivision
215.17 2.
215.18 (d) "Cannabis business" means a cannabis cultivator, manufacturer, retailer, wholesaler,
215.19 transporter, testing facility, microbusiness, event organizer, delivery service, or lower
215.20 potency edible retailer.

215.21 (e) "Cannabinoid product" has the meaning given in section 342.01, subdivision 12.

215.22 (f) "Minnesota Tribal governments" means the federally recognized Indian Tribes located
215.23 in Minnesota including:

215.24 (1) Bois Forte Band;
215.25 (2) Fond Du Lac Band;
215.26 (3) Grand Portage Band;
215.27 (4) Leech Lake Band;
215.28 (5) Mille Lacs Band;
215.29 (6) White Earth Band;
215.30 (7) Red Lake Nation;
216.1 (8) Lower Sioux Indian Community;
216.2 (9) Prairie Island Indian Community;
216.3 (10) Shakopee Mdewakanton Sioux Community; and
216.4 (11) Upper Sioux Indian Community.

216.5 (g) "Tribal cannabis business" means a cannabis business licensed by a Minnesota Tribal
216.6 government, including the business categories identified in paragraph (d) as well as any
216.7 others that may be provided under the law of a Minnesota Tribal government.

216.8 (h) "Tribally regulated land" means:
216.9 (1) all land held in trust by the United States for the benefit of a Minnesota Tribal
216.10 government;
216.11 (2) all land held by a Minnesota Tribal government in restricted fee status; and
216.12 (3) all land within the exterior boundaries of the reservation of a Minnesota Tribal
216.13 government that is subject to the civil regulatory jurisdiction of the Tribal government. For

213.3 (d) "Adult-use cannabis flower" has the meaning given in section 342.01, subdivision
213.4 3.
213.1 (c) "Adult-use cannabis product" has the meaning given in section 342.01, subdivision
213.2 4.
212.30 (b) "Indian Tribe" means a Tribe, band, nation, or other federally recognized group or
212.31 community of Indians located within the geographical boundaries of the state of Minnesota.

216.14 the purposes of this section, land that is subject to the civil regulatory jurisdiction of the
216.15 Tribal government includes:

216.16 (i) fee land held by the Tribe, entities organized under Tribal law, or individual Indians;
216.17 and

216.18 (ii) land held by non-Indian entities or individuals who consent to the civil regulation
216.19 of the Tribal government or are otherwise subject to such regulation under federal law.

216.20 Subd. 2. Acknowledgment and purpose; negotiations authorized. (a) The state of
216.21 Minnesota acknowledges the sovereign right of Minnesota Tribal governments to regulate
216.22 Tribal cannabis businesses and address other matters of cannabis regulation related to the
216.23 internal affairs of Minnesota Tribal governments without regard to whether such Tribal
216.24 government has entered a compact authorized by this section. The purpose of this section
216.25 is to provide for the negotiation of compacts to proactively address jurisdictional issues
216.26 related to the regulation of adult-use cannabis. The legislature finds that these agreements
216.27 will facilitate and promote a cooperative and mutually beneficial relationship between the
216.28 state and the Tribes regarding the legalization of cannabis. Such cooperative agreements
216.29 will enhance public health and safety, ensure a lawful and well-regulated cannabis market,
216.30 encourage economic development, and provide fiscal benefits to both Indian Tribes and the
216.31 state.

217.1 (b) The governor shall negotiate in good faith, and has the authority to execute and bind
217.2 the state to, a compact with any Minnesota Tribal government wishing to enter into such
217.3 compact regulating adult-use cannabis flower and adult-use cannabinoid products.

217.4 (c) This subdivision shall be effective upon enactment.

217.5 Subd. 3. Terms of compact; rights of parties. (a) A compact agreed to under this
217.6 section may address any issues related to the adult-use cannabis industry including adult-use
217.7 cannabis flower, adult-use cannabinoid products, extracts, concentrates, and artificially
217.8 derived cannabinoids that affect the interest of both the state and Minnesota Tribal
217.9 government or otherwise have an impact on Tribal-state relations. Indian Tribes are not
217.10 required to enter into compacts pursuant to this section in order to regulate or engage in
217.11 cannabis businesses or activities on reservation lands or participate as a licensee in the state's
217.12 legal cannabis market.

217.13 (b) The state shall not, as a condition for entering into a compact under this section:

213.5 Subd. 2. Negotiations authorized. Following a public hearing, the governor or the
213.6 governor's designated representatives are authorized to negotiate in good faith a compact
213.7 with an Indian Tribe regulating adult-use cannabis flower and adult-use cannabis products.
213.8 The attorney general is the legal counsel for the governor or the governor's representatives
213.9 in regard to negotiating a compact under this section. If the governor appoints designees to
213.10 negotiate under this subdivision, the designees must include at least two members of the
213.11 senate and two members of the house of representatives, two of whom must be the chairs
213.12 of the senate and house of representatives standing committees with jurisdiction over health
213.13 policy.

213.14 Subd. 3. Terms of compact; rights of parties. (a) A compact agreed to under this
213.15 section may address any issues related to adult-use cannabis flower and adult-use cannabis
213.16 products that affect the interests of both the state and Indian Tribe or otherwise have an
213.17 impact on Tribal-state relations. At a minimum, a compact agreed to on behalf of the state
213.18 under this section must address:

217.14 (1) require any Minnesota Tribal government to waive any right, privilege, or immunity
217.15 based on their status as independent sovereigns;

217.16 (2) require that any revenue generated by cannabis businesses licensed by a Minnesota
217.17 Tribal government be subject to any state cannabis gross receipt taxes imposed under section
217.18 295.81 or state and local sales or use taxes on sales of cannabis;

217.19 (3) require any taxes collected by Minnesota Tribal governments to be shared in any
217.20 manner with the state or any subdivisions thereof;

217.21 (4) require a Minnesota Tribal government to consent to state licensing of cannabis
217.22 businesses on the Tribally regulated land of the Minnesota Tribal government; or

217.23 (5) require any cannabis business licensed by a Minnesota Tribal government pursuant
217.24 to a compact agreed to under this section to comply with specific state regulations on Tribally
217.25 regulated land.

217.26 (c) Notwithstanding any law to the contrary, the state shall not impose, attempt to impose,
217.27 and shall not require or attempt to require any Indian Tribe to impose, any taxes, fees,
217.28 assessments, and other charges related to the production, processing, sale, purchase,
217.29 distribution, or possession of adult-use cannabis flower and adult-use cannabinoid products
217.30 on Minnesota Tribal governments, or their members, on a reservation or Tribally regulated
217.31 land.

217.32 (d) Compacts agreed to under this section may allow an exemption from any otherwise
217.33 applicable tax for sales to a Minnesota Tribal government, a Tribal cannabis business, or
218.1 Tribal members, of cannabis flower and adult use cannabinoid products grown, produced,
218.2 or processed as provided for in said compacts, or for activities, to the extent they are not
218.3 already exempt under state or federal law from the state cannabis gross receipt tax under
218.4 section 295.81 or state and local sales or use taxes on sales of cannabis.

218.5 (e) This subdivision shall be effective upon enactment.

213.19 (1) the enforcement of criminal and civil laws;

213.20 (2) the regulation of the commercial production, processing, sale or distribution, and
213.21 possession of adult-use cannabis flower and adult-use cannabis products;

213.22 (3) medical and pharmaceutical research involving adult-use cannabis flower and
213.23 adult-use cannabis products;

213.24 (4) the taxation of adult-use cannabis flower and adult-use cannabis products, including
213.25 establishing an appropriate amount and method of revenue sharing;

218.6 **Subd. 4. Tax agreements.** (a) For any cannabis business owned by a Minnesota Tribal
 218.7 government or its instrumentalities that is operated outside of Tribally regulated land, under
 218.8 a state-issued license, the collection and administration of taxes on such business may be
 218.9 governed through an agreement to be entered under section 270C.19.

218.10 (b) Any compact that provides for the voluntary sharing of tax or fee revenue among a
 218.11 Minnesota Tribal government and the state or a local government may provide that such
 218.12 sharing be carried out through an agreement to be entered under section 270C.19.

218.13 **Subd. 5. Civil and criminal immunities.** (a) The following acts, when performed by a
 218.14 licensed Tribal cannabis business or an employee in the course of their employment for a
 218.15 Tribal cannabis business, pursuant to a compact entered into under this section, do not
 218.16 constitute a criminal or civil offense under state law:

218.17 (1) the cultivation of cannabis flower, and the extraction, processing, or manufacture of
 218.18 adult-use cannabinoid and artificially derived cannabinoid products, extracts, or concentrates,
 218.19 as those terms are defined in section 342.01;

218.20 (2) the possession, purchase, and receipt of adult-use cannabis seed, flower, and adult-use
 218.21 cannabinoid products that are properly packaged and labeled as authorized under a compact
 218.22 entered into pursuant to this section, and the sale, delivery, transport, or distribution of such
 218.23 products to a licensed cannabis business; and

218.24 (3) the delivery, distribution, and sale of adult-use cannabis seed, flower, and adult-use
 218.25 cannabinoid products as authorized under a compact entered into pursuant to this section
 218.26 and that takes place on, or originates from, the premises of a Tribal cannabis business on
 218.27 Tribally regulated land, to any person 21 years of age or older.

218.28 (b) The following acts, when performed by a patron of a licensed Tribal cannabis business
 218.29 do not constitute a criminal or civil offense under state law: the purchase, possession, or

213.26 (5) the immunities of an Indian Tribe or preemption of state law regarding the production,
 213.27 processing, or sale or distribution of adult-use cannabis flower and adult-use cannabis
 213.28 products; and

213.29 (6) the method of resolution for disputes involving the compact, including the use of
 213.30 mediation or other alternative dispute resolution processes and procedures.

213.31 (b) In addressing the issues identified under paragraph (a), the governor or the governor's
 213.32 designee shall only enter into agreements that:

214.1 (1) provide for the preservation of public health and safety;

214.2 (2) ensure the security of production, processing, retail, and research facilities on Tribal
 214.3 land; and

214.4 (3) establish provisions regulating business involving adult-use cannabis flower and
 214.5 adult-use cannabis products that pass between Tribal land and non-Tribal land in the state.

214.6 **Subd. 4. Assessments and charges.** Notwithstanding any law to the contrary, any
 214.7 compact agreed to under this section shall establish all taxes, fees, assessments, and other
 214.8 charges related to the production, processing, sale or distribution, and possession of adult-use
 214.9 cannabis flower and adult-use cannabis products.

214.10 **Subd. 5. Civil and criminal immunities.** The following acts, when performed by a
 214.11 validly licensed cannabis retailer or an employee of a cannabis retailer operated by an Indian
 214.12 Tribe pursuant to a compact entered into under this section, do not constitute a criminal or
 214.13 civil offense under state law:

214.14 (1) the cultivation of cannabis flower, as defined in section 342.01, subdivision 15;

214.15 (2) the possession, purchase, and receipt of adult-use cannabis flower and adult-use
 214.16 cannabis products that are properly packaged and labeled as authorized under a compact
 214.17 entered into pursuant to this section; and

214.18 (3) the delivery, distribution, and sale of adult-use cannabis flower and adult-use cannabis
 214.19 products as authorized under a compact entered into pursuant to this section and that takes
 214.20 place on the premises of a medical cannabis retailer on Tribal land to any person 21 years
 214.21 of age or older.

218.30 receipt of adult-use cannabis seed, flower, and adult-use cannabinoid products as authorized
 218.31 under a compact entered into pursuant to this section.

218.32 (c) Actions by a Tribal cannabis business, a Tribal member, employee, or agent of a
 218.33 Minnesota Tribal government or Tribal cannabis business on Tribally regulated land pursuant
 219.1 to Tribal laws governing cannabis, or a compact entered into under this section, do not
 219.2 constitute a criminal or civil offense under state law.

219.3 (d) The following acts, when performed by a state-licensed cannabis business, or an
 219.4 employee of such business, and which would be permitted under the terms of the applicable
 219.5 cannabis business license if undertaken with another state-licensed cannabis business, are
 219.6 permitted under the state license conditions when undertaken with a Tribal cannabis business
 219.7 and do not constitute a criminal or civil offense under state law: the possession, purchase,
 219.8 wholesale and retail sale, delivery, transport, distribution, and receipt of adult-use cannabis,
 219.9 seed, flower, and adult-use cannabinoid products that are properly packaged and labeled as
 219.10 authorized under a compact entered into pursuant to this section.

219.11 (e) The following acts, when performed by a Minnesota Tribal government, a Tribal
 219.12 cannabis business licensed by such Tribal government, or an employee of such Tribal
 219.13 government or Tribal cannabis business, regardless of whether the Minnesota Tribal
 219.14 government issuing such license has compacted with the state under this section, do not
 219.15 constitute a criminal or civil offense under state law: purchase, sale, receipt, or delivery
 219.16 (including delivery that involves transit through the state, outside a reservation), from or to
 219.17 another Minnesota Tribal government or cannabis business licensed by such government.

219.18 (f) Notwithstanding any other provision of law, a state-licensed cannabis testing facility
 219.19 may provide cannabis testing services to a Tribal cannabis business, and the possession or
 219.20 transport of cannabis flower or cannabinoid products for such purpose by a Tribal cannabis
 219.21 business shall not constitute a criminal or civil offense under state law.

219.22 (g) This subdivision shall be effective upon enactment.

219.23 Subd. 6. Publication. The governor shall post any compact entered into under this section
 219.24 on a publicly accessible website.

219.25 Sec. 3. Minnesota Statutes 2022, section 13.411, is amended by adding a subdivision to
 219.26 read:

219.27 Subd. 12. Cannabis businesses. Data submitted to the Office of Cannabis Management
 219.28 for a cannabis business license or a hemp business license and data relating to investigations

214.22 Subd. 6. Publication; report. (a) The governor shall post any compact entered into
 214.23 under this section on a publicly accessible website.

214.24 (b) The governor, the attorney general, and the governor's designee shall report to the
 214.25 legislative committees having jurisdiction over health, taxation, and commerce annually.
 214.26 This report shall contain information on compacts negotiated and an outline of prospective
 214.27 negotiations.

214.28 Sec. 3. Minnesota Statutes 2022, section 13.411, is amended by adding a subdivision to
 214.29 read:

214.30 Subd. 12. Cannabis businesses. Data submitted to the Office of Cannabis Management
 214.31 for a cannabis business license and data relating to investigations and disciplinary proceedings

219.29 and disciplinary proceedings involving cannabis businesses and hemp businesses licensed
 219.30 by the Office of Cannabis Management are classified under section 342.20.

220.1 Sec. 4. Minnesota Statutes 2022, section 13.871, is amended by adding a subdivision to
 220.2 read:

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

215.1 involving cannabis businesses licensed by the Office of Cannabis Management are classified
 215.2 under section 342.17, subdivision 6.

215.3 Sec. 4. Minnesota Statutes 2022, section 13.871, is amended by adding a subdivision to
 215.4 read:

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

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

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

215.15 (b) If the canine's handler does not accept the canine, the agency with ownership of the
 215.16 canine must determine a home where the canine will be safe and well cared for and inform
 215.17 the commissioner. The commissioner may give and convey the state's entirety of the right,
 215.18 title, interest, and estate in and to a canine who is retired from service to the new owner.
 215.19 The new owner is solely responsible for all future expenses related to the retired canine.

215.20 Sec. 6. Minnesota Statutes 2022, section 18K.02, subdivision 3, is amended to read:

215.21 **Subd. 3. Industrial hemp.** "Industrial hemp" means the plant *Cannabis sativa L.* and
 215.22 any part of the plant, whether growing or not, including the plant's seeds, and all the plant's
 215.23 derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether
 215.24 growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3
 215.25 percent on a dry weight basis. Industrial hemp is not a cannabis plant as defined in section
 215.26 342.01, subdivision 18, or marijuana as defined in section 152.01, subdivision 9.

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

215.28 Sec. 7. Minnesota Statutes 2022, section 18K.02, subdivision 5, is amended to read:

215.29 **Subd. 5. Processing.** "Processing" means rendering by refinement hemp plants or hemp
 215.30 plant parts from their natural or original state after harvest. Processing includes but is not
 215.31 limited to decortication, devitalization, chopping, crushing, extraction, and packaging.
 216.1 Processing does not include typical farm operations such as sorting, grading, baling, and
 216.2 harvesting. Processing does not include the production of synthetically derived cannabinoids
 216.3 as defined in section 342.01, subdivision 67.

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

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

220.7 Subd. 4. **Food.** "Food" means every ingredient used for, entering into the consumption
220.8 of, or used or intended for use in the preparation of food, drink, confectionery, or condiment
220.9 for humans or other animals, whether simple, mixed, or compound; and articles used as
220.10 components of these ingredients, except that edible ~~cannabinoid~~ cannabis products, as
220.11 defined in section ~~151.72, subdivision 1, paragraph (e)~~ 342.01, subdivision 29, lower-potency
220.12 hemp edibles as defined in section 342.01, subdivision 48, and hemp-derived consumer
220.13 products, as defined in section 342.01, subdivision 35, that are intended to be eaten or
220.14 consumed as a beverage are not food.

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

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

220.17 Subdivision 1. **Model program.** The commissioner of education, in consultation with
220.18 the commissioners of health and human services, local district and school health education
220.19 specialists, and other qualified experts, shall identify one or more model programs that may
220.20 be used to educate middle school and high school students on the health effects on children
220.21 and adolescents of cannabis use and substance use, including but not limited to the use of
220.22 fentanyl or mixtures containing fentanyl, consistent with local standards as required in
220.23 section 120B.021, subdivision 1, paragraph (a), clause (6), for elementary and secondary
220.24 school students. The commissioner must publish a list of model programs that include
220.25 written materials, curriculum resources, and training for instructors by June 1, 2025. A
220.26 model program identified by the commissioner must be medically accurate, age and
220.27 developmentally appropriate, culturally inclusive, and grounded in science, and must address:

220.28 (1) the physical and mental health effects of cannabis use and substance use by children
220.29 and adolescents, including effects on the developing brains of children and adolescents;

220.30 (2) unsafe or unhealthy behaviors associated with cannabis use and substance use;

220.31 (3) signs of substance use disorders;

220.32 (4) treatment options; and

216.5 Sec. 8. Minnesota Statutes 2022, section 18K.03, subdivision 2, is amended to read:

216.6 Subd. 2. **Sale to medical cannabis manufacturers businesses and hemp businesses.** A
216.7 licensee under this chapter may sell hemp products derived from industrial hemp grown in
216.8 this state to **medical cannabis manufacturers as authorized under sections 152.22 to 152.37**
216.9 **a cannabis business or hemp business licensed under chapter 342.**

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

216.11 Sec. 9. Minnesota Statutes 2022, section 34A.01, is amended by adding a subdivision to
216.12 read:

216.13 Subd. 4a. **Food.** "Food" means every ingredient used for, entering into the consumption
216.14 of, or used or intended for use in the preparation of food, drink, confectionery, or condiment
216.15 for humans or other animals, whether simple, mixed, or compound; and articles used as
216.16 components of these ingredients, except that edible cannabis products, as defined in section
216.17 342.01, subdivision 29, and lower-potency hemp edibles, as defined in section 342.01,
216.18 subdivision 49, are not food.

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

217.18 Sec. 12. **[120B.215] EDUCATION ON CANNABIS USE AND SUBSTANCE USE.**

217.19 Subdivision 1. **Model program.** The commissioner of education, in consultation with
217.20 the commissioners of health and human services, local district and school health education
217.21 specialists, and other qualified experts, shall identify one or more model programs that may
217.22 be used to educate middle school and high school students on the health effects on children
217.23 and adolescents of cannabis use and substance use consistent with local standards as required
217.24 in section 120B.021, subdivision 1, paragraph (a), clause (6), for elementary and secondary
217.25 school students. The commissioner must publish a list of model programs that include
217.26 written materials, curriculum resources, and training for instructors by June 1, 2025. A
217.27 model program identified by the commissioner must be medically accurate, age and
217.28 developmentally appropriate, culturally inclusive, and grounded in science, and must address:

217.29 (1) the physical and mental health effects of cannabis use and substance use by children,
217.30 adolescents, and persons under 25 years of age, including effects on the developing brains
217.31 of children, adolescents, and persons under 25 years of age;

217.32 (2) unsafe or unhealthy behaviors associated with cannabis use and substance use;

218.1 (3) signs of substance use disorders;

218.2 (4) treatment options; and

221.1 (5) healthy coping strategies for children and adolescents.

221.2 **Subd. 2. School programs.** (a) Starting in the 2026-2027 school year, a school district
221.3 or charter school must implement a comprehensive education program on cannabis use and
221.4 substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl,
221.5 for students in middle school and high school. The program must include instruction on the
221.6 topics listed in subdivision 1 and must:

221.7 (1) respect community values and encourage students to communicate with parents,
221.8 guardians, and other trusted adults about cannabis use and substance use, including but not
221.9 limited to the use of fentanyl or mixtures containing fentanyl; and

221.10 (2) refer students to local resources where students may obtain medically accurate
221.11 information about cannabis use and substance use, including but not limited to the use of
221.12 fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.

221.13 (b) District efforts to develop, implement, or improve instruction or curriculum as a
221.14 result of the provisions of this section must be consistent with sections 120B.10 and 120B.11.

221.15 **Subd. 3. Parental review.** Notwithstanding any law to the contrary, each school district
221.16 shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older
221.17 to review the content of the instructional materials to be provided to a minor child or to an
221.18 adult student pursuant to this section. The district or charter school must allow a parent or
221.19 adult student to opt out of instruction under this section with no academic or other penalty
221.20 for the student and must inform parents and adult students of this right to opt out.

221.21 **Subd. 4. Youth council.** A school district or charter school may establish one or more
221.22 youth councils in which student members of the council receive education and training on
221.23 cannabis use and substance use, including but not limited to the use of fentanyl or mixtures
221.24 containing fentanyl, and provide peer-to-peer education on these topics.

221.25 **Sec. 7. [144.196] CANNABIS DATA COLLECTION AND BIENNIAL REPORTS.**

221.26 **Subdivision 1. General.** The commissioner of health shall engage in research and data
221.27 collection activities to measure the prevalence of cannabis flower use and the use of cannabis
221.28 products, lower-potency hemp edibles, and hemp-derived consumer products in the state
221.29 by persons under 21 years of age and by persons 21 years of age or older. In order to collect
221.30 data, the commissioner may modify existing data collection tools used by the department
221.31 or other state agencies or may establish one or more new data collection tools.

221.32 **Subd. 2. Statewide assessment; baseline data; updates.** (a) The commissioner shall
221.33 conduct a statewide assessment to establish a baseline for the prevalence of cannabis flower
222.1 use and the use of cannabis products, lower-potency hemp edibles, and hemp-derived
222.2 consumer products in the state broken out by:

222.3 (1) the current age of the customer;

218.3 (5) healthy coping strategies for children and adolescents.

218.4 **Subd. 2. School programs.** (a) Starting in the 2026-2027 school year, a school district
218.5 or charter school must implement a comprehensive education program on cannabis use and
218.6 substance use for students in middle school and high school. The program must include
218.7 instruction on the topics listed in subdivision 1 and must:

218.8 (1) respect community values and encourage students to communicate with parents,
218.9 guardians, and other trusted adults about cannabis use and substance use; and

218.10 (2) refer students to local resources where students may obtain medically accurate
218.11 information about cannabis use and substance use, and treatment for a substance use disorder.

218.12 (b) District efforts to develop, implement, or improve instruction or curriculum as a
218.13 result of the provisions of this section must be consistent with sections 120B.10 and 120B.11.

218.14 **Subd. 3. Parental review.** Notwithstanding any law to the contrary, each school district
218.15 shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older
218.16 to review the content of the instructional materials to be provided to a minor child or to an
218.17 adult student pursuant to this section. The district or charter school must allow a parent or
218.18 adult student to opt out of instruction under this section with no academic or other penalty
218.19 for the student and must inform parents and adult students of this right to opt out.

218.20 **Subd. 4. Youth council.** A school district or charter school may establish one or more
218.21 youth councils in which student members of the council receive education and training on
218.22 cannabis use and substance use and provide peer-to-peer education on these topics.

218.23 **Sec. 13. [144.196] CANNABIS DATA COLLECTION AND BIENNIAL REPORTS.**

218.24 **Subdivision 1. General.** The commissioner of health shall engage in research and data
218.25 collection activities to measure the prevalence of cannabis flower and cannabis product use
218.26 in the state by persons under 21 years of age and by persons 21 years of age or older, and
218.27 the trends in hospital-treated cannabis poisoning and adverse events. In order to collect data,
218.28 the commissioner may modify existing data collection tools used by the department or other
218.29 state agencies or may establish one or more new data collection tools.

218.30 **Subd. 2. Statewide assessment; baseline data; updates.** (a) The commissioner shall
218.31 conduct a statewide assessment to establish a baseline for the prevalence of cannabis flower
219.1 use and cannabis product use in the state, and the trends in hospital-treated cannabis poisoning
219.2 and adverse events broken out by:

219.3 (1) the current age of the customer;

222.4 (2) the age at which the customer began consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products;

222.6 (3) whether the customer consumes cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products, and by type of product that the customer consumes, if applicable;

222.9 (4) the amount of cannabis flower, cannabis product, lower-potency hemp edible, or hemp-derived consumer product typically consumed at one time;

222.11 (5) the typical frequency of consumption; and

222.12 (6) other criteria specified by the commissioner.

222.13 (b) The initial assessment must be completed by July 1, 2024. The commissioner shall 222.14 collect updated data under this subdivision at least every two years thereafter.

222.15 Subd. 3. **Reports.** Beginning January 1, 2025, and every two years thereafter, the 222.16 commissioner shall issue a public report on the prevalence of cannabis flower use and the 222.17 use of cannabis products, lower-potency hemp edibles, and hemp-derived consumer products 222.18 in the state by persons under age 21 and by persons age 21 or older. The report may include 222.19 recommendations from the commissioner for changes to this chapter that would discourage 222.20 or prevent personal use of cannabis flower, cannabis products, lower-potency hemp edibles, 222.21 or hemp-derived consumer products by persons under age 21, that would discourage personal 222.22 use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived 222.23 consumer products by pregnant or breastfeeding women, that would prevent access to 222.24 cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer 222.25 products by young children, or that would otherwise promote public health.

222.26 Sec. 8. **[144.197] CANNABIS EDUCATION PROGRAMS.**

222.27 Subdivision 1. **Youth education.** The commissioner of health, in collaboration with 222.28 local health departments, shall conduct a long-term, coordinated education program to raise 222.29 public awareness about and address the top three adverse health effects, as determined by 222.30 the commissioner, associated with the use of cannabis flower, cannabis products, 222.31 lower-potency hemp edibles, or hemp-derived consumer products by persons under age 21. 222.32 In conducting this education program, the commissioner shall engage and consult with 223.1 youth around the state on program content and on methods to effectively disseminate program 223.2 information to youth around the state.

223.3 Subd. 2. **Education for pregnant and breastfeeding women; women who may become 223.4 pregnant.** The commissioner of health shall conduct a long-term, coordinated program to 223.5 educate pregnant women, breastfeeding women, and women who may become pregnant on 223.6 the adverse health effects of prenatal exposure to cannabis flower, cannabis products, 223.7 lower-potency hemp edibles, or hemp-derived consumer products and on the adverse health 223.8 effects experienced by infants and children who are exposed to cannabis flower, cannabis 223.9 products, lower-potency hemp edibles, or hemp-derived consumer products in breast milk,

219.4 (2) the age at which the customer began consuming cannabis flower or cannabis products;

219.5 (3) whether the customer consumes cannabis flower or cannabis products, and by type 219.6 of cannabis product that the customer consumes, if applicable;

219.7 (4) the amount of cannabis flower or cannabis product typically consumed at one time;

219.8 (5) the typical frequency of consumption; and

219.9 (6) other criteria specified by the commissioner.

219.10 (b) The initial assessment must be completed by July 1, 2024. The commissioner shall 219.11 collect updated data under this subdivision at least every two years thereafter.

219.12 Subd. 3. **Reports.** Beginning January 1, 2025, and every two years thereafter, the 219.13 commissioner shall issue a public report on the prevalence of cannabis flower use and the 219.14 use of cannabis products in the state by persons under age 21 and by persons age 21 or 219.15 older, and the trends in hospital-treated cannabis poisoning and adverse events. The report 219.16 may include recommendations from the commissioner for changes to this chapter that would 219.17 discourage or prevent personal use of cannabis flower or cannabis products by persons 219.18 under age 21, that would discourage personal use of cannabis flower or cannabis products 219.19 by pregnant or breastfeeding individuals, that would prevent access to cannabis flower or 219.20 cannabis products by young children, or that would otherwise promote public health.

219.21 Sec. 14. **[144.197] CANNABIS EDUCATION PROGRAMS.**

219.22 Subdivision 1. **Youth education.** The commissioner of health, in collaboration with 219.23 local health departments, shall conduct a long-term, coordinated education program to raise 219.24 public awareness about and address the top three adverse health effects, as determined by 219.25 the commissioner, associated with the use of cannabis flower or cannabis products by persons 219.26 under age 25. In conducting this education program, the commissioner shall engage and 219.27 consult with youth around the state on program content and on methods to effectively 219.28 disseminate program information to youth around the state.

219.29 Subd. 2. **Education for pregnant and breastfeeding individuals; individuals who 219.30 may become pregnant.** The commissioner of health, in consultation with the commissioners 219.31 of human services and education, shall conduct a long-term, coordinated program to educate 219.32 pregnant individuals, breastfeeding individuals, and individuals who may become pregnant 220.1 on the adverse health effects of prenatal exposure to cannabis flower or cannabis products 220.2 and on the adverse health effects experienced by infants and children who are exposed to 220.3 cannabis flower or cannabis products in breast milk, from secondhand smoke, or by ingesting

223.10 from secondhand smoke, or by ingesting cannabinoid products. This education program
 223.11 must also educate women on what constitutes a substance use disorder, signs of a substance
 223.12 use disorder, and treatment options for persons with a substance use disorder.

223.13 Subd. 3. **Home visiting programs.** The commissioner of health shall provide training,
 223.14 technical assistance, and education materials to local public health home visiting programs
 223.15 and Tribal home visiting programs regarding the safe and unsafe use of cannabis flower,
 223.16 cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in
 223.17 homes with infants and young children. Training, technical assistance, and education
 223.18 materials shall address substance use, the signs of a substance use disorder, treatment options
 223.19 for persons with a substance use disorder, the dangers of driving under the influence of
 223.20 cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer
 223.21 products, how to safely consume cannabis flower, cannabis products, lower-potency hemp
 223.22 edibles, or hemp-derived consumer products in homes with infants and young children, and
 223.23 how to prevent infants and young children from being exposed to cannabis flower, cannabis
 223.24 products, lower-potency hemp edibles, or hemp-derived consumer products by ingesting
 223.25 cannabinoid products or through secondhand smoke.

223.26 Subd. 4. **Local and Tribal health departments.** The commissioner of health shall
 223.27 distribute grants to local health departments and Tribal health departments for these
 223.28 departments to create and disseminate educational materials on cannabis flower, cannabis
 223.29 products, lower-potency hemp edibles, and hemp-derived consumer products and to provide
 223.30 safe use and prevention training, education, technical assistance, and community engagement
 223.31 regarding cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived
 223.32 consumer products.

224.1 Sec. 9. Minnesota Statutes 2022, section 144.99, subdivision 1, is amended to read:

224.2 Subdivision 1. **Remedies available.** The provisions of chapters 103I and 157 and sections
 224.3 115.71 to 115.77; 144.12, subdivision 1, paragraphs (1), (2), (5), (6), (10), (12), (13), (14),
 224.4 and (15); 144.1201 to 144.1204; 144.121; 144.1215; 144.1222; 144.35; 144.381 to 144.385;
 224.5 144.411 to 144.417; 144.495; 144.71 to 144.74; 144.9501 to 144.9512; 144.97 to 144.98;
 224.6 144.992; 152.22 to 152.37; 326.70 to 326.785; 327.10 to 327.131; and 327.14 to 327.28
 224.7 and all rules, orders, stipulation agreements, settlements, compliance agreements, licenses,
 224.8 registrations, certificates, and permits adopted or issued by the department or under any
 224.9 other law now in force or later enacted for the preservation of public health may, in addition
 224.10 to provisions in other statutes, be enforced under this section.

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

224.12 Sec. 10. Minnesota Statutes 2022, section 144A.4791, subdivision 14, is amended to read:

224.13 Subd. 14. **Application of other law.** Home care providers may exercise the authority
 224.14 and are subject to the protections in section 152.34 342.51, subdivision 2.

220.4 cannabis products. This education program must also educate individuals on what constitutes
 220.5 a substance use disorder, signs of a substance use disorder, and treatment options for persons
 220.6 with a substance use disorder.

220.7 Subd. 3. **Home visiting programs.** The commissioner of health shall provide training,
 220.8 technical assistance, and education materials to local public health home visiting programs,
 220.9 Tribal home visiting programs, and child welfare workers regarding the safe and unsafe use
 220.10 of cannabis flower or cannabis products in homes with infants and young children. Training,
 220.11 technical assistance, and education materials shall address substance use, the signs of a
 220.12 substance use disorder, treatment options for persons with a substance use disorder, the
 220.13 dangers of driving under the influence of cannabis flower or cannabis products, how to
 220.14 safely consume cannabis flower or cannabis products in homes with infants and young
 220.15 children, and how to prevent infants and young children from being exposed to cannabis
 220.16 flower or cannabis products by ingesting cannabis products or through secondhand smoke.

220.17 Subd. 4. **Local and Tribal health departments.** The commissioner of health shall
 220.18 distribute grants to local health departments and Tribal health departments for these
 220.19 departments to create and disseminate educational materials on cannabis flower and cannabis
 220.20 products and to provide safe use and prevention training, education, technical assistance,
 220.21 and community engagement regarding cannabis flower and cannabis products.

224.15 Sec. 11. Minnesota Statutes 2022, section 152.22, is amended by adding a subdivision to
224.16 read:

224.17 Subd. 5d. Indian lands. "Indian lands" means all lands within the limits of any Indian
224.18 reservation within the boundaries of Minnesota and any lands within the boundaries of
224.19 Minnesota, title to which are either held in trust by the United States or over which an Indian
224.20 Tribe exercises governmental power.

224.21 Sec. 12. Minnesota Statutes 2022, section 152.22, is amended by adding a subdivision to
224.22 read:

224.23 Subd. 15. Tribal medical cannabis board. "Tribal medical cannabis board" means an
224.24 agency established by each federally recognized Tribal government and duly authorized by
224.25 that Tribe's governing body to perform regulatory oversight and monitor compliance with
224.26 a Tribal medical cannabis program and applicable regulations.

224.27 Sec. 13. Minnesota Statutes 2022, section 152.22, is amended by adding a subdivision to
224.28 read:

224.29 Subd. 16. Tribal medical cannabis program. "Tribal medical cannabis program" means
224.30 a program established by a federally recognized Tribal government within the boundaries
225.1 of Minnesota regarding the commercial production, processing, sale or distribution, and
225.2 possession of medical cannabis and medical cannabis products.

220.22 Sec. 15. Minnesota Statutes 2022, section 152.01, subdivision 9, is amended to read:

220.23 Subd. 9. **Marijuana.** "Marijuana" means all parts of the plant of any species of the genus
220.24 Cannabis, including all agronomical varieties, whether growing or not; the seeds thereof;
220.25 the resin extracted from any part of such plant; and every compound, manufacture, salt,
220.26 derivative, mixture, or preparation of such plant, its seeds or resin, but shall not include the
220.27 mature stalks of such plant, fiber from such stalks, oil or cake made from the seeds of such
220.28 plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such
220.29 mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed
220.30 of such plant which is incapable of germination. Marijuana does not include hemp as defined
220.31 in section 152.22, subdivision 5a 18K.02, subdivision 3.

SENATE ARTICLE 7, SECTION 3

260.29 Sec. 3. Minnesota Statutes 2022, section 152.22, is amended by adding a subdivision to
260.30 read:

260.31 Subd. 5d. Indian lands. (a) "Indian lands" means all lands within the limits of any Indian
260.32 reservation within the boundaries of Minnesota and any lands within the boundaries of
261.1 Minnesota, title to which are either held in trust by the United States or over which an Indian
261.2 Tribe exercises governmental power.

261.3 (b) This subdivision expires January 1, 2024.

ARTICLE 7, SECTION 5

261.4 Sec. 4. Minnesota Statutes 2022, section 152.22, is amended by adding a subdivision to
261.5 read:

261.6 Subd. 15. Tribal medical cannabis board. (a) "Tribal medical cannabis board" means
261.7 an agency established by each federally recognized Tribal government and duly authorized
261.8 by that Tribe's governing body to perform regulatory oversight and monitor compliance
261.9 with a Tribal medical cannabis program and applicable regulations.

261.10 (b) This subdivision expires January 1, 2024.

ARTICLE 7, SECTION 5

261.11 Sec. 5. Minnesota Statutes 2022, section 152.22, is amended by adding a subdivision to
261.12 read:

261.13 Subd. 16. Tribal medical cannabis program. (a) "Tribal medical cannabis program"
261.14 means a program established by a federally recognized Tribal government within the
261.15 boundaries of Minnesota regarding the commercial production, processing, sale or
261.16 distribution, and possession of medical cannabis and medical cannabis products.

261.17 (b) This subdivision expires January 1, 2024.

ARTICLE 7, SECTION 6

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

225.5 **Subd. 17. Tribal medical cannabis program manufacturer.** "Tribal medical cannabis
 225.6 program manufacturer" means an entity designated by a Tribal medical cannabis board
 225.7 within the boundaries of Minnesota or a federally recognized Tribal government within the
 225.8 boundaries of Minnesota to engage in production, processing, and sale or distribution of
 225.9 medical cannabis and medical cannabis products under that Tribe's Tribal medical cannabis
 225.10 program.

225.11 Sec. 15. Minnesota Statutes 2022, section 152.22, is amended by adding a subdivision to
 225.12 read:

225.13 **Subd. 18. Tribal medical cannabis program patient.** "Tribal medical cannabis program
 225.14 patient" means a person who possesses a valid registration verification card or equivalent
 225.15 document that is issued under the laws or regulations of a Tribal nation within the boundaries
 225.16 of Minnesota and that verifies that the person is enrolled in or authorized to participate in
 225.17 that Tribal nation's Tribal medical cannabis program.

225.18 Sec. 16. Minnesota Statutes 2022, section 152.29, subdivision 4, is amended to read:

225.19 **Subd. 4. Report.** (a) Each manufacturer shall report to the commissioner on a monthly
 225.20 basis the following information on each individual patient for the month prior to the report:

225.21 (1) the amount and dosages of medical cannabis distributed;

225.22 (2) the chemical composition of the medical cannabis; and

225.23 (3) the tracking number assigned to any medical cannabis distributed.

225.24 (b) For transactions involving Tribal medical cannabis program patients, each
 225.25 manufacturer shall report to the commissioner on a weekly basis the following information
 225.26 on each individual Tribal medical cannabis program patient for the week prior to the report:

225.27 (1) the name of the Tribal medical cannabis program in which the Tribal medical cannabis
 225.28 program patient is enrolled;

225.29 (2) the amount and dosages of medical cannabis distributed;

225.30 (3) the chemical composition of the medical cannabis distributed; and

226.1 (4) the tracking number assigned to the medical cannabis distributed.

261.18 Sec. 6. Minnesota Statutes 2022, section 152.22, is amended by adding a subdivision to
 261.19 read:

261.20 **Subd. 17. Tribal medical cannabis program manufacturer.** (a) "Tribal medical
 261.21 cannabis program manufacturer" means an entity designated by a Tribal medical cannabis
 261.22 board within the boundaries of Minnesota or a federally recognized Tribal government
 261.23 within the boundaries of Minnesota to engage in production, processing, and sale or
 261.24 distribution of medical cannabis and medical cannabis products under that Tribe's Tribal
 261.25 medical cannabis program.

261.26 **(b) This subdivision expires January 1, 2024.**

ARTICLE 7, SECTION 7

261.27 Sec. 7. Minnesota Statutes 2022, section 152.22, is amended by adding a subdivision to
 261.28 read:

261.29 **Subd. 18. Tribal medical cannabis program patient.** (a) "Tribal medical cannabis
 261.30 program patient" means a person who possesses a valid registration verification card or
 262.1 equivalent document that is issued under the laws or regulations of a Tribal nation within
 262.2 the boundaries of Minnesota and that verifies that the person is enrolled in or authorized to
 262.3 participate in that Tribal nation's Tribal medical cannabis program.

262.4 **(b) This subdivision expires January 1, 2024.**

ARTICLE 7, SECTION 8

262.5 Sec. 8. Minnesota Statutes 2022, section 152.29, subdivision 4, is amended to read:

262.6 **Subd. 4. Report.** (a) Each manufacturer shall report to the commissioner on a monthly
 262.7 basis the following information on each individual patient for the month prior to the report:

262.8 (1) the amount and dosages of medical cannabis distributed;

262.9 (2) the chemical composition of the medical cannabis; and

262.10 (3) the tracking number assigned to any medical cannabis distributed.

262.11 (b) For transactions involving Tribal medical cannabis program patients, each
 262.12 manufacturer shall report to the commissioner on a weekly basis the following information
 262.13 on each individual Tribal medical cannabis program patient for the week prior to the report:

262.14 (1) the name of the Tribal medical cannabis program in which the Tribal medical cannabis
 262.15 program patient is enrolled;

262.16 (2) the amount and dosages of medical cannabis distributed;

262.17 (3) the chemical composition of the medical cannabis distributed; and

262.18 (4) the tracking number assigned to the medical cannabis distributed.

226.2 Sec. 17. Minnesota Statutes 2022, section 152.29, is amended by adding a subdivision to
 226.3 read:

226.4 Subd. 5. Distribution to Tribal medical cannabis program patient. (a) A manufacturer
 226.5 may distribute medical cannabis in accordance with subdivisions 1 to 4 to a Tribal medical
 226.6 cannabis program patient.

226.7 (b) Prior to distribution, the Tribal medical cannabis program patient must provide to
 226.8 the manufacturer:

226.9 (1) a valid medical cannabis registration verification card or equivalent document issued
 226.10 by a Tribal medical cannabis program that indicates that the Tribal medical cannabis program
 226.11 patient is authorized to use medical cannabis on Indian lands over which the Tribe has
 226.12 jurisdiction; and

226.13 (2) a valid photographic identification card issued by the Tribal medical cannabis
 226.14 program, a valid driver's license, or a valid state identification card.

226.15 (c) A manufacturer shall distribute medical cannabis to a Tribal medical cannabis program
 226.16 patient only in a form allowed under section 152.22, subdivision 6.

226.17 Sec. 18. [152.291] TRIBAL MEDICAL CANNABIS PROGRAM MANUFACTURER
 226.18 TRANSPORTATION.

226.19 (a) A Tribal medical cannabis program manufacturer may transport medical cannabis
 226.20 to testing laboratories in the state and to other Indian lands.

226.21 (b) A Tribal medical cannabis program manufacturer must staff a motor vehicle used to
 226.22 transport medical cannabis with at least two employees of the manufacturer. Each employee
 226.23 in the transport vehicle must carry identification specifying that the employee is an employee
 226.24 of the manufacturer, and one employee in the transport vehicle must carry a detailed
 226.25 transportation manifest that includes the place and time of departure, the address of the
 226.26 destination, and a description and count of the medical cannabis being transported.

ARTICLE 7, SECTION 9

262.19 Sec. 9. Minnesota Statutes 2022, section 152.29, is amended by adding a subdivision to
 262.20 read:

262.21 Subd. 5. Distribution to Tribal medical cannabis program patient. (a) A manufacturer
 262.22 may distribute medical cannabis in accordance with subdivisions 1 to 4 to a Tribal medical
 262.23 cannabis program patient.

262.24 (b) Prior to distribution, the Tribal medical cannabis program patient must provide to
 262.25 the manufacturer:

262.26 (1) a valid medical cannabis registration verification card or equivalent document issued
 262.27 by a Tribal medical cannabis program that indicates that the Tribal medical cannabis program
 262.28 patient is authorized to use medical cannabis on Indian lands over which the Tribe has
 262.29 jurisdiction; and

262.31 (2) a valid photographic identification card issued by the Tribal medical cannabis
 262.32 program, a valid driver's license, or a valid state identification card.

262.33 (c) A manufacturer shall distribute medical cannabis to a Tribal medical cannabis program
 262.34 patient only in a form allowed under section 152.22, subdivision 6.

262.35 (d) This subdivision expires January 1, 2024.

ARTICLE 7, SECTION 10

263.6 Sec. 10. [152.291] TRIBAL MEDICAL CANNABIS PROGRAM MANUFACTURER
 263.7 TRANSPORTATION.

263.8 (a) A Tribal medical cannabis program manufacturer may transport medical cannabis
 263.9 to testing laboratories in the state and to other Indian lands.

263.10 (b) A Tribal medical cannabis program manufacturer must staff a motor vehicle used to
 263.11 transport medical cannabis with at least two employees of the manufacturer. Each employee
 263.12 in the transport vehicle must carry identification specifying that the employee is an employee
 263.13 of the manufacturer, and one employee in the transport vehicle must carry a detailed
 263.14 transportation manifest that includes the place and time of departure, the address of the
 263.15 destination, and a description and count of the medical cannabis being transported.

263.16 (c) This section expires January 1, 2024.

ARTICLE 7, SECTION 11

226.27 Sec. 19. Minnesota Statutes 2022, section 152.30, is amended to read:

226.28 **152.30 PATIENT DUTIES.**

226.29 (a) A patient shall apply to the commissioner for enrollment in the registry program by
226.30 submitting an application as required in section 152.27 and an annual registration fee as
226.31 determined under section 152.35.

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

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

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

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

227.8 Sec. 20. Minnesota Statutes 2022, section 152.32, is amended to read:

227.9 **152.32 PROTECTIONS FOR REGISTRY PROGRAM OR TRIBAL MEDICAL**
227.10 **CANNABIS PROGRAM PARTICIPATION.**

227.11 Subdivision 1. **Presumption.** (a) There is a presumption that a patient enrolled in the
227.12 registry program under sections 152.22 to 152.37 or a Tribal medical cannabis program
227.13 patient is engaged in the authorized use of medical cannabis.

227.14 (b) The presumption may be rebutted by evidence that:

227.15 (1) a patient's conduct related to use of medical cannabis was not for the purpose of
227.16 treating or alleviating the patient's qualifying medical condition or symptoms associated
227.17 with the patient's qualifying medical condition; or

227.18 (2) a Tribal medical cannabis program patient's use of medical cannabis was not for a
227.19 purpose authorized by the Tribal medical cannabis program.

227.20 Subd. 2. **Criminal and civil protections.** (a) Subject to section 152.23, the following
227.21 are not violations under this chapter:

227.22 (1) use or possession of medical cannabis or medical cannabis products by a patient
227.23 enrolled in the registry program; or; possession by a registered designated caregiver or the
227.24 parent, legal guardian, or spouse of a patient if the parent, legal guardian, or spouse is listed
227.25 on the registry verification; or use or possession of medical cannabis or medical cannabis
227.26 products by a Tribal medical cannabis program patient;

227.27 (2) possession, dosage determination, or sale of medical cannabis or medical cannabis
227.28 products by a medical cannabis manufacturer, employees of a manufacturer, a Tribal medical

263.17 Sec. 11. Minnesota Statutes 2022, section 152.30, is amended to read:

263.18 **152.30 PATIENT DUTIES.**

263.19 (a) A patient shall apply to the commissioner for enrollment in the registry program by
263.20 submitting an application as required in section 152.27 and an annual registration fee as
263.21 determined under section 152.35.

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

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

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

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

ARTICLE 7, SECTION 12

264.1 Sec. 12. Minnesota Statutes 2022, section 152.32, is amended to read:

264.2 **152.32 PROTECTIONS FOR REGISTRY PROGRAM OR TRIBAL MEDICAL**
264.3 **CANNABIS PROGRAM PARTICIPATION.**

264.4 Subdivision 1. **Presumption.** (a) There is a presumption that a patient enrolled in the
264.5 registry program under sections 152.22 to 152.37 or a Tribal medical cannabis program
264.6 patient is engaged in the authorized use of medical cannabis.

264.7 (b) The presumption may be rebutted by evidence that:

264.8 (1) a patient's conduct related to use of medical cannabis was not for the purpose of
264.9 treating or alleviating the patient's qualifying medical condition or symptoms associated
264.10 with the patient's qualifying medical condition; or

264.11 (2) a Tribal medical cannabis program patient's use of medical cannabis was not for a
264.12 purpose authorized by the Tribal medical cannabis program.

264.13 Subd. 2. **Criminal and civil protections.** (a) Subject to section 152.23, the following
264.14 are not violations under this chapter:

264.15 (1) use or possession of medical cannabis or medical cannabis products by a patient
264.16 enrolled in the registry program; or; possession by a registered designated caregiver or the
264.17 parent, legal guardian, or spouse of a patient if the parent, legal guardian, or spouse is listed
264.18 on the registry verification; or use or possession of medical cannabis or medical cannabis
264.19 products by a Tribal medical cannabis program patient;

264.20 (2) possession, dosage determination, or sale of medical cannabis or medical cannabis
264.21 products by a medical cannabis manufacturer, employees of a manufacturer, a Tribal medical

227.29 cannabis program manufacturer, employees of a Tribal medical cannabis program
 227.30 manufacturer, a laboratory conducting testing on medical cannabis, or employees of the
 227.31 laboratory; and

228.1 (3) possession of medical cannabis or medical cannabis products by any person while
 228.2 carrying out the duties required under sections 152.22 to 152.37.

228.3 (b) Medical cannabis obtained and distributed pursuant to sections 152.22 to 152.37 and
 228.4 associated property is not subject to forfeiture under sections 609.531 to 609.5316.

228.5 (c) The commissioner, members of a Tribal medical cannabis board, the commissioner's
 228.6 or Tribal medical cannabis board's staff, the commissioner's or Tribal medical cannabis
 228.7 board's agents or contractors, and any health care practitioner are not subject to any civil or
 228.8 disciplinary penalties by the Board of Medical Practice, the Board of Nursing, or by any
 228.9 business, occupational, or professional licensing board or entity, solely for the participation
 228.10 in the registry program under sections 152.22 to 152.37 or in a Tribal medical cannabis
 228.11 program. A pharmacist licensed under chapter 151 is not subject to any civil or disciplinary
 228.12 penalties by the Board of Pharmacy when acting in accordance with the provisions of
 228.13 sections 152.22 to 152.37. Nothing in this section affects a professional licensing board
 228.14 from taking action in response to violations of any other section of law.

228.15 (d) Notwithstanding any law to the contrary, the commissioner, the governor of
 228.16 Minnesota, or an employee of any state agency may not be held civilly or criminally liable
 228.17 for any injury, loss of property, personal injury, or death caused by any act or omission
 228.18 while acting within the scope of office or employment under sections 152.22 to 152.37.

228.19 (e) Federal, state, and local law enforcement authorities are prohibited from accessing
 228.20 the patient registry under sections 152.22 to 152.37 except when acting pursuant to a valid
 228.21 search warrant.

228.22 (f) Notwithstanding any law to the contrary, neither the commissioner nor a public
 228.23 employee may release data or information about an individual contained in any report,
 228.24 document, or registry created under sections 152.22 to 152.37 or any information obtained
 228.25 about a patient participating in the program, except as provided in sections 152.22 to 152.37.

228.26 (g) No information contained in a report, document, or registry or obtained from a patient
 228.27 under sections 152.22 to 152.37 or from a Tribal medical cannabis program patient may be
 228.28 admitted as evidence in a criminal proceeding unless independently obtained or in connection
 228.29 with a proceeding involving a violation of sections 152.22 to 152.37.

228.30 (h) Notwithstanding section 13.09, any person who violates paragraph (e) or (f) is guilty
 228.31 of a gross misdemeanor.

228.32 (i) An attorney may not be subject to disciplinary action by the Minnesota Supreme
 228.33 Court, a Tribal court, or the professional responsibility board for providing legal assistance
 229.1 to prospective or registered manufacturers or others related to activity that is no longer
 229.2 subject to criminal penalties under state law pursuant to sections 152.22 to 152.37, or for

264.22 cannabis program manufacturer, employees of a Tribal medical cannabis program
 264.23 manufacturer, a laboratory conducting testing on medical cannabis, or employees of the
 264.24 laboratory; and

264.25 (3) possession of medical cannabis or medical cannabis products by any person while
 264.26 carrying out the duties required under sections 152.22 to 152.37.

264.27 (b) Medical cannabis obtained and distributed pursuant to sections 152.22 to 152.37 and
 264.28 associated property is not subject to forfeiture under sections 609.531 to 609.5316.

264.29 (c) The commissioner, members of a Tribal medical cannabis board, the commissioner's
 264.30 or Tribal medical cannabis board's staff, the commissioner's or Tribal medical cannabis
 264.31 board's agents or contractors, and any health care practitioner are not subject to any civil or
 264.32 disciplinary penalties by the Board of Medical Practice, the Board of Nursing, or by any
 265.1 business, occupational, or professional licensing board or entity, solely for the participation
 265.2 in the registry program under sections 152.22 to 152.37 or in a Tribal medical cannabis
 265.3 program. A pharmacist licensed under chapter 151 is not subject to any civil or disciplinary
 265.4 penalties by the Board of Pharmacy when acting in accordance with the provisions of
 265.5 sections 152.22 to 152.37. Nothing in this section affects a professional licensing board
 265.6 from taking action in response to violations of any other section of law.

265.7 (d) Notwithstanding any law to the contrary, the commissioner, the governor of
 265.8 Minnesota, or an employee of any state agency may not be held civilly or criminally liable
 265.9 for any injury, loss of property, personal injury, or death caused by any act or omission
 265.10 while acting within the scope of office or employment under sections 152.22 to 152.37.

265.11 (e) Federal, state, and local law enforcement authorities are prohibited from accessing
 265.12 the patient registry under sections 152.22 to 152.37 except when acting pursuant to a valid
 265.13 search warrant.

265.14 (f) Notwithstanding any law to the contrary, neither the commissioner nor a public
 265.15 employee may release data or information about an individual contained in any report,
 265.16 document, or registry created under sections 152.22 to 152.37 or any information obtained
 265.17 about a patient participating in the program, except as provided in sections 152.22 to 152.37.

265.18 (g) No information contained in a report, document, or registry or obtained from a patient
 265.19 under sections 152.22 to 152.37 or from a Tribal medical cannabis program patient may be
 265.20 admitted as evidence in a criminal proceeding unless independently obtained or in connection
 265.21 with a proceeding involving a violation of sections 152.22 to 152.37.

265.22 (h) Notwithstanding section 13.09, any person who violates paragraph (e) or (f) is guilty
 265.23 of a gross misdemeanor.

265.24 (i) An attorney may not be subject to disciplinary action by the Minnesota Supreme
 265.25 Court, a Tribal court, or the professional responsibility board for providing legal assistance
 265.26 to prospective or registered manufacturers or others related to activity that is no longer
 265.27 subject to criminal penalties under state law pursuant to sections 152.22 to 152.37, or for

229.3 providing legal assistance to a Tribal medical cannabis program or a Tribal medical cannabis
 229.4 program manufacturer.

229.5 (j) Possession of a registry verification or application for enrollment in the program by
 229.6 a person entitled to possess or apply for enrollment in the registry program does The
 229.7 following do not constitute probable cause or reasonable suspicion, nor and shall it not be
 229.8 used to support a search of the person or property of the person possessing or applying for
 229.9 the registry verification or equivalent, or otherwise subject the person or property of the
 229.10 person to inspection by any governmental agency:;

229.11 (1) possession of a registry verification or application for enrollment in the registry
 229.12 program by a person entitled to possess a registry verification or apply for enrollment in
 229.13 the registry program; or

229.14 (2) possession of a verification or equivalent issued by a Tribal medical cannabis program
 229.15 or application for enrollment in a Tribal medical cannabis program by a person entitled to
 229.16 possess such a verification or application.

229.17 **Subd. 3. Discrimination prohibited.** (a) No school or landlord may refuse to enroll or
 229.18 lease to and may not otherwise penalize a person solely for the person's status as a patient
 229.19 enrolled in the registry program under sections 152.22 to 152.37 or for the person's status
 229.20 as a Tribal medical cannabis program patient, unless failing to do so would violate federal
 229.21 law or regulations or cause the school or landlord to lose a monetary or licensing-related
 229.22 benefit under federal law or regulations.

229.23 (b) For the purposes of medical care, including organ transplants, a registry program
 229.24 enrollee's use of medical cannabis under sections 152.22 to 152.37, or a Tribal medical
 229.25 cannabis program patient's use of medical cannabis as authorized by the Tribal medical
 229.26 cannabis program, is considered the equivalent of the authorized use of any other medication
 229.27 used at the discretion of a physician, advanced practice registered nurse, or physician assistant
 229.28 and does not constitute the use of an illicit substance or otherwise disqualify a patient from
 229.29 needed medical care.

229.30 (c) Unless a failure to do so would violate federal law or regulations or cause an employer
 229.31 to lose a monetary or licensing-related benefit under federal law or regulations, an employer
 229.32 may not discriminate against a person in hiring, termination, or any term or condition of
 229.33 employment, or otherwise penalize a person, if the discrimination is based upon either any
 229.34 of the following:

230.1 (1) the person's status as a patient enrolled in the registry program under sections 152.22
 230.2 to 152.37; or

230.3 (2) the person's status as a Tribal medical cannabis program patient; or

230.4 (2) a patient's positive drug test for cannabis components or metabolites, unless the
 230.5 patient used, possessed, or was impaired by medical cannabis on the premises of the place
 230.6 of employment or during the hours of employment.

265.28 providing legal assistance to a Tribal medical cannabis program or a Tribal medical cannabis
 265.29 program manufacturer.

265.30 (j) Possession of a registry verification or application for enrollment in the program by
 265.31 a person entitled to possess or apply for enrollment in the registry program does The
 265.32 following do not constitute probable cause or reasonable suspicion, nor and shall it not be
 265.33 used to support a search of the person or property of the person possessing or applying for
 266.1 the registry verification or equivalent, or otherwise subject the person or property of the
 266.2 person to inspection by any governmental agency:;

266.3 (1) possession of a registry verification or application for enrollment in the registry
 266.4 program by a person entitled to possess a registry verification or apply for enrollment in
 266.5 the registry program; or

266.6 (2) possession of a verification or equivalent issued by a Tribal medical cannabis program
 266.7 or application for enrollment in a Tribal medical cannabis program by a person entitled to
 266.8 possess such a verification or application.

266.9 **Subd. 3. Discrimination prohibited.** (a) No school or landlord may refuse to enroll or
 266.10 lease to and may not otherwise penalize a person solely for the person's status as a patient
 266.11 enrolled in the registry program under sections 152.22 to 152.37 or for the person's status
 266.12 as a Tribal medical cannabis program patient, unless failing to do so would violate federal
 266.13 law or regulations or cause the school or landlord to lose a monetary or licensing-related
 266.14 benefit under federal law or regulations.

266.15 (b) For the purposes of medical care, including organ transplants, a registry program
 266.16 enrollee's use of medical cannabis under sections 152.22 to 152.37, or a Tribal medical
 266.17 cannabis program patient's use of medical cannabis as authorized by the Tribal medical
 266.18 cannabis program, is considered the equivalent of the authorized use of any other medication
 266.19 used at the discretion of a physician, advanced practice registered nurse, or physician assistant
 266.20 and does not constitute the use of an illicit substance or otherwise disqualify a patient from
 266.21 needed medical care.

266.22 (c) Unless a failure to do so would violate federal law or regulations or cause an employer
 266.23 to lose a monetary or licensing-related benefit under federal law or regulations, an employer
 266.24 may not discriminate against a person in hiring, termination, or any term or condition of
 266.25 employment, or otherwise penalize a person, if the discrimination is based upon either any
 266.26 of the following:

266.27 (1) the person's status as a patient enrolled in the registry program under sections 152.22
 266.28 to 152.37; or

266.29 (2) the person's status as a Tribal medical cannabis program patient; or

266.30 (2) a patient's positive drug test for cannabis components or metabolites, unless the
 266.31 patient used, possessed, or was impaired by medical cannabis on the premises of the place
 266.32 of employment or during the hours of employment.

230.7 (d) An employee who is required to undergo employer drug testing pursuant to section
 230.8 181.953 may present verification of enrollment in the patient registry or of enrollment in a
 230.9 Tribal medical cannabis program as part of the employee's explanation under section 181.953,
 230.10 subdivision 6.

230.11 (e) A person shall not be denied custody of a minor child or visitation rights or parenting
 230.12 time with a minor child solely based on the person's status as a patient enrolled in the registry
 230.13 program under sections 152.22 to 152.37, or on the person's status as a Tribal medical
 230.14 cannabis program patient. There shall be no presumption of neglect or child endangerment
 230.15 for conduct allowed under sections 152.22 to 152.37 or under a Tribal medical cannabis
 230.16 program, unless the person's behavior is such that it creates an unreasonable danger to the
 230.17 safety of the minor as established by clear and convincing evidence.

230.18 Sec. 21. Minnesota Statutes 2022, section 152.33, subdivision 1, is amended to read:

230.19 Subdivision 1. **Intentional diversion; criminal penalty.** In addition to any other
 230.20 applicable penalty in law, a manufacturer or an agent of a manufacturer who intentionally
 230.21 transfers medical cannabis to a person other than another registered manufacturer, a patient,
 230.22 a Tribal medical cannabis program patient, a registered designated caregiver or, if listed on
 230.23 the registry verification, a parent, legal guardian, or spouse of a patient is guilty of a felony
 230.24 punishable by imprisonment for not more than two years or by payment of a fine of not
 230.25 more than \$3,000, or both. A person convicted under this subdivision may not continue to
 230.26 be affiliated with the manufacturer and is disqualified from further participation under
 230.27 sections 152.22 to 152.37.

230.28 Sec. 22. Minnesota Statutes 2022, section 175.45, subdivision 1, is amended to read:

230.29 Subdivision 1. **Duties; goal.** The commissioner of labor and industry shall convene
 230.30 industry representatives, identify occupational competency standards, and provide technical
 230.31 assistance to develop dual-training programs. The competency standards shall be identified
 230.32 for employment in occupations in advanced manufacturing, health care services, information
 231.1 technology, and agriculture, and the legal cannabis industry. Competency standards are not
 231.2 rules and are exempt from the rulemaking provisions of chapter 14, and the provisions in
 231.3 section 14.386 concerning exempt rules do not apply.

231.4 Sec. 23. Minnesota Statutes 2022, section 181.938, subdivision 2, is amended to read:

231.5 Subd. 2. **Prohibited practice.** (a) An employer may not refuse to hire a job applicant
 231.6 or discipline or discharge an employee because the applicant or employee engages in or has
 231.7 engaged in the use or enjoyment of lawful consumable products, if the use or enjoyment
 231.8 takes place off the premises of the employer during nonworking hours. For purposes of this
 231.9 section, "lawful consumable products" means products whose use or enjoyment is lawful
 231.10 and which are consumed during use or enjoyment, and includes food, alcoholic or
 231.11 nonalcoholic beverages, and tobacco, cannabis flower, as defined in section 342.01,
 231.12 subdivision 15, cannabis products, as defined in section 342.01, subdivision 19.

267.1 (d) An employee who is required to undergo employer drug testing pursuant to section
 267.2 181.953 may present verification of enrollment in the patient registry or of enrollment in a
 267.3 Tribal medical cannabis program as part of the employee's explanation under section 181.953,
 267.4 subdivision 6.

267.5 (e) A person shall not be denied custody of a minor child or visitation rights or parenting
 267.6 time with a minor child solely based on the person's status as a patient enrolled in the registry
 267.7 program under sections 152.22 to 152.37, or on the person's status as a Tribal medical
 267.8 cannabis program patient. There shall be no presumption of neglect or child endangerment
 267.9 for conduct allowed under sections 152.22 to 152.37 or under a Tribal medical cannabis
 267.10 program, unless the person's behavior is such that it creates an unreasonable danger to the
 267.11 safety of the minor as established by clear and convincing evidence.

ARTICLE 7, SECTION 13

267.12 Sec. 13. Minnesota Statutes 2022, section 152.33, subdivision 1, is amended to read:

267.13 Subdivision 1. **Intentional diversion; criminal penalty.** In addition to any other
 267.14 applicable penalty in law, a manufacturer or an agent of a manufacturer who intentionally
 267.15 transfers medical cannabis to a person other than another registered manufacturer, a patient,
 267.16 a Tribal medical cannabis program patient, a registered designated caregiver or, if listed on
 267.17 the registry verification, a parent, legal guardian, or spouse of a patient is guilty of a felony
 267.18 punishable by imprisonment for not more than two years or by payment of a fine of not
 267.19 more than \$3,000, or both. A person convicted under this subdivision may not continue to
 267.20 be affiliated with the manufacturer and is disqualified from further participation under
 267.21 sections 152.22 to 152.37.

221.7 Sec. 17. Minnesota Statutes 2022, section 175.45, subdivision 1, is amended to read:

221.8 Subdivision 1. **Duties; goal.** The commissioner of labor and industry shall convene
 221.9 industry representatives, identify occupational competency standards, and provide technical
 221.10 assistance to develop dual-training programs. The competency standards shall be identified
 221.11 for employment in occupations in advanced manufacturing, health care services, information
 221.12 technology, and agriculture, and the legal cannabis industry. Competency standards are not
 221.13 rules and are exempt from the rulemaking provisions of chapter 14, and the provisions in
 221.14 section 14.386 concerning exempt rules do not apply.

221.15 Sec. 18. Minnesota Statutes 2022, section 181.938, subdivision 2, is amended to read:

221.16 Subd. 2. **Prohibited practice.** (a) An employer may not refuse to hire a job applicant
 221.17 or discipline or discharge an employee because the applicant or employee engages in or has
 221.18 engaged in the use or enjoyment of lawful consumable products, if the use or enjoyment
 221.19 takes place off the premises of the employer during nonworking hours. For purposes of this
 221.20 section, "lawful consumable products" means products whose use or enjoyment is lawful
 221.21 and which are consumed during use or enjoyment, and includes food, alcoholic or
 221.22 nonalcoholic beverages, and tobacco, cannabis flower, as defined in section 342.01,
 221.23 subdivision 15, and cannabis products, as defined in section 342.01, subdivision 19.

231.13 lower-potency hemp edibles as defined in section 342.01, subdivision 48, and hemp-derived
 231.14 consumer products as defined in section 342.01, subdivision 35.

231.15 (b) Cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived
 231.16 consumer products are lawful consumable products for the purpose of Minnesota law,
 231.17 regardless of whether federal or other state law considers cannabis use, possession,
 231.18 impairment, sale, or transfer to be unlawful. Nothing in this section shall be construed to
 231.19 limit an employer's ability to discipline or discharge an employee for cannabis flower,
 231.20 cannabis product, lower-potency hemp edible, or hemp-derived consumer product use,
 231.21 possession, impairment, sale, or transfer during working hours, on work premises, or while
 231.22 operating an employer's vehicle, machinery, or equipment, or if a failure to do so would
 231.23 violate federal or state law or regulations or cause an employer to lose a monetary or
 231.24 licensing-related benefit under federal law or regulations.

231.25 Sec. 24. Minnesota Statutes 2022, section 181.950, subdivision 2, is amended to read:

231.26 Subd. 2. **Confirmatory test; confirmatory retest.** "Confirmatory test" and "confirmatory
 231.27 retest" mean a drug or alcohol test or cannabis test that uses a method of analysis allowed
 231.28 under one of the programs listed in section 181.953, subdivision 1.

231.29 Sec. 25. Minnesota Statutes 2022, section 181.950, subdivision 4, is amended to read:

231.30 Subd. 4. **Drug.** "Drug" means a controlled substance as defined in section 152.01,
 231.31 subdivision 4, but does not include marijuana, tetrahydrocannabinols, cannabis flower as
 231.32 defined in section 342.01, subdivision 15, cannabis products as defined in section 342.01,
 232.1 subdivision 19, lower-potency hemp edibles as defined in section 342.01, subdivision 48,
 232.2 and hemp-derived consumer products as defined in section 342.01, subdivision 35.

232.3 Sec. 26. Minnesota Statutes 2022, section 181.950, subdivision 5, is amended to read:

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

232.10 Sec. 27. Minnesota Statutes 2022, section 181.950, is amended by adding a subdivision
 232.11 to read:

232.12 Subd. 5a. **Cannabis testing.** "Cannabis testing" means the analysis of a body component
 232.13 sample according to the standards established under one of the programs listed in section
 232.14 181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis
 232.15 flower, as defined in section 342.01, subdivision 15, cannabis products, as defined in section
 232.16 342.01, subdivision 19, lower-potency hemp edibles as defined in section 342.01, subdivision
 232.17 48, hemp-derived consumer products as defined in section 342.01, subdivision 35, or cannabis

221.24 (b) Cannabis flower and cannabis products are lawful consumable products for the
 221.25 purpose of Minnesota law, regardless of whether federal or other state law considers cannabis
 221.26 use, possession, impairment, sale, or transfer to be unlawful. Nothing in this section shall
 221.27 be construed to limit an employer's ability to discipline or discharge an employee for cannabis
 221.28 flower or cannabis product use, possession, impairment, sale, or transfer during working
 221.29 hours, on work premises, or while operating an employer's vehicle, machinery, or equipment,
 221.30 or if a failure to do so would violate federal or state law or regulations or cause an employer
 221.31 to lose a monetary or licensing-related benefit under federal law or regulations.

222.1 Sec. 19. Minnesota Statutes 2022, section 181.950, subdivision 2, is amended to read:

222.2 Subd. 2. **Confirmatory test; confirmatory retest.** "Confirmatory test" and "confirmatory
 222.3 retest" mean a drug or alcohol test or cannabis test that uses a method of analysis allowed
 222.4 under one of the programs listed in section 181.953, subdivision 1.

222.5 Sec. 20. Minnesota Statutes 2022, section 181.950, subdivision 4, is amended to read:

222.6 Subd. 4. **Drug.** "Drug" means a controlled substance as defined in section 152.01,
 222.7 subdivision 4, but does not include marijuana, tetrahydrocannabinols, cannabis flower as
 222.8 defined in section 342.01, subdivision 15, or cannabis products as defined in section 342.01,
 222.9 subdivision 19.

222.10 Sec. 21. Minnesota Statutes 2022, section 181.950, subdivision 5, is amended to read:

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

222.17 Sec. 22. Minnesota Statutes 2022, section 181.950, is amended by adding a subdivision
 222.18 to read:

222.19 Subd. 5a. **Cannabis testing.** "Cannabis testing" means the analysis of a body component
 222.20 sample according to the standards established under one of the programs listed in section
 222.21 181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis
 222.22 flower, as defined in section 342.01, subdivision 15, cannabis products, as defined in section
 222.23 342.01, subdivision 19, or cannabis metabolites in the sample tested. The definitions in this
 222.24 section apply to cannabis testing unless stated otherwise.

232.18 metabolites in the sample tested. The definitions in this section apply to cannabis testing
232.19 unless stated otherwise.

232.20 Sec. 28. Minnesota Statutes 2022, section 181.950, subdivision 8, is amended to read:

232.21 Subd. 8. **Initial screening test.** "Initial screening test" means a drug or alcohol test or
232.22 cannabis test which uses a method of analysis under one of the programs listed in section
232.23 181.953, subdivision 1.

232.24 Sec. 29. Minnesota Statutes 2022, section 181.950, subdivision 13, is amended to read:

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

232.28 Sec. 30. Minnesota Statutes 2022, section 181.951, subdivision 4, is amended to read:

232.29 Subd. 4. **Random testing.** An employer may request or require employees to undergo
232.30 cannabis testing or drug and alcohol testing on a random selection basis only if (1) they are
232.31 employed in safety-sensitive positions, or (2) they are employed as professional athletes if
232.32 the professional athlete is subject to a collective bargaining agreement permitting random
232.33 testing but only to the extent consistent with the collective bargaining agreement.

233.4 Sec. 31. Minnesota Statutes 2022, section 181.951, subdivision 5, is amended to read:

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

233.8 (1) is under the influence of drugs or alcohol;

233.9 (2) has violated the employer's written work rules prohibiting the use, possession, sale,
233.10 or transfer of drugs or alcohol, cannabis flower, cannabis products, lower-potency hemp
233.11 edibles, or hemp-derived consumer products while the employee is working or while the
233.12 employee is on the employer's premises or operating the employer's vehicle, machinery, or
233.13 equipment, provided the work rules are in writing and contained in the employer's written
233.14 cannabis testing or drug and alcohol testing policy;

233.15 (3) has sustained a personal injury, as that term is defined in section 176.011, subdivision
233.16 16, or has caused another employee to sustain a personal injury; or

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

233.19 Sec. 32. Minnesota Statutes 2022, section 181.951, subdivision 6, is amended to read:

233.20 Subd. 6. **Treatment program testing.** An employer may request or require an employee
233.21 to undergo cannabis testing and drug and alcohol testing if the employee has been referred
233.22 by the employer for substance use disorder treatment or evaluation or is participating in a

222.25 Sec. 23. Minnesota Statutes 2022, section 181.950, subdivision 8, is amended to read:

222.26 Subd. 8. **Initial screening test.** "Initial screening test" means a drug or alcohol test or
222.27 cannabis test which uses a method of analysis under one of the programs listed in section
222.28 181.953, subdivision 1.

223.1 Sec. 24. Minnesota Statutes 2022, section 181.950, subdivision 13, is amended to read:

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

223.5 Sec. 25. Minnesota Statutes 2022, section 181.951, subdivision 4, is amended to read:

223.6 Subd. 4. **Random testing.** An employer may request or require employees to undergo
223.7 cannabis testing or drug and alcohol testing on a random selection basis only if (1) they are
223.8 employed in safety-sensitive positions, or (2) they are employed as professional athletes if
223.9 the professional athlete is subject to a collective bargaining agreement permitting random
223.10 testing but only to the extent consistent with the collective bargaining agreement.

233.23 substance use disorder treatment program under an employee benefit plan, in which case
 233.24 the employee may be requested or required to undergo cannabis testing and drug or alcohol
 233.25 testing without prior notice during the evaluation or treatment period and for a period of up
 233.26 to two years following completion of any prescribed substance use disorder treatment
 233.27 program.

233.28 Sec. 33. Minnesota Statutes 2022, section 181.951, is amended by adding a subdivision
 233.29 to read:

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

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

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

234.9 (d) Cannabis testing authorized under paragraph (d) must comply with the safeguards
 234.10 for testing employees provided in sections 181.953 and 181.954.

223.11 Sec. 26. Minnesota Statutes 2022, section 181.951, is amended by adding a subdivision
 223.12 to read:

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

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

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

223.22 (d) An employer may request or require an employee to undergo cannabis testing
 223.23 conducted by a testing laboratory that participates in one of the programs listed in section
 223.24 181.953, subdivision 1, if the employer has a reasonable suspicion that while the employee
 223.25 is working or while the employee is on the employer's premises or operating the employer's
 223.26 vehicle, machinery, or equipment, the employee:

223.27 (1) as the result of consuming cannabis flower or a cannabis product, does not possess
 223.28 that clearness of intellect and control of self that the employee otherwise would have;

223.29 (2) has violated the employer's written work rules prohibiting cannabis use, possession,
 223.30 impairment, sale, or transfer, provided that the work rules for cannabis and cannabis testing
 223.31 are in writing and in a written policy that contains the minimum information required in
 223.32 section 181.952; or

224.1 (3) has sustained a personal injury or has a caused a work-related accident as provided
 224.2 in subdivision 5, clauses (3) and (4).

224.3 (e) Cannabis testing authorized under paragraph (d) must comply with the safeguards
 224.4 for testing employees provided in sections 181.953 and 181.954.

234.11 Sec. 34. Minnesota Statutes 2022, section 181.951, is amended by adding a subdivision
 234.12 to read:

234.13 Subd. 9. Cannabis testing exceptions. For the following positions, cannabis and its
 234.14 metabolites are considered a drug and subject to the drug and alcohol testing provisions in
 234.15 sections 181.950 to 181.957:

234.16 (1) a safety-sensitive position, as defined in section 181.950, subdivision 13;
 234.17 (2) a peace officer position, as defined in section 626.84, subdivision 1;
 234.18 (3) a firefighter position, as defined in section 299N.01, subdivision 3;
 234.19 (4) a position requiring face-to-face care, training, education, supervision, counseling,
 234.20 consultation, or medical assistance to:
 234.21 (i) children;
 234.22 (ii) vulnerable adults, as defined in section 626.5572, subdivision 21; or
 234.23 (iii) patients who receive health care services from a provider for the treatment,
 234.24 examination, or emergency care of a medical, psychiatric, or mental condition;
 234.25 (5) a position requiring a commercial driver's license or requiring an employee to operate
 234.26 a motor vehicle for which state or federal law requires drug or alcohol testing of a job
 234.27 applicant or an employee;
 234.28 (6) a position of employment funded by a federal grant; or
 234.29 (7) any other position for which state or federal law requires testing of a job applicant
 234.30 or an employee for cannabis.

235.1 Sec. 35. Minnesota Statutes 2022, section 181.952, is amended by adding a subdivision
 235.2 to read:

235.3 Subd. 3. Cannabis policy. (a) Unless otherwise provided by state or federal law, an
 235.4 employer is not required to permit or accommodate cannabis flower, cannabis product,
 235.5 lower-potency hemp edible, or hemp-derived consumer product use, possession, impairment,
 235.6 sale, or transfer while an employee is working or while an employee is on the employer's
 235.7 premises or operating the employer's vehicle, machinery, or equipment.

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

224.5 Sec. 27. Minnesota Statutes 2022, section 181.951, is amended by adding a subdivision
 224.6 to read:

224.7 Subd. 9. Cannabis testing exceptions. For the following positions, cannabis and its
 224.8 metabolites are considered a drug and subject to the drug and alcohol testing provisions in
 224.9 sections 181.950 to 181.957:

224.10 (1) a safety-sensitive position, as defined in section 181.950, subdivision 13;
 224.11 (2) a peace officer position, as defined in section 626.84, subdivision 1;
 224.12 (3) a firefighter position, as defined in section 299N.01, subdivision 3;
 224.13 (4) a position requiring face-to-face care, training, education, supervision, counseling,
 224.14 consultation, or medical assistance to:
 224.15 (i) children;
 224.16 (ii) vulnerable adults, as defined in section 626.5572, subdivision 21; or
 224.17 (iii) patients who receive health care services from a provider for the treatment,
 224.18 examination, or emergency care of a medical, psychiatric, or mental condition;
 224.19 (5) a position requiring a commercial driver's license or requiring an employee to operate
 224.20 a motor vehicle for which state or federal law requires drug or alcohol testing of a job
 224.21 applicant or an employee;
 224.22 (6) a position of employment funded by a federal grant; or
 224.23 (7) any other position for which state or federal law requires testing of a job applicant
 224.24 or an employee for cannabis.

224.25 Sec. 28. Minnesota Statutes 2022, section 181.952, is amended by adding a subdivision
 224.26 to read:

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

225.3 (b) An employer may only enact and enforce written work rules prohibiting cannabis
 225.4 flower and cannabis product use, possession, impairment, sale, or transfer while an employee
 225.5 is working or while an employee is on the employer's premises or operating the employer's
 225.6 vehicle, machinery, or equipment in a written policy that contains the minimum information
 225.7 required by this section.

235.13 Sec. 36. Minnesota Statutes 2022, section 181.953, is amended to read:

235.14 **181.953 RELIABILITY AND FAIRNESS SAFEGUARDS.**

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

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

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

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

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

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

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

235.31 Subd. 3. **Laboratory testing, reporting, and sample retention requirements.** A testing
235.32 laboratory that is not certified by the National Institute on Drug Abuse according to
236.1 subdivision 1 shall follow the chain-of-custody procedures prescribed for employers in
236.2 subdivision 5. A testing laboratory shall conduct a confirmatory test on all samples that
236.3 produced a positive test result on an initial screening test. A laboratory shall disclose to the
236.4 employer a written test result report for each sample tested within three working days after
236.5 a negative test result on an initial screening test or, when the initial screening test produced
236.6 a positive test result, within three working days after a confirmatory test. A test report must
236.7 indicate the drugs, alcohol, or drug or alcohol metabolites, or cannabis or cannabis
236.8 metabolites tested for and whether the test produced negative or positive test results. A
236.9 laboratory shall retain and properly store for at least six months all samples that produced
236.10 a positive test result.

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

225.8 Sec. 29. Minnesota Statutes 2022, section 181.953, is amended to read:

225.9 **181.953 RELIABILITY AND FAIRNESS SAFEGUARDS.**

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

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

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

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

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

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

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

225.26 Subd. 3. **Laboratory testing, reporting, and sample retention requirements.** A testing
225.27 laboratory that is not certified by the National Institute on Drug Abuse according to
225.28 subdivision 1 shall follow the chain-of-custody procedures prescribed for employers in
225.29 subdivision 5. A testing laboratory shall conduct a confirmatory test on all samples that
225.30 produced a positive test result on an initial screening test. A laboratory shall disclose to the
225.31 employer a written test result report for each sample tested within three working days after
225.32 a negative test result on an initial screening test or, when the initial screening test produced
226.1 a positive test result, within three working days after a confirmatory test. A test report must
226.2 indicate the drugs, alcohol, or drug or alcohol metabolites, or cannabis or cannabis
226.3 metabolites tested for and whether the test produced negative or positive test results. A
226.4 laboratory shall retain and properly store for at least six months all samples that produced
226.5 a positive test result.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

237.22 Subd. 9. **Confirmatory retests.** An employee or job applicant may request a confirmatory
 237.23 retest of the original sample at the employee's or job applicant's own expense after notice
 237.24 of a positive test result on a confirmatory test. Within five working days after notice of the
 237.25 confirmatory test result, the employee or job applicant shall notify the employer in writing
 237.26 of the employee's or job applicant's intention to obtain a confirmatory retest. Within three
 237.27 working days after receipt of the notice, the employer shall notify the original testing
 237.28 laboratory that the employee or job applicant has requested the laboratory to conduct the
 237.29 confirmatory retest or transfer the sample to another laboratory licensed under subdivision
 237.30 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that the
 237.31 chain-of-custody procedures in subdivision 3 are followed during transfer of the sample to
 237.32 the other laboratory. The confirmatory retest must use the same drug ~~or~~, alcohol, or cannabis
 237.33 threshold detection levels as used in the original confirmatory test. If the confirmatory retest
 237.34 does not confirm the original positive test result, no adverse personnel action based on the
 237.35 original confirmatory test may be taken against the employee or job applicant.

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

238.5 (b) In addition to the limitation under paragraph (a), an employer may not discharge an
 238.6 employee for whom a positive test result on a confirmatory test was the first such result for
 238.7 the employee on a drug or alcohol test or cannabis test requested by the employer unless
 238.8 the following conditions have been met:

238.9 (1) the employer has first given the employee an opportunity to participate in, at the
 238.10 employee's own expense or pursuant to coverage under an employee benefit plan, either a
 238.11 drug ~~or~~, alcohol, or cannabis counseling or rehabilitation program, whichever is more
 238.12 appropriate, as determined by the employer after consultation with a certified chemical use
 238.13 counselor or a physician trained in the diagnosis and treatment of substance use disorder;
 238.14 and

238.15 (2) the employee has either refused to participate in the counseling or rehabilitation
 238.16 program or has failed to successfully complete the program, as evidenced by withdrawal
 238.17 from the program before its completion or by a positive test result on a confirmatory test
 238.18 after completion of the program.

238.19 (c) Notwithstanding paragraph (a), an employer may temporarily suspend the tested
 238.20 employee or transfer that employee to another position at the same rate of pay pending the
 238.21 outcome of the confirmatory test and, if requested, the confirmatory retest, provided the
 238.22 employer believes that it is reasonably necessary to protect the health or safety of the
 238.23 employee, coemployees, or the public. An employee who has been suspended without pay
 238.24 must be reinstated with back pay if the outcome of the confirmatory test or requested
 238.25 confirmatory retest is negative.

227.17 Subd. 9. **Confirmatory retests.** An employee or job applicant may request a confirmatory
 227.18 retest of the original sample at the employee's or job applicant's own expense after notice
 227.19 of a positive test result on a confirmatory test. Within five working days after notice of the
 227.20 confirmatory test result, the employee or job applicant shall notify the employer in writing
 227.21 of the employee's or job applicant's intention to obtain a confirmatory retest. Within three
 227.22 working days after receipt of the notice, the employer shall notify the original testing
 227.23 laboratory that the employee or job applicant has requested the laboratory to conduct the
 227.24 confirmatory retest or transfer the sample to another laboratory licensed under subdivision
 227.25 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that the
 227.26 chain-of-custody procedures in subdivision 3 are followed during transfer of the sample to
 227.27 the other laboratory. The confirmatory retest must use the same drug ~~or~~, alcohol, or cannabis
 227.28 threshold detection levels as used in the original confirmatory test. If the confirmatory retest
 227.29 does not confirm the original positive test result, no adverse personnel action based on the
 227.30 original confirmatory test may be taken against the employee or job applicant.

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

228.1 (b) In addition to the limitation under paragraph (a), an employer may not discharge an
 228.2 employee for whom a positive test result on a confirmatory test was the first such result for
 228.3 the employee on a drug or alcohol test or cannabis test requested by the employer unless
 228.4 the following conditions have been met:

228.5 (1) the employer has first given the employee an opportunity to participate in, at the
 228.6 employee's own expense or pursuant to coverage under an employee benefit plan, either a
 228.7 drug ~~or~~, alcohol, or cannabis counseling or rehabilitation program, whichever is more
 228.8 appropriate, as determined by the employer after consultation with a certified chemical use
 228.9 counselor or a physician trained in the diagnosis and treatment of substance use disorder;
 228.10 and

228.11 (2) the employee has either refused to participate in the counseling or rehabilitation
 228.12 program or has failed to successfully complete the program, as evidenced by withdrawal
 228.13 from the program before its completion or by a positive test result on a confirmatory test
 228.14 after completion of the program.

228.15 (c) Notwithstanding paragraph (a), an employer may temporarily suspend the tested
 228.16 employee or transfer that employee to another position at the same rate of pay pending the
 228.17 outcome of the confirmatory test and, if requested, the confirmatory retest, provided the
 228.18 employer believes that it is reasonably necessary to protect the health or safety of the
 228.19 employee, coemployees, or the public. An employee who has been suspended without pay
 228.20 must be reinstated with back pay if the outcome of the confirmatory test or requested
 228.21 confirmatory retest is negative.

238.26 (d) An employer may not discharge, discipline, discriminate against, or request or require
 238.27 rehabilitation of an employee on the basis of medical history information revealed to the
 238.28 employer pursuant to subdivision 6 unless the employee was under an affirmative duty to
 238.29 provide the information before, upon, or after hire.

238.30 (e) An employee must be given access to information in the employee's personnel file
 238.31 relating to positive test result reports and other information acquired in the drug and alcohol
 238.32 testing process or cannabis testing process and conclusions drawn from and actions taken
 238.33 based on the reports or other acquired information.

239.1 **Subd. 10a. Additional limitations for cannabis.** An employer may discipline, discharge,
 239.2 or take other adverse personnel action against an employee for cannabis flower, cannabis
 239.3 product, lower-potency hemp edible, or hemp-derived consumer product use, possession,
 239.4 impairment, sale, or transfer while an employee is working, on the employer's premises, or
 239.5 operating the employer's vehicle, machinery, or equipment as follows:

239.6 (1) if the employee is under the influence of cannabis flower, a cannabis product, a
 239.7 lower-potency hemp edible, or a hemp-derived consumer product;

239.8 (2) if cannabis testing verifies the presence of cannabis flower, a cannabis product, a
 239.9 lower-potency hemp edible, or a hemp-derived consumer product following a confirmatory
 239.10 test;

239.11 (3) as provided in the employer's written work rules for cannabis flower, cannabis
 239.12 products, lower-potency hemp edibles, or hemp-derived consumer products and cannabis
 239.13 testing, provided that the rules are in writing and in a written policy that contains the
 239.14 minimum information required by section 181.952; or

239.15 (4) as otherwise authorized or required under state or federal law or regulations, or if a
 239.16 failure to do so would cause an employer to lose a monetary or licensing-related benefit
 239.17 under federal law or regulations.

239.18 **Subd. 11. Limitation on withdrawal of job offer.** If a job applicant has received a job
 239.19 offer made contingent on the applicant passing drug and alcohol testing, the employer may
 239.20 not withdraw the offer based on a positive test result from an initial screening test that has
 239.21 not been verified by a confirmatory test.

239.22 Sec. 37. Minnesota Statutes 2022, section 181.954, is amended to read:

239.23 **181.954 PRIVACY, CONFIDENTIALITY, AND PRIVILEGE SAFEGUARDS.**

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

239.27 **Subd. 2. Confidentiality limitations.** Test result reports and other information acquired
 239.28 in the drug or alcohol testing or cannabis testing process are, with respect to private sector

228.22 (d) An employer may not discharge, discipline, discriminate against, or request or require
 228.23 rehabilitation of an employee on the basis of medical history information revealed to the
 228.24 employer pursuant to subdivision 6 unless the employee was under an affirmative duty to
 228.25 provide the information before, upon, or after hire.

228.26 (e) An employee must be given access to information in the employee's personnel file
 228.27 relating to positive test result reports and other information acquired in the drug and alcohol
 228.28 testing process or cannabis testing process and conclusions drawn from and actions taken
 228.29 based on the reports or other acquired information.

228.30 **Subd. 10a. Additional limitations for cannabis.** An employer may discipline, discharge,
 228.31 or take other adverse personnel action against an employee for cannabis flower or cannabis
 228.32 product use, possession, impairment, sale, or transfer while an employee is working, on the
 228.33 employer's premises, or operating the employer's vehicle, machinery, or equipment as
 228.34 follows:

229.1 (1) if, as the result of consuming cannabis flower or a cannabis product, the employee
 229.2 does not possess that clearness of intellect and control of self that the employee otherwise
 229.3 would have;

229.4 (2) if cannabis testing that the employer requested or required pursuant to section 181.951,
 229.5 subdivision 8, paragraphs (d) and (e), verifies the presence of cannabis following a
 229.6 confirmatory test;

229.7 (3) as provided in the employer's written work rules for cannabis and cannabis testing,
 229.8 provided that the rules are in writing and in a written policy that contains the minimum
 229.9 information required by section 181.952; or

229.10 (4) as otherwise authorized under state or federal law.

229.11 **Subd. 11. Limitation on withdrawal of job offer.** If a job applicant has received a job
 229.12 offer made contingent on the applicant passing drug and alcohol testing, the employer may
 229.13 not withdraw the offer based on a positive test result from an initial screening test that has
 229.14 not been verified by a confirmatory test.

229.15 Sec. 30. Minnesota Statutes 2022, section 181.954, is amended to read:

229.16 **181.954 PRIVACY, CONFIDENTIALITY, AND PRIVILEGE SAFEGUARDS.**

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

229.20 **Subd. 2. Confidentiality limitations.** Test result reports and other information acquired
 229.21 in the drug or alcohol testing or cannabis testing process are, with respect to private sector

239.29 employees and job applicants, private and confidential information, and, with respect to
 239.30 public sector employees and job applicants, private data on individuals as that phrase is
 239.31 defined in chapter 13, and may not be disclosed by an employer or laboratory to another
 239.32 employer or to a third-party individual, governmental agency, or private organization without
 239.33 the written consent of the employee or job applicant tested.

240.1 **Subd. 3. Exceptions to privacy and confidentiality disclosure**

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

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

240.13 Sec. 38. Minnesota Statutes 2022, section 181.955, is amended to read:

240.14 **181.955 CONSTRUCTION.**

240.15 **Subdivision 1. Freedom to collectively bargain.** Sections 181.950 to 181.954 shall not
 240.16 be construed to limit the parties to a collective bargaining agreement from bargaining and
 240.17 agreeing with respect to a drug and alcohol testing or a cannabis testing policy that meets
 240.18 or exceeds, and does not otherwise conflict with, the minimum standards and requirements
 240.19 for employee protection provided in those sections.

240.20 **Subd. 2. Employee protections under existing collective bargaining**

240.21 **agreements.** Sections 181.950 to 181.954 shall not be construed to interfere with or diminish
 240.22 any employee protections relating to drug and alcohol testing or cannabis testing already
 240.23 provided under collective bargaining agreements in effect on the effective date of those
 240.24 sections that exceed the minimum standards and requirements for employee protection
 240.25 provided in those sections.

240.26 **Subd. 3. Professional athletes.** Sections 181.950 to 181.954 shall not be construed to
 240.27 interfere with the operation of a drug and alcohol testing or cannabis testing program if:

240.28 (1) the drug and alcohol testing program is permitted under a contract between the
 240.29 employer and employees; and

240.30 (2) the covered employees are employed as professional athletes.

240.31 Upon request of the commissioner of labor and industry, the exclusive representative
 240.32 of the employees and the employer shall certify to the commissioner of labor and industry
 240.33 that the drug and alcohol testing or cannabis testing program permitted under the contract

229.22 employees and job applicants, private and confidential information, and, with respect to
 229.23 public sector employees and job applicants, private data on individuals as that phrase is
 229.24 defined in chapter 13, and may not be disclosed by an employer or laboratory to another
 229.25 employer or to a third-party individual, governmental agency, or private organization without
 229.26 the written consent of the employee or job applicant tested.

229.27 **Subd. 3. Exceptions to privacy and confidentiality disclosure**

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

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

230.6 Sec. 31. Minnesota Statutes 2022, section 181.955, is amended to read:

230.7 **181.955 CONSTRUCTION.**

230.8 **Subdivision 1. Freedom to collectively bargain.** Sections 181.950 to 181.954 shall not
 230.9 be construed to limit the parties to a collective bargaining agreement from bargaining and
 230.10 agreeing with respect to a drug and alcohol testing or a cannabis testing policy that meets
 230.11 or exceeds, and does not otherwise conflict with, the minimum standards and requirements
 230.12 for employee protection provided in those sections.

230.13 **Subd. 2. Employee protections under existing collective bargaining**

230.14 **agreements.** Sections 181.950 to 181.954 shall not be construed to interfere with or diminish
 230.15 any employee protections relating to drug and alcohol testing or cannabis testing already
 230.16 provided under collective bargaining agreements in effect on the effective date of those
 230.17 sections that exceed the minimum standards and requirements for employee protection
 230.18 provided in those sections.

230.19 **Subd. 3. Professional athletes.** Sections 181.950 to 181.954 shall not be construed to
 230.20 interfere with the operation of a drug and alcohol testing or cannabis testing program if:

230.21 (1) the drug and alcohol testing program is permitted under a contract between the
 230.22 employer and employees; and

230.23 (2) the covered employees are employed as professional athletes.

230.24 Upon request of the commissioner of labor and industry, the exclusive representative
 230.25 of the employees and the employer shall certify to the commissioner of labor and industry
 230.26 that the drug and alcohol testing or cannabis testing program permitted under the contract

241.1 should operate without interference from the sections specified in this subdivision. This
 241.2 subdivision must not be construed to create an exemption from controlled substance crimes
 241.3 in chapter 152.

241.4 Sec. 39. Minnesota Statutes 2022, section 181.957, subdivision 1, is amended to read:

241.5 **Subdivision 1. Excluded employees and job applicants.** Except as provided under
 241.6 subdivision 2, the employee and job applicant protections provided under sections 181.950
 241.7 to 181.956 do not apply to employees and job applicants where the specific work performed
 241.8 requires those employees and job applicants to be subject to drug and alcohol testing or
 241.9 cannabis testing pursuant to:

241.10 (1) federal regulations that specifically preempt state regulation of drug and alcohol
 241.11 testing or cannabis testing with respect to those employees and job applicants;

241.12 (2) federal regulations or requirements necessary to operate federally regulated facilities;

241.13 (3) federal contracts where the drug and alcohol testing or cannabis testing is conducted
 241.14 for security, safety, or protection of sensitive or proprietary data; or

241.15 (4) state agency rules that adopt federal regulations applicable to the interstate component
 241.16 of a federally regulated industry, and the adoption of those rules is for the purpose of
 241.17 conforming the nonfederally regulated intrastate component of the industry to identical
 241.18 regulation.

241.19 Sec. 40. Minnesota Statutes 2022, section 245C.08, subdivision 1, is amended to read:

241.20 **Subdivision 1. Background studies conducted by Department of Human Services.** (a)
 241.21 For a background study conducted by the Department of Human Services, the commissioner
 241.22 shall review:

241.23 (1) information related to names of substantiated perpetrators of maltreatment of
 241.24 vulnerable adults that has been received by the commissioner as required under section
 241.25 626.557, subdivision 9c, paragraph (j);

241.26 (2) the commissioner's records relating to the maltreatment of minors in licensed
 241.27 programs, and from findings of maltreatment of minors as indicated through the social
 241.28 service information system;

241.29 (3) information from juvenile courts as required in subdivision 4 for individuals listed
 241.30 in section 245C.03, subdivision 1, paragraph (a), when there is reasonable cause;

242.1 (4) information from the Bureau of Criminal Apprehension, including information
 242.2 regarding a background study subject's registration in Minnesota as a predatory offender
 242.3 under section 243.166;

242.4 (5) except as provided in clause (6), information received as a result of submission of
 242.5 fingerprints for a national criminal history record check, as defined in section 245C.02,
 242.6 subdivision 13c, when the commissioner has reasonable cause for a national criminal history

230.27 should operate without interference from the sections specified in this subdivision. This
 230.28 subdivision must not be construed to create an exemption from controlled substance crimes
 230.29 in chapter 152.

231.1 Sec. 32. Minnesota Statutes 2022, section 181.957, subdivision 1, is amended to read:

231.2 **Subdivision 1. Excluded employees and job applicants.** Except as provided under
 231.3 subdivision 2, the employee and job applicant protections provided under sections 181.950
 231.4 to 181.956 do not apply to employees and job applicants where the specific work performed
 231.5 requires those employees and job applicants to be subject to drug and alcohol testing or
 231.6 cannabis testing pursuant to:

231.7 (1) federal regulations that specifically preempt state regulation of drug and alcohol
 231.8 testing or cannabis testing with respect to those employees and job applicants;

231.9 (2) federal regulations or requirements necessary to operate federally regulated facilities;

231.10 (3) federal contracts where the drug and alcohol testing or cannabis testing is conducted
 231.11 for security, safety, or protection of sensitive or proprietary data; or

231.12 (4) state agency rules that adopt federal regulations applicable to the interstate component
 231.13 of a federally regulated industry, and the adoption of those rules is for the purpose of
 231.14 conforming the nonfederally regulated intrastate component of the industry to identical
 231.15 regulation.

231.26 Sec. 34. Minnesota Statutes 2022, section 245C.08, subdivision 1, is amended to read:

231.27 **Subdivision 1. Background studies conducted by Department of Human Services.** (a)
 231.28 For a background study conducted by the Department of Human Services, the commissioner
 231.29 shall review:

232.1 (1) information related to names of substantiated perpetrators of maltreatment of
 232.2 vulnerable adults that has been received by the commissioner as required under section
 232.3 626.557, subdivision 9c, paragraph (j);

232.4 (2) the commissioner's records relating to the maltreatment of minors in licensed
 232.5 programs, and from findings of maltreatment of minors as indicated through the social
 232.6 service information system;

232.7 (3) information from juvenile courts as required in subdivision 4 for individuals listed
 232.8 in section 245C.03, subdivision 1, paragraph (a), when there is reasonable cause;

232.9 (4) information from the Bureau of Criminal Apprehension, including information
 232.10 regarding a background study subject's registration in Minnesota as a predatory offender
 232.11 under section 243.166;

232.12 (5) except as provided in clause (6), information received as a result of submission of
 232.13 fingerprints for a national criminal history record check, as defined in section 245C.02,
 232.14 subdivision 13c, when the commissioner has reasonable cause for a national criminal history

242.7 record check as defined under section 245C.02, subdivision 15a, or as required under section
 242.8 144.057, subdivision 1, clause (2);

242.9 (6) for a background study related to a child foster family setting application for licensure,
 242.10 foster residence settings, children's residential facilities, a transfer of permanent legal and
 242.11 physical custody of a child under sections 260C.503 to 260C.515, or adoptions, and for a
 242.12 background study required for family child care, certified license-exempt child care, child
 242.13 care centers, and legal nonlicensed child care authorized under chapter 119B, the
 242.14 commissioner shall also review:

242.15 (i) information from the child abuse and neglect registry for any state in which the
 242.16 background study subject has resided for the past five years;

242.17 (ii) when the background study subject is 18 years of age or older, or a minor under
 242.18 section 245C.05, subdivision 5a, paragraph (c), information received following submission
 242.19 of fingerprints for a national criminal history record check; and

242.20 (iii) when the background study subject is 18 years of age or older or a minor under
 242.21 section 245C.05, subdivision 5a, paragraph (d), for licensed family child care, certified
 242.22 license-exempt child care, licensed child care centers, and legal nonlicensed child care
 242.23 authorized under chapter 119B, information obtained using non-fingerprint-based data
 242.24 including information from the criminal and sex offender registries for any state in which
 242.25 the background study subject resided for the past five years and information from the national
 242.26 crime information database and the national sex offender registry; and

242.27 (7) for a background study required for family child care, certified license-exempt child
 242.28 care centers, licensed child care centers, and legal nonlicensed child care authorized under
 242.29 chapter 119B, the background study shall also include, to the extent practicable, a name
 242.30 and date-of-birth search of the National Sex Offender Public website.

242.31 (b) Except as otherwise provided in this paragraph, notwithstanding expungement by a
 242.32 court, the commissioner may consider information obtained under paragraph (a), clauses
 242.33 (3) and (4), unless the commissioner received notice of the petition for expungement and
 242.34 the court order for expungement is directed specifically to the commissioner. The
 243.1 commissioner may not consider information obtained under paragraph (a), clauses (3) and
 243.2 (4), or from any other source that identifies a violation of chapter 152 without determining
 243.3 if the offense involved the possession of marijuana or tetrahydrocannabinol and, if so,
 243.4 whether the person received a grant of expungement or order of expungement, or the person
 243.5 was resentenced to a lesser offense. If the person received a grant of expungement or order
 243.6 of expungement, the commissioner may not consider information related to that violation
 243.7 but may consider any other relevant information arising out of the same incident.

243.8 (c) The commissioner shall also review criminal case information received according
 243.9 to section 245C.04, subdivision 4a, from the Minnesota court information system that relates
 243.10 to individuals who have already been studied under this chapter and who remain affiliated
 243.11 with the agency that initiated the background study.

232.15 record check as defined under section 245C.02, subdivision 15a, or as required under section
 232.16 144.057, subdivision 1, clause (2);

232.17 (6) for a background study related to a child foster family setting application for licensure,
 232.18 foster residence settings, children's residential facilities, a transfer of permanent legal and
 232.19 physical custody of a child under sections 260C.503 to 260C.515, or adoptions, and for a
 232.20 background study required for family child care, certified license-exempt child care, child
 232.21 care centers, and legal nonlicensed child care authorized under chapter 119B, the
 232.22 commissioner shall also review:

232.23 (i) information from the child abuse and neglect registry for any state in which the
 232.24 background study subject has resided for the past five years;

232.25 (ii) when the background study subject is 18 years of age or older, or a minor under
 232.26 section 245C.05, subdivision 5a, paragraph (c), information received following submission
 232.27 of fingerprints for a national criminal history record check; and

232.28 (iii) when the background study subject is 18 years of age or older or a minor under
 232.29 section 245C.05, subdivision 5a, paragraph (d), for licensed family child care, certified
 232.30 license-exempt child care, licensed child care centers, and legal nonlicensed child care
 232.31 authorized under chapter 119B, information obtained using non-fingerprint-based data
 232.32 including information from the criminal and sex offender registries for any state in which
 233.1 the background study subject resided for the past five years and information from the national
 233.2 crime information database and the national sex offender registry; and

233.3 (7) for a background study required for family child care, certified license-exempt child
 233.4 care centers, licensed child care centers, and legal nonlicensed child care authorized under
 233.5 chapter 119B, the background study shall also include, to the extent practicable, a name
 233.6 and date-of-birth search of the National Sex Offender Public website.

233.7 (b) Except as otherwise provided in this paragraph, notwithstanding expungement by a
 233.8 court, the commissioner may consider information obtained under paragraph (a), clauses
 233.9 (3) and (4), unless the commissioner received notice of the petition for expungement and
 233.10 the court order for expungement is directed specifically to the commissioner. The
 233.11 commissioner may not consider information obtained under paragraph (a), clauses (3) and
 233.12 (4), or from any other source that identifies a violation of chapter 152 without determining
 233.13 if the offense involved the possession of marijuana or tetrahydrocannabinol and, if so,
 233.14 whether the person received a grant of expungement or order of expungement, or the person
 233.15 was resentenced to a lesser offense. If the person received a grant of expungement or order
 233.16 of expungement, the commissioner may not consider information related to that violation
 233.17 but may consider any other relevant information arising out of the same incident.

233.18 (c) The commissioner shall also review criminal case information received according
 233.19 to section 245C.04, subdivision 4a, from the Minnesota court information system that relates
 233.20 to individuals who have already been studied under this chapter and who remain affiliated
 233.21 with the agency that initiated the background study.

243.12 (d) When the commissioner has reasonable cause to believe that the identity of a
243.13 background study subject is uncertain, the commissioner may require the subject to provide
243.14 a set of classifiable fingerprints for purposes of completing a fingerprint-based record check
243.15 with the Bureau of Criminal Apprehension. Fingerprints collected under this paragraph
243.16 shall not be saved by the commissioner after they have been used to verify the identity of
243.17 the background study subject against the particular criminal record in question.

243.18 (e) The commissioner may inform the entity that initiated a background study under
243.19 NETStudy 2.0 of the status of processing of the subject's fingerprints.

243.20 Sec. 41. Minnesota Statutes 2022, section 256.01, subdivision 18c, is amended to read:

243.21 Subd. 18c. **Drug convictions.** (a) The state court administrator shall provide a report
243.22 every six months by electronic means to the commissioner of human services, including
243.23 the name, address, date of birth, and, if available, driver's license or state identification card
243.24 number, date of the sentence, effective date of the sentence, and county in which the
243.25 conviction occurred, of each person convicted of a felony under chapter 152, except for
243.26 convictions under section 152.0263 or 152.0264, during the previous six months.

243.27 (b) The commissioner shall determine whether the individuals who are the subject of
243.28 the data reported under paragraph (a) are receiving public assistance under chapter 256D
243.29 or 256J, and if the an individual is receiving assistance under chapter 256D or 256J, the
243.30 commissioner shall instruct the county to proceed under section 256D.024 or 256J.26,
243.31 whichever is applicable, for this individual.

244.1 (c) The commissioner shall not retain any data received under paragraph (a) or (d) that
244.2 does not relate to an individual receiving publicly funded assistance under chapter 256D or
244.3 256J.

244.4 (d) In addition to the routine data transfer under paragraph (a), the state court
244.5 administrator shall provide a onetime report of the data fields under paragraph (a) for
244.6 individuals with a felony drug conviction under chapter 152 dated from July 1, 1997, until
244.7 the date of the data transfer. The commissioner shall perform the tasks identified under
244.8 paragraph (b) related to this data and shall retain the data according to paragraph (e).

244.9 Sec. 42. Minnesota Statutes 2022, section 256B.0625, subdivision 13d, is amended to
244.10 read:

244.11 Subd. 13d. **Drug formulary.** (a) The commissioner shall establish a drug formulary. Its
244.12 establishment and publication shall not be subject to the requirements of the Administrative
244.13 Procedure Act, but the Formulary Committee shall review and comment on the formulary
244.14 contents.

244.15 (b) The formulary shall not include:

244.16 (1) drugs, active pharmaceutical ingredients, or products for which there is no federal
244.17 funding;

233.22 (d) When the commissioner has reasonable cause to believe that the identity of a
233.23 background study subject is uncertain, the commissioner may require the subject to provide
233.24 a set of classifiable fingerprints for purposes of completing a fingerprint-based record check
233.25 with the Bureau of Criminal Apprehension. Fingerprints collected under this paragraph
233.26 shall not be saved by the commissioner after they have been used to verify the identity of
233.27 the background study subject against the particular criminal record in question.

233.28 (e) The commissioner may inform the entity that initiated a background study under
233.29 NETStudy 2.0 of the status of processing of the subject's fingerprints.

233.30 Sec. 35. Minnesota Statutes 2022, section 256.01, subdivision 18c, is amended to read:

233.31 Subd. 18c. **Drug convictions.** (a) The state court administrator shall provide a report
233.32 every six months by electronic means to the commissioner of human services, including
233.33 the name, address, date of birth, and, if available, driver's license or state identification card
234.1 number, date of the sentence, effective date of the sentence, and county in which the
234.2 conviction occurred, of each person convicted of a felony under chapter 152, except for
234.3 convictions under section 152.0263 or 152.0264, during the previous six months.

234.4 (b) The commissioner shall determine whether the individuals who are the subject of
234.5 the data reported under paragraph (a) are receiving public assistance under chapter 256D
234.6 or 256J, and if the an individual is receiving assistance under chapter 256D or 256J, the
234.7 commissioner shall instruct the county to proceed under section 256D.024 or 256J.26,
234.8 whichever is applicable, for this individual.

234.9 (c) The commissioner shall not retain any data received under paragraph (a) or (d) that
234.10 does not relate to an individual receiving publicly funded assistance under chapter 256D or
234.11 256J.

234.12 (d) In addition to the routine data transfer under paragraph (a), the state court
234.13 administrator shall provide a onetime report of the data fields under paragraph (a) for
234.14 individuals with a felony drug conviction under chapter 152 dated from July 1, 1997, until
234.15 the date of the data transfer. The commissioner shall perform the tasks identified under
234.16 paragraph (b) related to this data and shall retain the data according to paragraph (e).

234.17 Sec. 36. Minnesota Statutes 2022, section 256B.0625, subdivision 13d, is amended to
234.18 read:

234.19 Subd. 13d. **Drug formulary.** (a) The commissioner shall establish a drug formulary. Its
234.20 establishment and publication shall not be subject to the requirements of the Administrative
234.21 Procedure Act, but the Formulary Committee shall review and comment on the formulary
234.22 contents.

234.23 (b) The formulary shall not include:

234.24 (1) drugs, active pharmaceutical ingredients, or products for which there is no federal
234.25 funding;

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

244.19 (3) drugs or active pharmaceutical ingredients when used for the treatment of impotence

244.20 or erectile dysfunction;

244.21 (4) drugs or active pharmaceutical ingredients for which medical value has not been

244.22 established;

244.23 (5) drugs from manufacturers who have not signed a rebate agreement with the

244.24 Department of Health and Human Services pursuant to section 1927 of title XIX of the

244.25 Social Security Act; and

244.26 (6) medical cannabis flower as defined in section 152.22, subdivision 6 342.01,

244.27 subdivision 52, or medical cannabinoid products as defined in section 342.01, subdivision

244.28 50.

244.29 (c) If a single-source drug used by at least two percent of the fee-for-service medical

244.30 assistance recipients is removed from the formulary due to the failure of the manufacturer

244.31 to sign a rebate agreement with the Department of Health and Human Services, the

244.32 commissioner shall notify prescribing practitioners within 30 days of receiving notification

244.33 from the Centers for Medicare and Medicaid Services (CMS) that a rebate agreement was

244.34 not signed.

244.35 Sec. 43. Minnesota Statutes 2022, section 256D.024, subdivision 1, is amended to read:

244.36 Subdivision 1. **Person convicted of drug offenses.** (a) If an applicant or recipient has

244.37 been convicted of a drug offense after July 1, 1997, except for convictions related to cannabis,

244.38 marijuana, or tetrahydrocannabinols, the assistance unit is ineligible for benefits under this

244.39 chapter until five years after the applicant has completed terms of the court-ordered sentence,

244.40 unless the person is participating in a drug treatment program, has successfully completed

244.41 a drug treatment program, or has been assessed by the county and determined not to be in

244.42 need of a drug treatment program. Persons subject to the limitations of this subdivision who

244.43 become eligible for assistance under this chapter shall be subject to random drug testing as

244.44 a condition of continued eligibility and shall lose eligibility for benefits for five years

244.45 beginning the month following:

244.46 (1) any positive test result for an illegal controlled substance under chapter 152; or

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

244.48 (b) For the purposes of this subdivision, "drug offense" means a conviction that occurred

244.49 after July 1, 1997, of sections 152.021 to 152.025, 152.0261, 152.0262, or 152.096. Drug

244.50 offense also means a conviction in another jurisdiction of the possession, use, or distribution

244.51 of a controlled substance, or conspiracy to commit any of these offenses, if the offense

244.52 occurred after July 1, 1997, and the conviction is a felony offense in that jurisdiction, or in

244.53 the case of New Jersey, a high misdemeanor for a crime that would be a felony if committed

244.54 in Minnesota.

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

234.27 (3) drugs or active pharmaceutical ingredients when used for the treatment of impotence

234.28 or erectile dysfunction;

234.29 (4) drugs or active pharmaceutical ingredients for which medical value has not been

234.30 established;

235.1 (5) drugs from manufacturers who have not signed a rebate agreement with the

235.2 Department of Health and Human Services pursuant to section 1927 of title XIX of the

235.3 Social Security Act; and

235.4 (6) medical cannabis flower as defined in section 152.22, subdivision 6 342.01,

235.5 subdivision 53, or medical cannabinoid products as defined in section 342.01, subdivision

235.6 51.

235.7 (c) If a single-source drug used by at least two percent of the fee-for-service medical

235.8 assistance recipients is removed from the formulary due to the failure of the manufacturer

235.9 to sign a rebate agreement with the Department of Health and Human Services, the

235.10 commissioner shall notify prescribing practitioners within 30 days of receiving notification

235.11 from the Centers for Medicare and Medicaid Services (CMS) that a rebate agreement was

235.12 not signed.

235.13 Sec. 37. Minnesota Statutes 2022, section 256D.024, subdivision 1, is amended to read:

235.14 Subdivision 1. **Person convicted of drug offenses.** (a) If an applicant or recipient has

235.15 been convicted of a drug offense after July 1, 1997, except for convictions related to cannabis,

235.16 marijuana, or tetrahydrocannabinols, the assistance unit is ineligible for benefits under this

235.17 chapter until five years after the applicant has completed terms of the court-ordered sentence,

235.18 unless the person is participating in a drug treatment program, has successfully completed

235.19 a drug treatment program, or has been assessed by the county and determined not to be in

235.20 need of a drug treatment program. Persons subject to the limitations of this subdivision who

235.21 become eligible for assistance under this chapter shall be subject to random drug testing as

235.22 a condition of continued eligibility and shall lose eligibility for benefits for five years

235.23 beginning the month following:

235.24 (1) any positive test result for an illegal controlled substance under chapter 152; or

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

235.26 (b) For the purposes of this subdivision, "drug offense" means a conviction that occurred

235.27 after July 1, 1997, of sections 152.021 to 152.025, 152.0261, 152.0262, or 152.096. Drug

235.28 offense also means a conviction in another jurisdiction of the possession, use, or distribution

235.29 of a controlled substance, or conspiracy to commit any of these offenses, if the offense

235.30 occurred after July 1, 1997, and the conviction is a felony offense in that jurisdiction, or in

235.31 the case of New Jersey, a high misdemeanor for a crime that would be a felony if committed

235.32 in Minnesota.

245.23 Sec. 44. Minnesota Statutes 2022, section 256D.024, subdivision 3, is amended to read:

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

245.28 Sec. 45. Minnesota Statutes 2022, section 256J.26, subdivision 1, is amended to read:

245.29 Subdivision 1. **Person convicted of drug offenses.** (a) An individual who has been convicted of a felony level drug offense committed during the previous ten years from the date of application or recertification, except for convictions related to cannabis, marijuana, or tetrahydrocannabinols, is subject to the following:

246.1 (1) Benefits for the entire assistance unit must be paid in vendor form for shelter and utilities during any time the applicant is part of the assistance unit.

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

246.6 (i) for failing a drug test the first time, the residual amount of the participant's grant after making vendor payments for shelter and utility costs, if any, must be reduced by an amount equal to 30 percent of the MFIP standard of need for an assistance unit of the same size.

246.9 When a sanction under this subdivision is in effect, the job counselor must attempt to meet with the person face-to-face. During the face-to-face meeting, the job counselor must explain the consequences of a subsequent drug test failure and inform the participant of the right to appeal the sanction under section 256J.40. If a face-to-face meeting is not possible, the county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face-to-face meeting; or

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

246.28 (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

236.1 Sec. 38. Minnesota Statutes 2022, section 256D.024, subdivision 3, is amended to read:

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

236.6 Sec. 39. Minnesota Statutes 2022, section 256J.26, subdivision 1, is amended to read:

236.7 Subdivision 1. **Person convicted of drug offenses.** (a) An individual who has been convicted of a felony level drug offense committed during the previous ten years from the date of application or recertification, except for convictions related to cannabis, marijuana, or tetrahydrocannabinols, is subject to the following:

236.11 (1) Benefits for the entire assistance unit must be paid in vendor form for shelter and utilities during any time the applicant is part of the assistance unit.

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

236.16 (i) for failing a drug test the first time, the residual amount of the participant's grant after making vendor payments for shelter and utility costs, if any, must be reduced by an amount equal to 30 percent of the MFIP standard of need for an assistance unit of the same size.

236.19 When a sanction under this subdivision is in effect, the job counselor must attempt to meet with the person face-to-face. During the face-to-face meeting, the job counselor must explain the consequences of a subsequent drug test failure and inform the participant of the right to appeal the sanction under section 256J.40. If a face-to-face meeting is not possible, the county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face-to-face meeting; or

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

237.5 (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

246.30 noncompliance and is subject to the applicable level of sanction as specified under section
 246.31 256J.46, subdivision 1, paragraph (d).

246.32 (b) Applicants requesting only SNAP benefits or participants receiving only SNAP
 246.33 benefits, who have been convicted of a drug offense that occurred after July 1, 1997, except
 246.34 for convictions related to cannabis, marijuana, or tetrahydrocannabinols, may, if otherwise
 247.1 eligible, receive SNAP benefits if the convicted applicant or participant is subject to random
 247.2 drug testing as a condition of continued eligibility. Following a positive test for an illegal
 247.3 controlled substance under chapter 152, the applicant is subject to the following sanctions:

247.4 (1) for failing a drug test the first time, SNAP benefits shall be reduced by an amount
 247.5 equal to 30 percent of the applicable SNAP benefit allotment. When a sanction under this
 247.6 clause is in effect, a job counselor must attempt to meet with the person face-to-face. During
 247.7 the face-to-face meeting, a job counselor must explain the consequences of a subsequent
 247.8 drug test failure and inform the participant of the right to appeal the sanction under section
 247.9 256J.40. If a face-to-face meeting is not possible, a county agency must send the participant
 247.10 a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must
 247.11 include the information required in the face-to-face meeting; and

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

247.20 (c) For the purposes of this subdivision, "drug offense" means an offense that occurred
 247.21 during the previous ten years from the date of application or recertification of sections
 247.22 152.021 to 152.025, 152.0261, 152.0262, 152.096, or 152.137. Drug offense also means a
 247.23 conviction in another jurisdiction of the possession, use, or distribution of a controlled
 247.24 substance, or conspiracy to commit any of these offenses, if the offense occurred during
 247.25 the previous ten years from the date of application or recertification and the conviction is
 247.26 a felony offense in that jurisdiction, or in the case of New Jersey, a high misdemeanor for
 247.27 a crime that would be a felony if committed in Minnesota.

247.28 Sec. 46. Minnesota Statutes 2022, section 256J.26, subdivision 3, is amended to read:

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

237.7 noncompliance and is subject to the applicable level of sanction as specified under section
 237.8 256J.46, subdivision 1, paragraph (d).

237.9 (b) Applicants requesting only SNAP benefits or participants receiving only SNAP
 237.10 benefits, who have been convicted of a drug offense that occurred after July 1, 1997, except
 237.11 for convictions related to cannabis, marijuana, or tetrahydrocannabinols, may, if otherwise
 237.12 eligible, receive SNAP benefits if the convicted applicant or participant is subject to random
 237.13 drug testing as a condition of continued eligibility. Following a positive test for an illegal
 237.14 controlled substance under chapter 152, the applicant is subject to the following sanctions:

237.15 (1) for failing a drug test the first time, SNAP benefits shall be reduced by an amount
 237.16 equal to 30 percent of the applicable SNAP benefit allotment. When a sanction under this
 237.17 clause is in effect, a job counselor must attempt to meet with the person face-to-face. During
 237.18 the face-to-face meeting, a job counselor must explain the consequences of a subsequent
 237.19 drug test failure and inform the participant of the right to appeal the sanction under section
 237.20 256J.40. If a face-to-face meeting is not possible, a county agency must send the participant
 237.21 a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must
 237.22 include the information required in the face-to-face meeting; and

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

237.31 (c) For the purposes of this subdivision, "drug offense" means an offense that occurred
 237.32 during the previous ten years from the date of application or recertification of sections
 237.33 152.021 to 152.025, 152.0261, 152.0262, 152.096, or 152.137. Drug offense also means a
 237.34 conviction in another jurisdiction of the possession, use, or distribution of a controlled
 238.1 substance, or conspiracy to commit any of these offenses, if the offense occurred during
 238.2 the previous ten years from the date of application or recertification and the conviction is
 238.3 a felony offense in that jurisdiction, or in the case of New Jersey, a high misdemeanor for
 238.4 a crime that would be a felony if committed in Minnesota.

238.5 Sec. 40. Minnesota Statutes 2022, section 256J.26, subdivision 3, is amended to read:

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

238.10 Sec. 41. Minnesota Statutes 2022, section 340A.402, subdivision 1, is amended to read:

238.11 Subdivision 1. **Disqualifiers.** No retail license may be issued to:

238.12 (1) a person under 21 years of age;

238.13 (2) a person who has had an intoxicating liquor or 3.2 percent malt liquor license revoked

238.14 within five years of the license application, or to any person who at the time of the violation

238.15 owns any interest, whether as a holder of more than five percent of the capital stock of a

238.16 corporation licensee, as a partner or otherwise, in the premises or in the business conducted

238.17 thereon, or to a corporation, partnership, association, enterprise, business, or firm in which

238.18 any such person is in any manner interested;

238.19 (3) a person not of good moral character and repute; or

238.20 (4) a person who:

238.21 (i) has had a license or registration issued pursuant to chapter 342 or section 151.72,

238.22 subdivision 5b, revoked;

238.23 (ii) has been convicted of an offense under section 151.72, subdivision 7; or

238.24 (iii) has been convicted under any other statute for the illegal sale of marijuana, cannabis

238.25 flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products,

238.26 or edible cannabinoid products and the sale took place on the premises of a business that

238.27 sells intoxicating liquor or 3.2 percent malt liquor to customers; or

238.28 (4) (5) a person who has a direct or indirect interest in a manufacturer, brewer, or

238.29 wholesaler.

238.30 In addition, no new retail license may be issued to, and the governing body of a

238.31 municipality may refuse to renew the license of, a person who, within five years of the

239.1 license application, has been convicted of a felony or a willful violation of a federal or state

239.2 law or local ordinance governing the manufacture, sale, distribution, or possession for sale

239.3 or distribution of an alcoholic beverage. The Alcohol and Gambling Enforcement Division

239.4 or licensing authority may require that fingerprints be taken and forwarded to the Federal

239.5 Bureau of Investigation for purposes of a criminal history check.

248.1 Sec. 47. **[340A.4022] RETAIL LICENSE NOT PROHIBITED; LOWER-POTENCY**

248.2 **HEMP EDIBLES.**

248.3 (a) Nothing in this chapter:

248.4 (1) prohibits the issuance of a retail license or permit to a person also holding a hemp

248.5 business license authorizing the manufacture or retail sale of lower-potency hemp edibles;

248.6 (2) allows any agreement between a licensing authority and retail license or permit holder

248.7 that prohibits the license or permit holder from also holding a lower-potency hemp edible

248.8 manufacturer or retailer license; or

239.6 Sec. 42. **[340A.4022] RETAIL LICENSE NOT PROHIBITED; LOWER-POTENCY**

239.7 **HEMP EDIBLE RETAILER.**

239.8 (a) Nothing in this chapter:

239.9 (1) prohibits the issuance of a retail license or permit to a person also holding a

239.10 lower-potency hemp edible retailer license;

239.11 (2) allows any agreement between a licensing authority and retail license or permit holder

239.12 that prohibits the license or permit holder from also holding a lower-potency hemp edible

239.13 retailer license; or

248.9 (3) allows the revocation or suspension of a retail license or permit, or the imposition
 248.10 of a penalty on a retail license or permit holder, due to the retail license or permit holder
 248.11 also holding a lower-potency hemp edible manufacturer or retailer license.

248.12 (b) For purposes of this section, "hemp business license authorizing manufacture or
 248.13 retail sale of lower-potency hemp edibles" means a license issued by the Office of Cannabis
 248.14 Management pursuant to sections 342.43 to 342.46.

248.15 Sec. 48. Minnesota Statutes 2022, section 340A.412, subdivision 14, is amended to read:

248.16 Subd. 14. **Exclusive liquor stores.** (a) Except as otherwise provided in this subdivision,
 248.17 an exclusive liquor store may sell only the following items:

248.18 (1) alcoholic beverages;
 248.19 (2) tobacco products;
 248.20 (3) ice;
 248.21 (4) beverages, either liquid or powder, specifically designated for mixing with intoxicating
 248.22 liquor;
 248.23 (5) soft drinks;
 248.24 (6) liqueur-filled candies;
 248.25 (7) food products that contain more than one-half of one percent alcohol by volume;
 248.26 (8) cork extraction devices;
 248.27 (9) books and videos on the use of alcoholic beverages;
 248.28 (10) magazines and other publications published primarily for information and education
 248.29 on alcoholic beverages;
 248.30 (11) multiple-use bags designed to carry purchased items;
 249.1 (12) devices designed to ensure safe storage and monitoring of alcohol in the home, to
 249.2 prevent access by underage drinkers;
 249.3 (13) home brewing equipment;
 249.4 (14) clothing marked with the specific name, brand, or identifying logo of the exclusive
 249.5 liquor store, and bearing no other name, brand, or identifying logo;
 249.6 (15) citrus fruit; and
 249.7 (16) glassware;
 249.8 (17) lower-potency hemp edibles as defined in section 342.01, subdivision 48; and

239.14 (3) allows the revocation or suspension of a retail license or permit, or the imposition
 239.15 of a penalty on a retail license or permit holder, due to the retail license or permit holder
 239.16 also holding a lower-potency hemp edible retailer license.

239.17 (b) For purposes of this section, "lower-potency hemp edible retailer license" means a
 239.18 license issued by the Office of Cannabis Management under section 342.41.

239.19 Sec. 43. Minnesota Statutes 2022, section 340A.412, subdivision 14, is amended to read:

239.20 Subd. 14. **Exclusive liquor stores.** (a) Except as otherwise provided in this subdivision,
 239.21 an exclusive liquor store may sell only the following items:

239.22 (1) alcoholic beverages;
 239.23 (2) tobacco products;
 239.24 (3) ice;
 239.25 (4) beverages, either liquid or powder, specifically designated for mixing with intoxicating
 239.26 liquor;
 239.27 (5) soft drinks;
 239.28 (6) liqueur-filled candies;
 239.29 (7) food products that contain more than one-half of one percent alcohol by volume;
 239.30 (8) cork extraction devices;
 240.1 (9) books and videos on the use of alcoholic beverages;
 240.2 (10) magazines and other publications published primarily for information and education
 240.3 on alcoholic beverages;
 240.4 (11) multiple-use bags designed to carry purchased items;
 240.5 (12) devices designed to ensure safe storage and monitoring of alcohol in the home, to
 240.6 prevent access by underage drinkers;
 240.7 (13) home brewing equipment;
 240.8 (14) clothing marked with the specific name, brand, or identifying logo of the exclusive
 240.9 liquor store, and bearing no other name, brand, or identifying logo;
 240.10 (15) citrus fruit; and
 240.11 (16) glassware; and
 240.12 (17) lower-potency hemp edibles as defined in section 342.01, subdivision 49.

249.9 (18) products that detect the presence of fentanyl or a fentanyl analog.

249.10 (b) An exclusive liquor store that has an on-sale, or combination on-sale and off-sale
249.11 license may sell food for on-premise consumption when authorized by the municipality
249.12 issuing the license.

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

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

249.15 Sec. 49. Minnesota Statutes 2022, section 484.014, subdivision 3, is amended to read:

249.16 Subd. 3. **Mandatory expungement.** (a) The court shall order expungement of an eviction
249.17 case commenced solely on the grounds provided in section 504B.285, subdivision 1, clause
249.18 (1), if the court finds that the defendant occupied real property that was subject to contract
249.19 for deed cancellation or mortgage foreclosure and:

249.20 (1) the time for contract cancellation or foreclosure redemption has expired and the
249.21 defendant vacated the property prior to commencement of the eviction action; or

249.22 (2) the defendant was a tenant during the contract cancellation or foreclosure redemption
249.23 period and did not receive a notice under section 504B.285, subdivision 1a, 1b, or 1c, to
249.24 vacate on a date prior to commencement of the eviction case.

240.13 (b) An exclusive liquor store that has an on-sale, or combination on-sale and off-sale
240.14 license may sell food for on-premise consumption when authorized by the municipality
240.15 issuing the license.

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

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

240.18 Sec. 44. Minnesota Statutes 2022, section 461.12, is amended by adding a subdivision to
240.19 read:

240.20 **Subd. 2a. Penalties for sales of certain products; licensees.** (a) A licensee's authority
240.21 to sell tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia
240.22 delivery products at that location must be suspended for not less than seven days and may
240.23 be revoked if the licensee:

240.24 (1) holds a license or registration issued pursuant to chapter 342 or section 151.72,
240.25 subdivision 5b, and the license or registration is revoked;

240.26 (2) is convicted of an offense under section 151.72, subdivision 7; or

240.27 (3) has been convicted under any other statute for the illegal sale of marijuana, cannabis
240.28 flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products,
240.29 or edible cannabinoid products and the sale took place on the premises of a business that
241.1 sells tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia
241.2 delivery products.

241.3 (b) No suspension, revocation, or other penalty may take effect until the licensee has
241.4 received notice, served personally or by mail, of the alleged violation and an opportunity
241.5 for a hearing before a person authorized by the licensing authority to conduct the hearing.
241.6 A decision that a violation has occurred must be in writing.

249.25 (b) If a tenant brings a motion for the expungement of an eviction, the court shall order
249.26 the expungement of an eviction case that was commenced on the grounds of a violation of
249.27 section 504B.171 or any other claim of breach regardless of when the original eviction was
249.28 ordered, if the tenant could receive an automatic expungement under section 609A.05, or
249.29 if the breach was based solely on the possession of marijuana or tetrahydrocannabinols.

250.1 Sec. 50. Minnesota Statutes 2022, section 504B.171, subdivision 1, is amended to read:

250.2 Subdivision 1. **Terms of covenant.** (a) In every lease or license of residential premises,
250.3 whether in writing or parol, the landlord or licensor and the tenant or licensee covenant that:

250.4 (1) neither will:

250.5 (i) unlawfully allow controlled substances in those premises or in the common area and
250.6 curtilage of the premises in violation of any criminal provision of chapter 152;

250.7 (ii) allow prostitution or prostitution-related activity as defined in section 617.80,
250.8 subdivision 4, to occur on the premises or in the common area and curtilage of the premises;

250.9 (iii) allow the unlawful use or possession of a firearm in violation of section 609.66,
250.10 subdivision 1a, 609.67, or 624.713, on the premises or in the common area and curtilage of
250.11 the premises; or

250.12 (iv) allow stolen property or property obtained by robbery in those premises or in the
250.13 common area and curtilage of the premises; and

250.14 (2) the common area and curtilage of the premises will not be used by either the landlord
250.15 or licensor or the tenant or licensee or others acting under the control of either to manufacture,
250.16 sell, give away, barter, deliver, exchange, distribute, purchase, or possess a controlled
250.17 substance in violation of any criminal provision of chapter 152. The covenant is not violated
250.18 when a person other than the landlord or licensor or the tenant or licensee possesses or
250.19 allows controlled substances in the premises, common area, or curtilage, unless the landlord
250.20 or licensor or the tenant or licensee knew or had reason to know of that activity.

250.21 (b) In every lease or license of residential premises, whether in writing or parol, the
250.22 tenant or licensee covenant that the tenant or licensee will not commit an act enumerated
250.23 under section 504B.206, subdivision 1, paragraph (a), against a tenant or licensee or any
250.24 authorized occupant.

250.25 (c) A landlord cannot prohibit a tenant from legally possessing, and a tenant cannot
250.26 waive the right to legally possess, any cannabis products, lower-potency hemp edibles, or
250.27 hemp-derived consumer products, or using any cannabinoid product or hemp-derived
250.28 consumer product, other than consumption by combustion or vaporization of the product
250.29 and inhalation of smoke, aerosol, or vapor from the product.

251.1 Sec. 51. **[504B.1715] COVENANTS; SOBER HOMES.**

251.2 A sober housing program for people with substance use disorders may prohibit people
251.3 in the program from the possession and use of cannabis flower, cannabis products,
251.4 lower-potency hemp edibles, or hemp-derived consumer products.

251.5 Sec. 52. Minnesota Statutes 2022, section 609B.425, subdivision 2, is amended to read:

251.6 Subd. 2. **Benefit eligibility.** (a) A person convicted of a drug offense after July 1, 1997,
251.7 except for convictions related to cannabis, marijuana, or tetrahydrocannabinols, is ineligible
251.8 for general assistance benefits and Supplemental Security Income under chapter 256D until:

251.9 (1) five years after completing the terms of a court-ordered sentence; or

251.10 (2) unless the person is participating in a drug treatment program, has successfully
251.11 completed a program, or has been determined not to be in need of a drug treatment program.

251.12 (b) A person who becomes eligible for assistance under chapter 256D is subject to
251.13 random drug testing and shall lose eligibility for benefits for five years beginning the month
251.14 following:

251.15 (1) any positive test for an illegal controlled substance under chapter 152; or

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

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

251.19 Sec. 53. Minnesota Statutes 2022, section 609B.435, subdivision 2, is amended to read:

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

251.27 (1) a first time drug test failure results in a reduction of benefits in an amount equal to
251.28 30 percent of the MFIP standard of need; and

251.29 (2) a second time drug test failure results in permanent disqualification from receiving
251.30 MFIP assistance.

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

242.1 Sec. 46. Minnesota Statutes 2022, section 609B.425, subdivision 2, is amended to read:

242.2 Subd. 2. **Benefit eligibility.** (a) A person convicted of a drug offense after July 1, 1997,
242.3 except for convictions related to cannabis, marijuana, or tetrahydrocannabinols, is ineligible
242.4 for general assistance benefits and Supplemental Security Income under chapter 256D until:

242.5 (1) five years after completing the terms of a court-ordered sentence; or

242.6 (2) unless the person is participating in a drug treatment program, has successfully
242.7 completed a program, or has been determined not to be in need of a drug treatment program.

242.8 (b) A person who becomes eligible for assistance under chapter 256D is subject to
242.9 random drug testing and shall lose eligibility for benefits for five years beginning the month
242.10 following:

242.11 (1) any positive test for an illegal controlled substance under chapter 152; or

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

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

242.15 Sec. 47. Minnesota Statutes 2022, section 609B.435, subdivision 2, is amended to read:

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

242.23 (1) a first time drug test failure results in a reduction of benefits in an amount equal to
242.24 30 percent of the MFIP standard of need; and

242.25 (2) a second time drug test failure results in permanent disqualification from receiving
242.26 MFIP assistance.

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

252.3 Sec. 54. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 252.4 to read:

252.5 Subd. 13. Adult-use cannabis flower. "Adult-use cannabis flower" has the meaning
 252.6 given in section 342.01, subdivision 3.

252.7 Sec. 55. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 252.8 to read:

252.9 Subd. 14. Adult-use cannabinoid product. "Adult-use cannabis product" has the
 252.10 meaning given in section 342.01, subdivision 4.

252.11 Sec. 56. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 252.12 to read:

252.13 Subd. 15. Medical cannabis flower. "Medical cannabis flower" has the meaning given
 252.14 in section 342.01, subdivision 52.

252.15 Sec. 57. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 252.16 to read:

252.17 Subd. 16. Medical cannabinoid product. "Medical cannabinoid product" has the
 252.18 meaning given in section 342.01, subdivision 50.

252.19 Sec. 58. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 252.20 to read:

252.21 Subd. 17. Patient. "Patient" has the meaning given in section 342.01, subdivision 57.

252.22 Sec. 59. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 252.23 to read:

252.24 Subd. 18. Qualifying medical condition. "Qualifying medical condition" has the meaning
 252.25 given in section 342.01, subdivision 59.

253.1 Sec. 60. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 253.2 to read:

253.3 Subd. 19. Registry or registry program. "Registry" or "registry program" has the
 253.4 meaning given in section 342.01, subdivision 61.

253.5 Sec. 61. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 253.6 to read:

253.7 Subd. 20. Hemp-derived consumer product. "Hemp-derived consumer product" has
 253.8 the meaning given in section 342.01, subdivision 35.

243.1 Sec. 48. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 243.2 to read:

243.3 Subd. 13. Adult-use cannabis flower. "Adult-use cannabis flower" has the meaning
 243.4 given in section 342.01, subdivision 4.

243.5 Sec. 49. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 243.6 to read:

243.7 Subd. 14. Adult-use cannabis product. "Adult-use cannabis product" has the meaning
 243.8 given in section 342.01, subdivision 2.

243.9 Sec. 50. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 243.10 to read:

243.11 Subd. 15. Medical cannabis flower. "Medical cannabis flower" has the meaning given
 243.12 in section 342.01, subdivision 53.

243.13 Sec. 51. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 243.14 to read:

243.15 Subd. 16. Medical cannabinoid product. "Medical cannabinoid product" has the
 243.16 meaning given in section 342.01, subdivision 51.

243.17 Sec. 52. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 243.18 to read:

243.19 Subd. 17. Patient. "Patient" has the meaning given in section 342.01, subdivision 58.

243.20 Sec. 53. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 243.21 to read:

243.22 Subd. 18. Qualifying medical condition. "Qualifying medical condition" has the meaning
 243.23 given in section 342.01, subdivision 61.

243.24 Sec. 54. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 243.25 to read:

243.26 Subd. 19. Registry or registry program. "Registry" or "registry program" has the
 243.27 meaning given in section 342.01, subdivision 63.

253.9 Sec. 62. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 253.10 to read:

253.11 Subd. 21. **Lower-potency hemp edible.** "Lower-potency hemp edible" has the meaning
 253.12 given in section 342.01, subdivision 48.

253.13 Sec. 63. Minnesota Statutes 2022, section 624.713, subdivision 1, is amended to read:

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

253.17 (1) a person under the age of 18 years except that a person under 18 may possess
 253.18 ammunition designed for use in a firearm that the person may lawfully possess and may
 253.19 carry or possess a pistol or semiautomatic military-style assault weapon (i) in the actual
 253.20 presence or under the direct supervision of the person's parent or guardian, (ii) for the
 253.21 purpose of military drill under the auspices of a legally recognized military organization
 253.22 and under competent supervision, (iii) for the purpose of instruction, competition, or target
 253.23 practice on a firing range approved by the chief of police or county sheriff in whose
 253.24 jurisdiction the range is located and under direct supervision; or (iv) if the person has
 253.25 successfully completed a course designed to teach marksmanship and safety with a pistol
 253.26 or semiautomatic military-style assault weapon and approved by the commissioner of natural
 253.27 resources;

253.28 (2) except as otherwise provided in clause (9), a person who has been convicted of, or
 253.29 adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, in
 253.30 this state or elsewhere, a crime of violence. For purposes of this section, crime of violence
 253.31 includes crimes in other states or jurisdictions which would have been crimes of violence
 253.32 as herein defined if they had been committed in this state;

254.1 (3) a person who is or has ever been committed in Minnesota or elsewhere by a judicial
 254.2 determination that the person is mentally ill, developmentally disabled, or mentally ill and
 254.3 dangerous to the public, as defined in section 253B.02, to a treatment facility, or who has
 254.4 ever been found incompetent to stand trial or not guilty by reason of mental illness, unless
 254.5 the person's ability to possess a firearm and ammunition has been restored under subdivision
 254.6 4;

254.7 (4) a person who has been convicted in Minnesota or elsewhere of a misdemeanor or
 254.8 gross misdemeanor violation of chapter 152, unless three years have elapsed since the date
 254.9 of conviction and, during that time, the person has not been convicted of any other such
 254.10 violation of chapter 152 or a similar law of another state; or a person who is or has ever
 254.11 been committed by a judicial determination for treatment for the habitual use of a controlled
 254.12 substance or marijuana, as defined in sections 152.01 and 152.02, unless the person's ability
 254.13 to possess a firearm and ammunition has been restored under subdivision 4;

254.14 (5) a person who has been committed to a treatment facility in Minnesota or elsewhere
 254.15 by a judicial determination that the person is chemically dependent as defined in section

244.1 Sec. 55. Minnesota Statutes 2022, section 624.713, subdivision 1, is amended to read:

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

244.5 (1) a person under the age of 18 years except that a person under 18 may possess
 244.6 ammunition designed for use in a firearm that the person may lawfully possess and may
 244.7 carry or possess a pistol or semiautomatic military-style assault weapon (i) in the actual
 244.8 presence or under the direct supervision of the person's parent or guardian, (ii) for the
 244.9 purpose of military drill under the auspices of a legally recognized military organization
 244.10 and under competent supervision, (iii) for the purpose of instruction, competition, or target
 244.11 practice on a firing range approved by the chief of police or county sheriff in whose
 244.12 jurisdiction the range is located and under direct supervision; or (iv) if the person has
 244.13 successfully completed a course designed to teach marksmanship and safety with a pistol
 244.14 or semiautomatic military-style assault weapon and approved by the commissioner of natural
 244.15 resources;

244.16 (2) except as otherwise provided in clause (9), a person who has been convicted of, or
 244.17 adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, in
 244.18 this state or elsewhere, a crime of violence. For purposes of this section, crime of violence
 244.19 includes crimes in other states or jurisdictions which would have been crimes of violence
 244.20 as herein defined if they had been committed in this state;

244.21 (3) a person who is or has ever been committed in Minnesota or elsewhere by a judicial
 244.22 determination that the person is mentally ill, developmentally disabled, or mentally ill and
 244.23 dangerous to the public, as defined in section 253B.02, to a treatment facility, or who has
 244.24 ever been found incompetent to stand trial or not guilty by reason of mental illness, unless
 244.25 the person's ability to possess a firearm and ammunition has been restored under subdivision
 244.26 4;

244.27 (4) a person who has been convicted in Minnesota or elsewhere of a misdemeanor or
 244.28 gross misdemeanor violation of chapter 152, unless three years have elapsed since the date
 244.29 of conviction and, during that time, the person has not been convicted of any other such
 244.30 violation of chapter 152 or a similar law of another state; or a person who is or has ever
 244.31 been committed by a judicial determination for treatment for the habitual use of a controlled
 244.32 substance or marijuana, as defined in sections 152.01 and 152.02, unless the person's ability
 244.33 to possess a firearm and ammunition has been restored under subdivision 4;

245.1 (5) a person who has been committed to a treatment facility in Minnesota or elsewhere
 245.2 by a judicial determination that the person is chemically dependent as defined in section

254.16 253B.02, unless the person has completed treatment or the person's ability to possess a
 254.17 firearm and ammunition has been restored under subdivision 4. Property rights may not be
 254.18 abated but access may be restricted by the courts;

254.19 (6) a peace officer who is informally admitted to a treatment facility pursuant to section
 254.20 253B.04 for chemical dependency, unless the officer possesses a certificate from the head
 254.21 of the treatment facility discharging or provisionally discharging the officer from the
 254.22 treatment facility. Property rights may not be abated but access may be restricted by the
 254.23 courts;

254.24 (7) a person, including a person under the jurisdiction of the juvenile court, who has
 254.25 been charged with committing a crime of violence and has been placed in a pretrial diversion
 254.26 program by the court before disposition, until the person has completed the diversion program
 254.27 and the charge of committing the crime of violence has been dismissed;

254.28 (8) except as otherwise provided in clause (9), a person who has been convicted in
 254.29 another state of committing an offense similar to the offense described in section 609.224,
 254.30 subdivision 3, against a family or household member or section 609.2242, subdivision 3,
 254.31 unless three years have elapsed since the date of conviction and, during that time, the person
 254.32 has not been convicted of any other violation of section 609.224, subdivision 3, or 609.2242,
 254.33 subdivision 3, or a similar law of another state;

255.1 (9) a person who has been convicted in this state or elsewhere of assaulting a family or
 255.2 household member and who was found by the court to have used a firearm in any way
 255.3 during commission of the assault is prohibited from possessing any type of firearm or
 255.4 ammunition for the period determined by the sentencing court;

255.5 (10) a person who:

255.6 (i) has been convicted in any court of a crime punishable by imprisonment for a term
 255.7 exceeding one year;

255.8 (ii) is a fugitive from justice as a result of having fled from any state to avoid prosecution
 255.9 for a crime or to avoid giving testimony in any criminal proceeding;

255.10 (iii) is an unlawful user of any controlled substance as defined in chapter 152. The use
 255.11 of medical cannabis flower or medical cannabinoid products by a patient enrolled in the
 255.12 registry program or the use of adult-use cannabis flower, adult-use cannabis products,
 255.13 lower-potency hemp edibles, or hemp-derived consumer products by a person 21 years of
 255.14 age or older does not constitute the unlawful use of a controlled substance under this item;

255.15 (iv) has been judicially committed to a treatment facility in Minnesota or elsewhere as
 255.16 a person who is mentally ill, developmentally disabled, or mentally ill and dangerous to the
 255.17 public, as defined in section 253B.02;

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

245.3 253B.02, unless the person has completed treatment or the person's ability to possess a
 245.4 firearm and ammunition has been restored under subdivision 4. Property rights may not be
 245.5 abated but access may be restricted by the courts;

245.6 (6) a peace officer who is informally admitted to a treatment facility pursuant to section
 245.7 253B.04 for chemical dependency, unless the officer possesses a certificate from the head
 245.8 of the treatment facility discharging or provisionally discharging the officer from the
 245.9 treatment facility. Property rights may not be abated but access may be restricted by the
 245.10 courts;

245.11 (7) a person, including a person under the jurisdiction of the juvenile court, who has
 245.12 been charged with committing a crime of violence and has been placed in a pretrial diversion
 245.13 program by the court before disposition, until the person has completed the diversion program
 245.14 and the charge of committing the crime of violence has been dismissed;

245.15 (8) except as otherwise provided in clause (9), a person who has been convicted in
 245.16 another state of committing an offense similar to the offense described in section 609.224,
 245.17 subdivision 3, against a family or household member or section 609.2242, subdivision 3,
 245.18 unless three years have elapsed since the date of conviction and, during that time, the person
 245.19 has not been convicted of any other violation of section 609.224, subdivision 3, or 609.2242,
 245.20 subdivision 3, or a similar law of another state;

245.21 (9) a person who has been convicted in this state or elsewhere of assaulting a family or
 245.22 household member and who was found by the court to have used a firearm in any way
 245.23 during commission of the assault is prohibited from possessing any type of firearm or
 245.24 ammunition for the period determined by the sentencing court;

245.25 (10) a person who:

245.26 (i) has been convicted in any court of a crime punishable by imprisonment for a term
 245.27 exceeding one year;

245.28 (ii) is a fugitive from justice as a result of having fled from any state to avoid prosecution
 245.29 for a crime or to avoid giving testimony in any criminal proceeding;

245.30 (iii) is an unlawful user of any controlled substance as defined in chapter 152. The use
 245.31 of medical cannabis flower or medical cannabinoid products by a patient enrolled in the
 245.32 registry program or the use of adult-use cannabis flower or adult-use cannabis products by
 246.1 a person 21 years of age or older does not constitute the unlawful use of a controlled
 246.2 substance under this item;

246.3 (iv) has been judicially committed to a treatment facility in Minnesota or elsewhere as
 246.4 a person who is mentally ill, developmentally disabled, or mentally ill and dangerous to the
 246.5 public, as defined in section 253B.02;

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

255.19 (vi) has been discharged from the armed forces of the United States under dishonorable
 255.20 conditions;

255.21 (vii) has renounced the person's citizenship having been a citizen of the United States;
 255.22 or

255.23 (viii) is disqualified from possessing a firearm under United States Code, title 18, section
 255.24 922(g)(8) or (9), as amended through March 1, 2014;

255.25 (11) a person who has been convicted of the following offenses at the gross misdemeanor
 255.26 level, unless three years have elapsed since the date of conviction and, during that time, the
 255.27 person has not been convicted of any other violation of these sections: section 609.229
 255.28 (crimes committed for the benefit of a gang); 609.2231, subdivision 4 (assaults motivated
 255.29 by bias); 609.255 (false imprisonment); 609.378 (neglect or endangerment of a child);
 255.30 609.582, subdivision 4 (burglary in the fourth degree); 609.665 (setting a spring gun); 609.71
 255.31 (riot); or 609.749 (harassment or stalking). For purposes of this paragraph, the specified
 255.32 gross misdemeanor convictions include crimes committed in other states or jurisdictions
 255.33 which would have been gross misdemeanors if conviction occurred in this state;

256.1 (12) a person who has been convicted of a violation of section 609.224 if the court
 256.2 determined that the assault was against a family or household member in accordance with
 256.3 section 609.2242, subdivision 3 (domestic assault), unless three years have elapsed since
 256.4 the date of conviction and, during that time, the person has not been convicted of another
 256.5 violation of section 609.224 or a violation of a section listed in clause (11); or

256.6 (13) a person who is subject to an order for protection as described in section 260C.201,
 256.7 subdivision 3, paragraph (d), or 518B.01, subdivision 6, paragraph (g).

256.8 A person who issues a certificate pursuant to this section in good faith is not liable for
 256.9 damages resulting or arising from the actions or misconduct with a firearm or ammunition
 256.10 committed by the individual who is the subject of the certificate.

256.11 The prohibition in this subdivision relating to the possession of firearms other than
 256.12 pistols and semiautomatic military-style assault weapons does not apply retroactively to
 256.13 persons who are prohibited from possessing a pistol or semiautomatic military-style assault
 256.14 weapon under this subdivision before August 1, 1994.

256.15 The lifetime prohibition on possessing, receiving, shipping, or transporting firearms and
 256.16 ammunition for persons convicted or adjudicated delinquent of a crime of violence in clause
 256.17 (2), applies only to offenders who are discharged from sentence or court supervision for a
 256.18 crime of violence on or after August 1, 1993.

256.19 Participation as a patient in the registry program or use of adult-use cannabis flower,
 256.20 adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer
 256.21 products by a person 21 years of age or older does not disqualify the person from possessing
 256.22 firearms and ammunition under this section.

246.7 (vi) has been discharged from the armed forces of the United States under dishonorable
 246.8 conditions;

246.9 (vii) has renounced the person's citizenship having been a citizen of the United States;
 246.10 or

246.11 (viii) is disqualified from possessing a firearm under United States Code, title 18, section
 246.12 922(g)(8) or (9), as amended through March 1, 2014;

246.13 (11) a person who has been convicted of the following offenses at the gross misdemeanor
 246.14 level, unless three years have elapsed since the date of conviction and, during that time, the
 246.15 person has not been convicted of any other violation of these sections: section 609.229
 246.16 (crimes committed for the benefit of a gang); 609.2231, subdivision 4 (assaults motivated
 246.17 by bias); 609.255 (false imprisonment); 609.378 (neglect or endangerment of a child);
 246.18 609.582, subdivision 4 (burglary in the fourth degree); 609.665 (setting a spring gun); 609.71
 246.19 (riot); or 609.749 (harassment or stalking). For purposes of this paragraph, the specified
 246.20 gross misdemeanor convictions include crimes committed in other states or jurisdictions
 246.21 which would have been gross misdemeanors if conviction occurred in this state;

246.22 (12) a person who has been convicted of a violation of section 609.224 if the court
 246.23 determined that the assault was against a family or household member in accordance with
 246.24 section 609.2242, subdivision 3 (domestic assault), unless three years have elapsed since
 246.25 the date of conviction and, during that time, the person has not been convicted of another
 246.26 violation of section 609.224 or a violation of a section listed in clause (11); or

246.27 (13) a person who is subject to an order for protection as described in section 260C.201,
 246.28 subdivision 3, paragraph (d), or 518B.01, subdivision 6, paragraph (g).

246.29 A person who issues a certificate pursuant to this section in good faith is not liable for
 246.30 damages resulting or arising from the actions or misconduct with a firearm or ammunition
 246.31 committed by the individual who is the subject of the certificate.

246.32 The prohibition in this subdivision relating to the possession of firearms other than
 246.33 pistols and semiautomatic military-style assault weapons does not apply retroactively to
 247.1 persons who are prohibited from possessing a pistol or semiautomatic military-style assault
 247.2 weapon under this subdivision before August 1, 1994.

247.3 The lifetime prohibition on possessing, receiving, shipping, or transporting firearms and
 247.4 ammunition for persons convicted or adjudicated delinquent of a crime of violence in clause
 247.5 (2), applies only to offenders who are discharged from sentence or court supervision for a
 247.6 crime of violence on or after August 1, 1993.

247.7 Participation as a patient in the registry program or use of adult-use cannabis flower,
 247.8 adult-use cannabinoid products by a person 21 years of age or older does not disqualify the
 247.9 person from possessing firearms and ammunition under this section.

256.23 For purposes of this section, "judicial determination" means a court proceeding pursuant
256.24 to sections 253B.07 to 253B.09 or a comparable law from another state.

256.25 Sec. 64. Minnesota Statutes 2022, section 624.714, subdivision 6, is amended to read:

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

256.28 (1) issue the permit to carry;

256.29 (2) deny the application for a permit to carry solely on the grounds that the applicant
256.30 failed to qualify under the criteria described in subdivision 2, paragraph (b); or

256.31 (3) deny the application on the grounds that there exists a substantial likelihood that the
256.32 applicant is a danger to self or the public if authorized to carry a pistol under a permit.

257.1 (b) Failure of the sheriff to notify the applicant of the denial of the application within
257.2 30 days after the date of receipt of the application packet constitutes issuance of the permit
257.3 to carry and the sheriff must promptly fulfill the requirements under paragraph (c). To deny
257.4 the application, the sheriff must provide the applicant with written notification and the
257.5 specific factual basis justifying the denial under paragraph (a), clause (2) or (3), including
257.6 the source of the factual basis. The sheriff must inform the applicant of the applicant's right
257.7 to submit, within 20 business days, any additional documentation relating to the propriety
257.8 of the denial. Upon receiving any additional documentation, the sheriff must reconsider the
257.9 denial and inform the applicant within 15 business days of the result of the reconsideration.
257.10 Any denial after reconsideration must be in the same form and substance as the original
257.11 denial and must specifically address any continued deficiencies in light of the additional
257.12 documentation submitted by the applicant. The applicant must be informed of the right to
257.13 seek de novo review of the denial as provided in subdivision 12.

257.14 (c) Upon issuing a permit to carry, the sheriff must provide a laminated permit card to
257.15 the applicant by first class mail unless personal delivery has been made. Within five business
257.16 days, the sheriff must submit the information specified in subdivision 7, paragraph (a), to
257.17 the commissioner for inclusion solely in the database required under subdivision 15,
257.18 paragraph (a). The sheriff must transmit the information in a manner and format prescribed
257.19 by the commissioner.

257.20 (d) Within five business days of learning that a permit to carry has been suspended or
257.21 revoked, the sheriff must submit information to the commissioner regarding the suspension
257.22 or revocation for inclusion solely in the databases required or permitted under subdivision
257.23 15.

257.24 (e) Notwithstanding paragraphs (a) and (b), the sheriff may suspend the application
257.25 process if a charge is pending against the applicant that, if resulting in conviction, will
257.26 prohibit the applicant from possessing a firearm.

257.27 (f) A sheriff shall not deny an application for a permit to carry solely because the applicant
257.28 is a patient enrolled in the registry program and uses medical cannabis flower or medical

247.10 For purposes of this section, "judicial determination" means a court proceeding pursuant
247.11 to sections 253B.07 to 253B.09 or a comparable law from another state.

247.12 Sec. 56. Minnesota Statutes 2022, section 624.714, subdivision 6, is amended to read:

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

247.15 (1) issue the permit to carry;

247.16 (2) deny the application for a permit to carry solely on the grounds that the applicant
247.17 failed to qualify under the criteria described in subdivision 2, paragraph (b); or

247.18 (3) deny the application on the grounds that there exists a substantial likelihood that the
247.19 applicant is a danger to self or the public if authorized to carry a pistol under a permit.

247.20 (b) Failure of the sheriff to notify the applicant of the denial of the application within
247.21 30 days after the date of receipt of the application packet constitutes issuance of the permit
247.22 to carry and the sheriff must promptly fulfill the requirements under paragraph (c). To deny
247.23 the application, the sheriff must provide the applicant with written notification and the
247.24 specific factual basis justifying the denial under paragraph (a), clause (2) or (3), including
247.25 the source of the factual basis. The sheriff must inform the applicant of the applicant's right
247.26 to submit, within 20 business days, any additional documentation relating to the propriety
247.27 of the denial. Upon receiving any additional documentation, the sheriff must reconsider the
247.28 denial and inform the applicant within 15 business days of the result of the reconsideration.
247.29 Any denial after reconsideration must be in the same form and substance as the original
247.30 denial and must specifically address any continued deficiencies in light of the additional
247.31 documentation submitted by the applicant. The applicant must be informed of the right to
247.32 seek de novo review of the denial as provided in subdivision 12.

248.1 (c) Upon issuing a permit to carry, the sheriff must provide a laminated permit card to
248.2 the applicant by first class mail unless personal delivery has been made. Within five business
248.3 days, the sheriff must submit the information specified in subdivision 7, paragraph (a), to
248.4 the commissioner for inclusion solely in the database required under subdivision 15,
248.5 paragraph (a). The sheriff must transmit the information in a manner and format prescribed
248.6 by the commissioner.

248.7 (d) Within five business days of learning that a permit to carry has been suspended or
248.8 revoked, the sheriff must submit information to the commissioner regarding the suspension
248.9 or revocation for inclusion solely in the databases required or permitted under subdivision
248.10 15.

248.11 (e) Notwithstanding paragraphs (a) and (b), the sheriff may suspend the application
248.12 process if a charge is pending against the applicant that, if resulting in conviction, will
248.13 prohibit the applicant from possessing a firearm.

248.14 (f) A sheriff shall not deny an application for a permit to carry solely because the applicant
248.15 is a patient enrolled in the registry program and uses medical cannabis flower or medical

257.29 cannabinoid products for a qualifying medical condition or because the person is 21 years
 257.30 of age or older and uses adult-use cannabis flower, adult-use cannabis products,
 257.31 lower-potency hemp edibles, or hemp-derived consumer products.

257.32 Sec. 65. Minnesota Statutes 2022, section 624.7142, subdivision 1, is amended to read:

257.33 Subdivision 1. **Acts prohibited.** A person may not carry a pistol on or about the person's
 257.34 clothes or person in a public place:

258.1 (1) when the person is under the influence of a controlled substance, as defined in section
 258.2 152.01, subdivision 4;

258.3 (2) when the person is under the influence of a combination of any two or more of the
 258.4 elements named in clauses (1) and (4);

258.5 (3) when the person is under the influence of an intoxicating substance as defined in
 258.6 section 169A.03, subdivision 11a, and the person knows or has reason to know that the
 258.7 substance has the capacity to cause impairment;

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

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

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

258.11 (7) when the person is enrolled as a patient in the registry program, uses medical cannabis
 258.12 flower or medical cannabinoid products, and knows or has reason to know that the medical
 258.13 cannabis flower or medical cannabinoid products used by the person has the capacity to
 258.14 cause impairment.

258.15 Sec. 66. Minnesota Statutes 2022, section 624.7151, is amended to read:

624.7151 STANDARDIZED FORMS.

258.17 By December 1, 1992, the commissioner shall adopt statewide standards governing the
 258.18 form and contents, as required by sections 624.7131 to 624.714, of every application for a
 258.19 pistol transferee permit, pistol transferee permit, report of transfer of a pistol, application
 258.20 for a permit to carry a pistol, and permit to carry a pistol that is granted or renewed on or
 258.21 after January 1, 1993.

248.16 cannabinoid products for a qualifying medical condition or because the person is 21 years
 248.17 of age or older and uses adult-use cannabis flower or adult-use cannabis products.

248.18 Sec. 57. Minnesota Statutes 2022, section 624.7142, subdivision 1, is amended to read:

248.19 Subdivision 1. **Acts prohibited.** A person may not carry a pistol on or about the person's
 248.20 clothes or person in a public place:

248.21 (1) when the person is under the influence of a controlled substance, as defined in section
 248.22 152.01 169A.03, subdivision 4;

248.23 (2) when the person is under the influence of a combination of any two or more of the
 248.24 elements named in clauses (1) and (4);

248.25 (3) when the person is under the influence of an intoxicating substance as defined in
 248.26 section 169A.03, subdivision 11a, and the person knows or has reason to know that the
 248.27 substance has the capacity to cause impairment;

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

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

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

248.31 (7) when the person is enrolled as a patient in the registry program, uses medical cannabis
 248.32 flower or medical cannabinoid products, and knows or has reason to know that the medical
 249.1 cannabis flower or medical cannabinoid products used by the person has the capacity to
 249.2 cause impairment.

249.3 Sec. 58. Minnesota Statutes 2022, section 624.7143, is amended by adding a subdivision
 249.4 to read:

249.5 Subd. 6. **Definition.** As used in this section, "controlled substance" has the meaning
 249.6 given in section 169A.03, subdivision 6.

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

249.9 Sec. 59. Minnesota Statutes 2022, section 624.7151, is amended to read:

624.7151 STANDARDIZED FORMS.

249.11 By December 1, 1992, the commissioner shall adopt statewide standards governing the
 249.12 form and contents, as required by sections 624.7131 to 624.714, of every application for a
 249.13 pistol transferee permit, pistol transferee permit, report of transfer of a pistol, application
 249.14 for a permit to carry a pistol, and permit to carry a pistol that is granted or renewed on or
 249.15 after January 1, 1993.

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

258.30 Any form used for the purpose of approving or disapproving a person from purchasing,
 258.31 owning, possessing, or carrying a firearm that inquires about the applicant's use of controlled
 258.32 substances shall specifically authorize a patient in the registry program to refrain from
 259.1 reporting the use of medical cannabis flower and medical cannabinoid products and shall
 259.2 specifically authorize a person 21 years of age or older from refraining from reporting the
 259.3 use of adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles,
 259.4 or hemp-derived consumer products.

259.5 Sec. 67. **[624.7152] LAWFUL CANNABIS USERS.**

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

259.8 (b) A person may not be denied the right to purchase, own, possess, or carry a firearm
 259.9 solely on the basis that the person is 21 years of age or older and uses adult-use cannabis
 259.10 flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer
 259.11 products.

259.12 (c) A state or local agency may not access a database containing the identities of patients
 259.13 in the registry program to obtain information for the purpose of approving or disapproving
 259.14 a person from purchasing, owning, possessing, or carrying a firearm.

259.15 (d) A state or local agency may not use information gathered from a database containing
 259.16 the identities of patients in the registry program to obtain information for the purpose of
 259.17 approving or disapproving a person from purchasing, owning, possessing, or carrying a
 259.18 firearm.

259.19 (e) A state or local agency may not inquire about a person's status as a patient in the
 259.20 registry program for the purpose of approving or disapproving the person from purchasing,
 259.21 owning, possessing, or carrying a firearm.

259.22 (f) A state or local agency may not inquire about the use of adult-use cannabis flower,
 259.23 adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer
 259.24 products by a person 21 years of age or older for the purpose of approving or disapproving
 259.25 the person from purchasing, owning, possessing, or carrying a firearm.

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

249.24 Any form used for the purpose of approving or disapproving a person from purchasing,
 249.25 owning, possessing, or carrying a firearm that inquires about the applicant's use of controlled
 249.26 substances shall specifically authorize a patient in the registry program to refrain from
 249.27 reporting the use of medical cannabis flower and medical cannabinoid products and shall
 249.28 specifically authorize a person 21 years of age or older from refraining from reporting the
 249.29 use of adult-use cannabis flower or adult-use cannabis products.

250.1 Sec. 60. **[624.7152] LAWFUL CANNABIS USERS.**

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

250.4 (b) A person may not be denied the right to purchase, own, possess, or carry a firearm
 250.5 solely on the basis that the person is 21 years of age or older and uses adult-use cannabis
 250.6 flower or adult-use cannabis products.

250.7 (c) A state or local agency may not access a database containing the identities of patients
 250.8 in the registry program to obtain information for the purpose of approving or disapproving
 250.9 a person from purchasing, owning, possessing, or carrying a firearm.

250.10 (d) A state or local agency may not use information gathered from a database containing
 250.11 the identities of patients in the registry program to obtain information for the purpose of
 250.12 approving or disapproving a person from purchasing, owning, possessing, or carrying a
 250.13 firearm.

250.14 (e) A state or local agency may not inquire about a person's status as a patient in the
 250.15 registry program for the purpose of approving or disapproving the person from purchasing,
 250.16 owning, possessing, or carrying a firearm.

250.17 (f) A state or local agency may not inquire about the use of adult-use cannabis flower
 250.18 or adult-use cannabis products by a person 21 years of age or older for the purpose of
 250.19 approving or disapproving the person from purchasing, owning, possessing, or carrying a
 250.20 firearm.

259.26 Sec. 68. **REPEALER.**

259.27 (a) Minnesota Statutes 2022, sections 152.22, subdivisions 1, 2, 3, 4, 5, 5a, 5b, 6, 7, 8,
 259.28 9, 10, 11, 12, 13, and 14; 152.23; 152.24; 152.25, subdivisions 1, 1a, 1b, 1c, 2, 3, and 4;
 259.29 152.26; 152.261; 152.27, subdivisions 1, 2, 3, 4, 5, 6, and 7; 152.28, subdivisions 1, 2, and
 259.30 3; 152.29, subdivisions 1, 2, 3, 3a, and 4; 152.30; 152.31; 152.32, subdivisions 1, 2, and 3;
 259.31 152.33, subdivisions 1, 1a, 2, 3, 4, 5, and 6; 152.34; 152.35; 152.36, subdivisions 1, 1a, 2,
 259.32 3, 4, and 5; and 152.37, are repealed.

260.1 (b) Minnesota Statutes 2022, section 152.027, subdivisions 3 and 4, are repealed.

260.2 (c) Minnesota Statutes 2022, section 152.21, is repealed.

260.3 **EFFECTIVE DATE.** Paragraph (a) is effective January 1, 2024. Paragraph (b) is
 260.4 effective August 1, 2023. Paragraph (c) is effective July 1, 2023.

250.21 Sec. 61. **HIGH INTENSITY DRUG TRAFFICKING AREA REPORT.**

250.22 The commissioner of public safety, working in conjunction with Hennepin County, must
 250.23 produce a statewide baseline high intensity drug trafficking area report on marijuana. The
 250.24 report must include information on past and present marijuana use in Minnesota; potency
 250.25 of marijuana; impacts of marijuana use on public health, emergency room admissions, traffic
 250.26 accidents, impaired driving citations, workforce, and schools; marijuana crimes and the
 250.27 juvenile justice system; marijuana's influence on the opioid epidemic; and the illicit market
 250.28 for marijuana. The report must be submitted to the chairs and ranking minority members
 250.29 of the house of representatives and senate committees with jurisdiction over public safety,
 250.30 health, education policy, labor, and transportation by February 1, 2024.

251.1 Sec. 62. **REPEALER.**

251.2 (a) Minnesota Rules, parts 4770.0100; 4770.0200; 4770.0300; 4770.0400; 4770.0500;
 251.3 4770.0600; 4770.0800; 4770.0900; 4770.1000; 4770.1100; 4770.1200; 4770.1300;
 251.4 4770.1400; 4770.1460; 4770.1500; 4770.1600; 4770.1700; 4770.1800; 4770.1900;
 251.5 4770.2000; 4770.2100; 4770.2200; 4770.2300; 4770.2400; 4770.2700; 4770.2800;
 251.6 4770.4000; 4770.4002; 4770.4003; 4770.4004; 4770.4005; 4770.4007; 4770.4008;
 251.7 4770.4009; 4770.4010; 4770.4012; 4770.4013; 4770.4014; 4770.4015; 4770.4016;
 251.8 4770.4017; 4770.4018; and 4770.4030, are repealed.

251.9 (b) Minnesota Statutes 2022, sections 152.22, subdivisions 1, 2, 3, 4, 5, 5a, 5b, 6, 7, 8,
 251.10 9, 10, 11, 12, 13, and 14; 152.23; 152.24; 152.25, subdivisions 1, 1a, 1b, 1c, 2, 3, and 4;
 251.11 152.26; 152.261; 152.27, subdivisions 1, 2, 3, 4, 5, 6, and 7; 152.28, subdivisions 1, 2, and
 251.12 3; 152.29, subdivisions 1, 2, 3, 3a, and 4; 152.30; 152.31; 152.32, subdivisions 1, 2, and 3;
 251.13 152.33, subdivisions 1, 1a, 2, 3, 4, 5, and 6; 152.34; 152.35; 152.36, subdivisions 1, 1a, 2,
 251.14 3, 4, and 5; and 152.37, are repealed.

251.15 (c) Minnesota Statutes 2022, section 152.027, subdivisions 3 and 4, are repealed.

251.16 (d) Minnesota Statutes 2022, section 152.21, is repealed.

251.17 (e) Minnesota Statutes 2022, sections 18K.08; 34A.01, subdivision 4; and 151.72, are
 251.18 repealed.

251.19 **EFFECTIVE DATE.** Paragraphs (a) and (b) are effective January 1, 2024. Paragraph
 251.20 (c) is effective August 1, 2023. Paragraph (d) is effective July 1, 2023. Paragraph (e) is
 251.21 effective March 1, 2025.